

Academy of the Police Force in Bratislava

DOMINIKA DINUŠOVÁ
ORCID: 0000-0003-3170-9998
dominika.dinusova@akademiapz.sk

Code of Ethics in the Police Profession as a Means of Shaping the Relationship between the Police and Civil Society*

Kodeks etyki w zawodzie policjanta jako sposób kształtowania relacji między policją a społeczeństwem obywatelskim

INTRODUCTION

Security is a multidimensional social aspect in which several circumstances enter. One of them is the social atmosphere shaped by a tangle of economic, political, cultural, historical and other variables. The Police Force carries out its activities in specific social conditions. It contributes to the formation of security, indeed, the maintenance of a safe social environment is the aim of its activity, for which it uses the range of means provided for by law. An essential part of the formation of a safe environment is the formation of the relationship between civil society and the police. This relationship is important in terms of (1) understanding the role of the police in contemporary European societies, where the legitimacy of the police is derived from the consent of civil society, and (2) the effective performance of police tasks. Only in an environment that shows trust in the police organization can the Police Force fulfil its objectives.

The relationship between the police and the public is complicated and influenced by a number of factors. Although the Police Force cannot influence all of the social factors entering into this relationship, it can develop tools that reinforce and support the maintenance of a positive police-public relationship.

* The article is a partial result of the scientific project VEGA MŠVVaV SR No. 2/0028/24 “Social changes and conflicts in selected contexts of the development of contemporary capitalism”.

One of these tools is a code of ethics. It has a long tradition in the European context, and has been the subject of extensive debate concerning its content, its application and its possible updating. The Code of Ethics of Police Officer in the Slovak Republic was updated in 2022. Its new wording was, among other things, also intended to respond to changes in the security environment and to contribute to strengthening the relationship between the police and civil society.

The aim of the present study is to define selected aspects of updating the Code of Ethics of Police Officer in the Slovak Republic in the context of strengthening the relationship between the Police Force and civil society as a contribution to the formation of the security environment. By using the analysis of the document through the prism of international requirements and national needs, it is possible to demonstrate the potential of the code of ethics for building the credibility of the Police Force.

The formulation of a code of ethics is the subject of police ethics research. Today, police ethics represents a dynamically developing applied social science discipline of security sciences, which is formed in interaction with general ethics on the one hand – it uses general ethical theories, works with concepts and notions of general ethics; on the other hand, its implementation is inherent in the interaction with security practice, which makes it possible to specify general ethical notions and capture them in specific connotations of practical police activities, or to fill them with practical content¹.

Ethics is today a significant area of interest in the emerging security sciences; it is part of the education of security professionals – at the Academy of the Police Force in Bratislava it is given significant attention. It is represented in several courses such as Professional Ethics, Philosophy and Ethics, and Police Ethics. Nevertheless, ethics is not infrequently subjected to criticism for being vague, redundant and somehow insufficient in relation to the law. Police officers sometimes get the impression that everything relevant to their official activities is contained in the law. It is explicitly given, formulated, and only interpretations, handles are important. What is allowed, what is forbidden, must be clearly given and defined by law. However, without denying the importance of legality and the law in general for the police service, the perceptive police officer will inquire after the terms of the possibility of action that the law permits or prohibits. He will question the legitimacy of the law, of the conduct it prescribes, and he will question his duties and obligations when confronted with the not always clear circumstances of his official activity. And this is where the space for philosophy, for its discipline, arises: ethics. The questions of the legitimacy of official activity (not legality), the questions of the collective consciousness of members of the security forces are not the last ones; on the contrary, in the context of the sharpening contradictions of contemporary capitalist society, they can play a key

¹ Z. Herzogová, *Policejní etika*, Praha 2003.

role in crises and social entanglements. The question of morality – morals in the security forces has multiple planes, and its meanings could be identified at multiple levels. One of them is the level of the relationship between the police and civil society. Respectively, the function of police ethics, which is, among others, to maintain and contribute to a favourable public perception of the police service. In the words of Montesquieu, “It is not necessary to enforce by law what can be obtained by morals”².

CODE OF ETHICS IN THE POLICE PROFESSION

The code of ethics is the most tangible expression of ethics in the police profession. We understand it as a set of rules containing specific requirements for the exercise of the police profession. It is not a code of professional obligations, but a code of moral obligations, i.e. a broader framework of requirements for the exercise of the profession.

While it is clear that different codes of ethics contain different ethical principles and requirements, A. Remišová sets out three criteria or certain ethical minimum that every code of ethics should contain. These ethical minimums could/should be:

1. Subscribing to the principle “Do No Harm!” – *Neminem laedere!* This is a fundamental principle by which each group commits itself not to abuse its knowledge, autonomy and social status in relation to all those who depend on it or are directly or indirectly linked to it. At the same time, the professional group, through its members, undertakes to respect the status of human beings as beings with inalienable human rights – although, of course, the content, scope and form of these rights are historically variable and contestable.
2. The principle of fairness. As the principle of professional minimum, it means to strive for true knowledge in one’s field, objective assessment of one’s work, fair conduct, just attitudes, respect for professional honour, etc. only by the implementation of many small acts of honour by many members of a profession is the credibility of that profession established.
3. Signing up to participate in the creation of social well-being, culture and wealth. Conscious participation in the social good means that the group is aware of its social mission. In doing so, the profession not only expresses its moral obligation to give back to society what has enabled its development and autonomy, but also its moral responsibility towards society as a whole, towards nature and towards future generations³.

² C. Montesquieu, *Pensées; Le Spicilège*, Paris 1991.

³ A. Remišová, *Profesijné etické kódexy*, “Filozofia” 2000, vol. 55(3), pp. 218–228.

The code of ethics of a member of the Police Force is based on the specifics of the police profession. It follows the objectives of the police service and is harmonized with the legislative regulation of the police service. The Code of Ethics of Police Officer fulfils several functions: (1) it helps the police officer to navigate in complex situations of police activity (e.g. when dealing with ethical dilemmas), facilitating the choice of the right line of action and thus preventing professional mistakes; (2) it contributes to the clarification of the basic moral principles of the police profession, to the perception of the ethical dimension of police activity and thus of ethical issues related to police activity; (3) last but not least, it promotes the formation of professional honour and pride in belonging to the Police; (4) it has a testimonial value in relation to the public, as it provides the citizen with information on what kind of behavior he can expect from a police officer⁴ – thus, it is one of the elements that, provided successful implementation, can positively influence the relationship between the Police Force and civil society.

The ambition to introduce codes of ethics in the police sector comes from the German-speaking countries. Historically, we find such examples from 1860, 1935, 1945, 1965. One of the first modern police codes of ethics can be considered to be the document adopted by the International Association of Chiefs of Police (IACP) at its 64th Conference in 1957. Its main idea is to see policing as a service to citizens and to respect fundamental human rights and freedoms. Emphasis was placed on the self-control of the police officer and his conduct towards the public.

A significant landmark for any policing in (Western) Europe was Council of Europe Resolution 690/1979, which contains eight points and the Declaration on the Police. The Declaration itself consists of three parts: first, the 16 points enumerate the basic ethical duties of the police officer, the next 11 points concern the status of the police, and the final 7 points are devoted to the issues of war and occupation.

Another important step for the development of the present form of the Code of Ethics of Police Officer was the publication of the European Code of Police Ethics on 19 September 2001 as a Recommendation of the Committee of Ministers of the Council of Europe to the Member States. It is one of the most important documents regulating the moral aspect of the work of the Police Force. It sets out the role and position of the police and the ethical standards of behaviour and conduct of members of the Police Force. The aim of formulating the European Code of Police Ethics was to unify the rules for the treatment of citizens in the countries of the European Union, so that citizens – with respect for the specificities in each country

⁴ Ministerstvo vnútra Slovenskej republiky, *Príručka k etickému kódexu príslušníka Policajného zboru vydaného nariadením Ministerstva vnútra Slovenskej republiky č. 41/2022 o etickom kódexe príslušníka Policajného zboru*, 2023, https://www.minv.sk/?PZ_SR-eticky-kodex&subor=505369 (access: 14.04.2024), p. 4.

– can anticipate the behavior and actions of police officers. This requirement was made urgent by the accession of the new Member States of the European Union in 2004. The European Code of Police Ethics deals in detail with the objectives of the police, the legitimacy of their role in society, the relationship between the public and the police, the organizational structure, regulates the activities of the police in their specific activities, emphasizes the need for and the functioning of internal control mechanisms, ethics education and training in the educational system of the police in the Member States, and does not neglect the importance of research and international cooperation.

In connection with the Recommendation of the European Code of Police Ethics, the first national code of ethics for police officers in the Slovak Republic came into force. It expressed the basic principles of the police service, referred to the above-mentioned European document and modified its form over time in relation to the needs of the police service. Until 2022, the Code of Ethics of Police Officer consisted of 11 articles, while in 2020 the third one was amended, but no major changes were made in terms of structure and content. The impetus to update and deepen the ethical requirements of the police service came from the international context.

In 2020, the Council of Europe in Strasbourg hosted an international conference of representatives of the Ministries of the Interior of the Member States of the European Union titled “The Role of the Police in a Democratic Society: Nearly 20 Years of the European Code of Police Ethics” (20–21 October 2020). The anniversary of the adoption of the European Code of Police Ethics was an opportunity to reflect on the wording of the Code and to assess the extent of its practical application in the context of the current social situation. The content of the conference was concentrated in five thematic blocks: qualification, recruitment and provision of the police force; the role and place of women in the police; accountability and internal and external control of the police; research and international cooperation; institutional strengthening between the Council of Europe and representatives of the Ministries of the Interior of the EU Member States. From the contributions of the participants, it was possible to compare the ways in which the European Code of Police Ethics has been incorporated in some Member States, but also to identify the challenges for updating police ethics and the wording of codes of ethics.

A further impetus was provided by the recommendations contained in the evaluation report of the Fifth Round of the Evaluation of the Prevention of Corruption and Promotion of Integrity in Central Government (High Level Executive Functions) and Law Enforcement Agencies (GrecoEval5Rep(2018)9), adopted by GRECO at its 83rd Plenary Meeting (Strasbourg, 17–21 June 2019), “to update the Code of Ethics to address all relevant integrity issues and to complement it with a handbook with illustrative, concrete examples and demonstrations on all

issues and risk areas; to base all information and other training of the members of the FIU on this revised Code of Ethics and handbook and to publish the Code of Ethics to the public”⁵. On the basis of these, the Code of Ethics of Police Officer was updated and a *Handbook on the Code of Ethics* was developed. Both are published on the website of the Ministry of the Interior and will be part of the further training of police officers⁶. The actual updating of the Code of Ethics has been ongoing since 2021, when a working group was established to update the Code of Ethics, and in 2022 a new Code of Ethics of Police Officer was adopted by Regulation of the Minister of the Interior No. 41 of 24 February 2022. Other challenges and initiatives in the area of police ethics are also addressed by the area of education – deepening the moral consciousness of the Police Force officers and the area of ethical infrastructure – finding optimal ways to implement ethical standards.

SELECTED ASPECTS OF UPDATING THE CODE OF ETHICS OF POLICE OFFICER IN THE CONTEXT OF FORMING THE RELATIONSHIP BETWEEN THE POLICE AND CIVIL SOCIETY

The updating of the Code of Ethics has brought with it the need to respond to a number of challenges that such an exercise implies. It was necessary to respond to the new forms of criminality that bring changes to police work, to social factors such as a culturally and gender divergent society, to the need for as clear a formulation as possible, taking into account its implementation potential, respecting not too concrete and not too abstract formulations, and bearing in mind the need to harmonize it with the legislation in force. In terms of the relationship between the Police Force and civil society, two aspects were applied: (1) the incorporation of elements of ethical virtue, which were intended to bring a motivational dimension to a traditionally deontological document for a member of the Police Force and at the same time to serve as a framework for his or her actions; (2) the value of trustworthiness, expounded in concrete standards, was implemented within the summary of the articles of the Code.

1. Structure of the Code of Ethics of Police Officer in the context of the incorporation of virtue ethics

Virtue ethics is one of the oldest ethics, developed primarily in the works of the ancient classics. It focuses human action on its presuppositions, i.e. on the personal qualities of the moral subject. Virtue ethics is not concerned with the question of

⁵ *Ibidem*, p. 27.

⁶ *Ibidem*, p. 24.

how we should act, but focuses on the question of how we should be. In terms of the development of the history of philosophy, it is remarkable to note the focus of virtue ethics applied to the security components of the Greek polis, or state, which we find explicitly in Plato's work *The Constitution*. Plato formulates virtue ethics as the ethics of the individual who acquires virtue (*ἀρετή, areté*) understood in terms of fitness of character acquired through upbringing and education. Characteristic of the great philosophical systems of antiquity, Plato's individualistic virtue ethics has its impact on the social constitution of the state (*πόλις, polis*), where it manifests itself in the social stratification of society. In addition to rulers and producers, Plato thus distinguishes guardians of the polis, who ensure the internal and external security of the polis. In Title IV of the *Constitution*, Plato makes a specific demand for the character of the guardian, who should above all be endowed with the virtue of fortitude. Although we might imagine courage, determination, fearlessness under the term "bravery" (*ανδρεία, andreia*), Plato's explanation does not draw similar connections. In his conception, bravery signifies "the power and ability, under all circumstances, to maintain a right and lawful opinion of what is dangerous and what is not dangerous"⁷. A vigilante is one who distinguishes between safe opinions for the polis and dangerous ones, and bases his actions on this distinction. As Plato adds, bravery "is a kind of preservation"⁸, which can be understood as the preservation of the polis itself. Virtue as a fitness of character played a significant role in both idealist and materialist ethical conceptions. It manifested itself in some of the ethics of the Hellenistic period, it was at the centre of the ethical theory of T. Aquinas, B. Spinoza or P.H.D. von Holbach.

The interest in virtue ethics was strongly manifested in the 20th century in the Anglo-Saxon ethical tradition as a manifestation of the demarcation against meta-ethical approaches in an attempt to rehabilitate normative ethics, and also in connection with the revival of questions related to the possibility of the best way of life, value orientation, and questions concerning the good life in relation to the character of the human person. G.E.M. Anscombe, whose study *Modern Moral Philosophy* initiated the return to virtue ethics, responded to the need for a focus of ethical reflection tied to specific human desires and needs.⁹ In her view, ethical theories that build on notions of duty and individual obligations (deontological ethics) are difficult to defend, since they examine moral action as an end in itself, independent of human needs and desires. A. MacIntyre has responded to Anscombe's challenge by revitalizing the Aristotelian conception of virtue ethics in the terms of 20th-century modern society. He conceives of a distinctive ethical theory built on the basis of three interrelated dimensions of moral action: the

⁷ Platón, *Émile*, New York 1979, p. 190 (430b).

⁸ *Ibidem*, p. 188 (429c).

⁹ G.E.M. Anscombe, *Modern Moral Philosophy*, "Philosophy" 1958, vol. 33(124).

dimension of social practice, the narrative ordering of a coherent human life, and moral tradition. He defines virtue as an acquired human quality, the possession and exercise of which enables us to achieve the good inherent in practice and the absence of which effectively prevents us from achieving it¹⁰.

In general, virtue ethics presuppose a certain moral ideal (the ideal of moral perfection) and in this sense formulate their own idea of the ideal human being – the virtuous person. They attribute to this person certain positive moral characteristics – virtues – and put forward an explanation of what kind of qualities they represent and how they are acquired¹¹. In terms of the application of virtue ethics in police ethics, it is manifested at the level of its axiological aspect, which sets the value framework for the exercise of the profession. It directly implies the character qualities of a member of the Police Force. Emphasis is placed on the process of acquiring the required abilities, which are acquired through one's own efforts and education. In the concretization of police ethics, the direct evidence of the presence of virtue ethics is the emphasis on the personal qualities of the superior, who is to be a role model for the subordinate by his behavior and actions. The above fact is enshrined in the Code of Ethics of Police Officers in Article 2 "Legality and professionalism", which is characterized by the requirement on the superior in the sense that "(3) The superior shall create suitable conditions necessary for the proper performance of official activity. He/she shall encourage his/her subordinate police officers to further their education and professional development, respect their personality and manage them without bias", and "(4) In the performance of official activities, the superior shall develop and promote ethical conduct among his/her subordinates, require them to comply with the Code of Ethics and himself/herself set an example for them in complying with it"¹².

Nowadays, it is not uncommon to see elements of virtue ethics being introduced into professional ethics, into codes of ethics, into interpretations of codes of ethics as originally deontological documents. Police ethics is traditionally a deontological ethics – that is, it is oriented towards the duties of the police officer. It is sometimes equivalently called police deontology. However, we feel that this term does not encompass the entire scope of police ethics, but is more relevant to refer to the part of police ethics devoted to the code of ethics as the sum of a police officer's duties. The traditionally deontological document was enriched with elements of virtue ethics, which fulfilled several functions, as part of the update of the Code of Ethics of Police Officer.

¹⁰ A. MacIntyre, *After Virtue*, London 1981, p. 191.

¹¹ M. Kuna, *Úvod do etiky cnosti*, Ružomberok 2010, pp. 33–34.

¹² Regulation of the Ministry of the Interior No. 41 of 24 February 2022 on the Code of Ethics of Police Officer (Gazette of the Ministry of the Interior of the Slovak Republic No. 41/2022, p. 223).

As part of the update of the Code of Ethics of Police Officer, the elements of virtue ethics have been applied in the new structure of the document. The individual standards were subordinated to a value/virtue which is to be the practical outcome of the implementation of the given standards. They were expressed as article titles. The Code of Ethics consists of nine articles, with Articles 1, 8 and 9 representing the formal definitions: the introductory clause, the concluding clause and the effectiveness clause. The ethical content of the articles is given by the name of a particular virtue, which includes: legality and professionalism, impartiality, confidentiality, professional responsibility and professional discipline, trustworthiness, integrity and conflict of interest. Their purpose was to make available not only the content of the rules but also the objective of their observance, which is to pursue and cultivate a particular virtue. The titles of the articles express a virtue (equivalently, in police ethics, a value, moral principle or tenet) – the way a police officer should be. To achieve virtue, one must follow the rules contained in the article. The relationship between virtue and rules is represented by the relationship between the particular value expressed in the title of the article and the norms expressed in its paragraphs.

Under each article are concentrated specific standards to be followed. The relationship between the article and the norms that relate to it serves two functions. The first is a motivational function. The naming of an article after a moral principle, value, or virtue is a discernible element of virtue ethics, which expresses an effort to bring the police officer closer not only to what he ought to do, but to what he ought to strive to be. This is also why we find impartiality (to be impartial), professionalism (to be professional), trustworthiness (to be trustworthy), etc. Thus, the article itself is a motivating element of the Code, which in its individual headings provides basic information about the moral requirements for a police officer. The second function is an explicative function. If the primary information is provided by the title of the article, the standards that fall under it clarify its content. Thus, the individual rules explain, e.g., the understanding of impartiality, professional discipline, trustworthiness, etc. in the Police Force. At the same time, they are an approximation to practical conduct. They express the need to act in accordance with them, with the result of achieving the stated moral principle / value / virtue. The structure of a code of ethics in this sense could be captured as in Figure 1.

The virtues in the code of ethics serve as certain passwords that are immediately accessible to the police officer. Specific standards illuminate their meaning and specify what they primarily mean in the context of police service. This preserves the character of the document, which is normative deontological, but the elements in question are also intended to convey the objective of adherence to certain norms, which is not an end in itself, but tends to shape a desirable way of decision-making and action, a desirable way of performing police work, the bearer of which is the particular police officer as a person with moral autonomy.

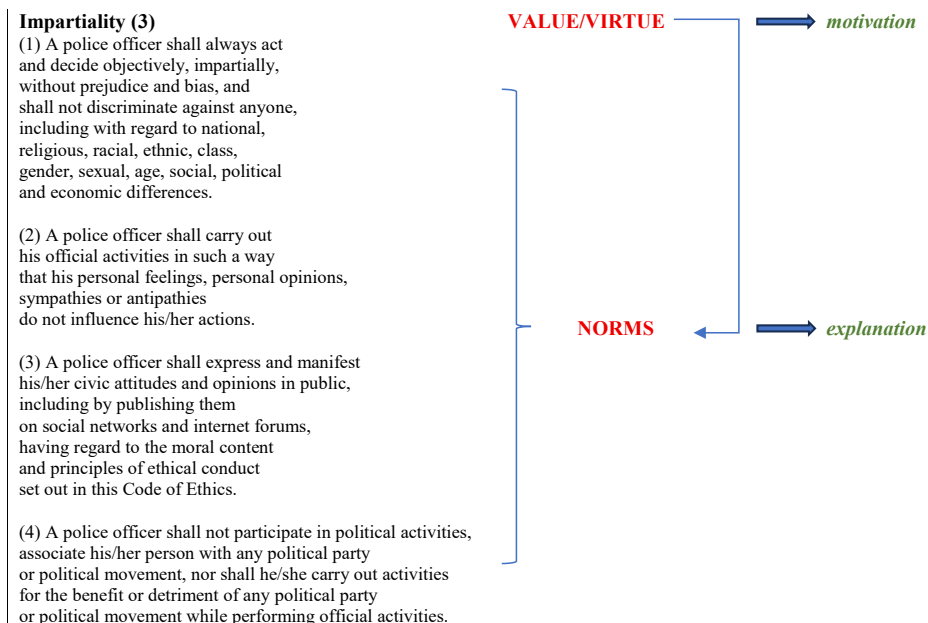


Figure 1. Functions of virtue ethics in Code of Ethics of Police Officer (Slovak Republic) – example
 Source: own elaboration based on: Ministerstvo vnútra Slovenskej republiky, *Príručka k etickému kódexu príslušníka Policajného zboru vydaného nariadením Ministerstva vnútra Slovenskej republiky č. 41/2022 o etickom kódexe príslušníka Policajného zboru*, 2023, https://www.minv.sk/?PZ_SR-eticky-kodex&subor=505369 (access: 14.04.2024), p. 11.

2. The credibility of the Police Force

The code of ethics binds the police officer inwards to the professional organization, towards the public it makes it clear to civil society what the ethical expectations of police officers are. The credibility of the Police Force is a multidimensional problem, and the ethical dimension of its examination and practical construction is not irrelevant. Research conducted in 2022, which consisted of an analysis of a sample of complaints from citizens of the Slovak Republic registered at the Complaints Department of the Internal Control Department of the Police Force Presidium in Bratislava, showed that up to 32% of the submitted complaints reflected the ethical dimension of police work¹³. It should be stressed that this figure does not reflect the validity of the registered complaints, but points to the dimension of the perception of the ethical aspects of police work. Thus, the public directly perceives the manner in which a police

¹³ D. Dinušová, *Dôveryhodnosť Policajného zboru v perspektívach filozofie a etiky*, Bratislava 2024. See also D. Dinušová, M. Sabayová, *Determinants of the Credibility of the Police Force from the Perspective of Citizen's Complaints about the Police Service*, "Policija i sigurnost" (in editorial process).

officer conducts himself, his verbal and non-verbal communication in the context of situations in which citizens come into direct contact with police officers.

The Code of Ethics of Police Officer also took these circumstances into account. By including a specific article in the summary of standards, it was intended to highlight the importance of this aspect for police work and to make available an understanding of police service that requires acceptance and support from civil society. It stems from the social acceptance of its work as a guarantor of the maintenance of order and security. The need for police legitimacy is also referred to in several points in the European Code of Police Ethics. In this context, mention may be made of Article 1, which sets out the main objectives of the police in a democratic society, regulated by law, as “the maintenance of public tranquility, law and order in society”¹⁴. Article 12 states that “the police shall be organised with a view to earning public respect as professional upholders of the law and providers of services to the public”¹⁵. Subsequently, Article 18 specifies cooperation by stating that “the police shall be organised in a way that promotes good police/public relations and, where appropriate, effective co-operation with other agencies, local communities, non-governmental organisations and other representatives of the public, including ethnic minority groups”¹⁶. Last but not least, Article 59 states that “the police shall be accountable to the state, the citizens and their representatives. They shall be subject to efficient external control”¹⁷.

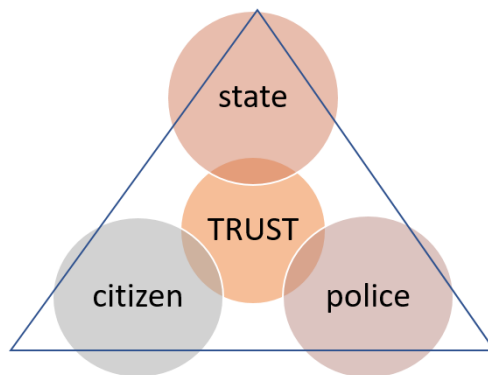


Figure 2. Inferring the legitimacy of the police in contemporary European societies
Source: own elaboration.

¹⁴ Council of Europe, The European Code of Police Ethics, Recommendation Rec(2001)10 adopted by the Committee of Ministers of the Council of Europe on 19 September 2001 and explanatory memorandum, 2002, <https://rm.coe.int/the-european-code-of-police-ethics-pdf/1680b003e0> (access: 14.04.2024), p. 7.

¹⁵ *Ibidem*, p. 8.

¹⁶ *Ibidem*.

¹⁷ *Ibidem*, p. 12.

A number of research activities have been conducted at the Police Academy on the credibility of the Police Force, including its ethical dimension. The interest in the treatment of this issue resulted from the long-standing low credibility of the Police Force. The indicators of public opinion polls cannot be attributed to unilateral misconduct of police officers in ethical or other dimensions. The social aspect of credibility is conditioned by a number of factors – political, cultural, historical – that cannot be influenced by the quality of police work. As K. Murdza shows, it is impossible to separate the frustration of Slovak citizens with the failure of state institutions from the negative consequences that cause a decline in trust in these institutions. It is logical that citizens transfer their criticism and general dissatisfaction with the state of functioning of society, its chaotic economic and social management, or the enforcement of the law, to those whom they label as guilty and incompetent to establish order and justice. The symbol of the failure of the entire justice system ultimately becomes its most visible instrument – the police¹⁸. Trust in the police organization does not take place in a social vacuum, but can be assumed to be related to trust in other state institutions.

On the other hand, efforts to enhance the credibility of the Police Force through the available areas cannot be abandoned. The update of the Code of Ethics of Police Officer has taken into account the importance of this variable by incorporating a separate article on credibility, which it has explicated through four standards. The incorporation of this article draws the attention of the police officer to the importance of striving to be trustworthy, while also explaining to the officer the most important levels where his or her behavior and actions translate to that variable. “Trustworthiness” constitutes Article 6 in the Code of Ethics. It is expressed by the following standards: “(1) A police officer shall act in such a way that by his/her moral and honest behaviour, professionalism and responsibility he/she contributes to increasing the credibility of his/her person and the credibility of the Police Force. (2) A police officer shall not misuse the entrusted official financial resources and means for private purposes while performing official activities. (3) A police officer shall show courtesy, politeness, respect, tact and consideration in the performance of official activities. (4) A police officer shall, in the performance of official activities, behave in a correct manner towards colleagues, in accordance with professional courtesy and shall not disregard their professional competence. He shall also behave courteously and correctly towards colleagues holding opposing views. However, he shall not tolerate unethical behavior on their part”.

The inclusion of trustworthiness in the Code of Ethics was intended to highlight the importance of this aspect of the police service, because without

¹⁸ K. Murdza, *Nedôvera k policii ako súčasť systémovej krízy spoločnosti*, [in:] *Dôveryhodnosť Policajného zboru na pozadí aktuálnych otázok policajnej teórie a praxe*, ed. D. Dinušová, Bratislava 2021, p. 88.

the trust of citizens, the police cannot fulfil their social functions, as they would lack the necessary source of information and the necessary social acceptance and support¹⁹. At the same time, the Code of Ethics aims to make clear the importance of standards, compliance with which can strengthen citizens' trust.

CONCLUSIONS

Shaping a safe environment is a multidimensional problem. It also includes the ethical institutional aspects of the Police Force. A contribution to the formation of a safe environment was the updating of the Code of Ethics of Police Officer, which has been underway since 2021 in the conditions of the Slovak Republic. It resulted in the issuance of an updated Code of Ethics, which entered into force in 2022 by Regulation of the Ministry of the Interior No. 41 of 24 February 2022 on the Code of Ethics of Police Officer. Some of the elements that were implemented in the Code were intended to contribute to strengthening the relationship between civil society and the police. This is the very incorporation of the article of trustworthiness, which is intended to motivate and explain to the police officer this value of police service. At the same time, elements of virtue ethics have been incorporated into the document in this context.

The Code of Ethics of Police Officer is a document regulating the ethical aspect of the police profession and is therefore primarily addressed to police officers. At the same time, it is also accessible to the public, so its wording makes it possible to clarify for the citizen what he can expect from a police officer – what manners, what behavior and actions. In this respect, it contributes to building a relationship of trust, which is essential for contemporary police work.

Only the implementation of the Code of Ethics, its standards and its use will show the places that will be discussed and possibly modified in the future. It is questions of ethical infrastructure, disciplinary mechanisms and the imposition of sanctions rather than content that are at issue here. The Code of Ethics represents a kind of ideal that can be critically accepted as such. However, the point is not to construct a perfect individual; the point is to come closest to that ideal. In the words of J.-J. Rousseau, “to suspect an ideal of being unfeasible is not a sufficient argument, because the definition makes it feasible”²⁰.

The updated Code of Ethics foresees the need for further training in this area and the practice itself. The dual approach to the acquisition of virtue, already present in the two great ancient systems: the Platonic and the Aristotelian, is thus encountered here. In the Platonic sense, we need to acquire virtue through

¹⁹ P. Bilský, M. Pajpachová, *Vývoj dôveryhodnosti Policajného zboru u občanov Slovenskej republiky a analýza faktorov, ktoré ju ovplyvňujú*, Bratislava 2002 (project of scientific task), p. 9.

²⁰ J.-J. Rousseau, *Émile*, New York 1979, p. 325.

education and training – further education in police ethics, which the updating of the Code of Ethics presupposes. In this regard, the Guide to the Regulation of the Ministry of the Interior No. 41 of 24 February 2022 on the Code of Ethics of Police Officer has been issued. Its aim is to bring the police officer closer to an understanding of the ethical dimension of the police service, anchored in the Code of Ethics, which represents a summary of the key values and standards of police ethics²¹. The publication of the handbook is a step towards the implementation of further training within the Ministry of the Interior in the future. The second approach is Aristotelian. In this sense, we need practice, because we acquire virtue in the practice of our actions. It is not a torpid state, but an action that is formed, shaped, that exists only in the concrete act of a person. As Aristotle has already summarized, we acquire virtues only after previous activity, as is the case with the other arts and crafts. For what we have to learn before we can do it, we learn by doing it²².

REFERENCES

LITERATURE

- Anscombe G.E.M., *Modern Moral Philosophy*, "Philosophy" 1958, vol. 33(124), DOI: <https://doi.org/10.1017/S0031819100037943>.
- Aristoteles, *Etika Nikomachova*, Bratislava 1979.
- Bilský P., Pajpachová M., *Vývoj dôveryhodnosti Policajného zboru u občanov Slovenskej republiky a analýza faktorov, ktoré ju ovplyvňujú*, Bratislava 2002 (project of scientific task).
- Dinušová D., *Dôveryhodnosť Policajného zboru v perspektívach filozofie a etiky*, Bratislava 2024.
- Dinušová D., Sabayová M., *Determinants of the Credibility of the Police Force from the Perspective of Citizen's Complaints about the Police Service*, "Policija i sigurnost" (in editorial process).
- Herzogová Z., *Policejní etika*, Praha 2003.
- Kuna M., *Úvod do etiky cnosti*, Ružomberok 2010.
- MacIntyre A., *After Virtue*, London 1981.
- Montesquieu C., *Pensées; Le Spicilège*, Paris 1991.
- Murda K., *Nedôvera k policii ako súčasť systémovej krízy spoločnosti*, [in:] *Dôveryhodnosť Policajného zboru na pozadí aktuálnych otázok policajnej teórie a praxe*, ed. D. Dinušová, Bratislava 2021.
- Platón, *Ústava*, Prague 1993.
- Remišová A., *Profesijné etické kódexy*, "Filozofia" 2000, vol. 55(3).
- Rousseau J.-J., *Émile*, New York 1979.

ONLINE SOURCES

- Council of Europe, The European Code of Police Ethics, Recommendation Rec(2001)10 adopted by the Committee of Ministers of the Council of Europe on 19 September 2001 and explanatory memorandum, 2002, <https://rm.coe.int/the-european-code-of-police-ethics-pdf/1680b003e0> (access: 14.04.2024).

²¹ Ministerstvo vnútra Slovenskej republiky, *op. cit.*, p. 4.

²² Aristoteles, *Etika Nikomachova*, Bratislava 1979, p. 42 (1103a).

Ministerstvo vnútra Slovenskej republiky, *Príručka k etickému kódexu príslušníka Policajného zboru vydaného nariadením Ministerstva vnútra Slovenskej republiky č. 41/2022 o etickom kódexe príslušníka Policajného zboru*, 2023, https://www.minv.sk/?PZ_SR-eticky-kodex&subor=505369 (access: 14.04.2024).

LEGAL ACTS

Regulation of the Ministry of the Interior No. 41 of 24 February 2022 on the Code of Ethics of Police Officer (Gazette of the Ministry of the Interior of the Slovak Republic No. 41/2022, p. 223).

ABSTRACT

Police work takes place in concrete social conditions. In order to perform its functions effectively, the Police Force must strive to be as credible as possible. This also stems from the understanding of the police in contemporary society, which is anchored in the European Code of Police Ethics. The paper discusses the current challenges of formulating a code of ethics in the police profession in terms of building a relationship between the police and civil society. It is based on the current discussions in the European context and the challenges arising from the updating of the Code of Ethics of Police Officer in the Slovak Republic. In the context of shaping the relationship between the police and civil society, it focuses on the elements of virtue ethics implemented in the ethical document and the aspect of the credibility of the Police Force against the background of the update of the Code of Ethics of Police Officer.

Keywords: code of ethics; Code of Ethics of Police Officer; virtue ethics; trust

ABSTRAKT

Praca policji odbywa się w konkretnych warunkach społecznych. Aby skutecznie wykonywać swoje funkcje, siły policyjne muszą dążyć do jak największej wiarygodności. Wynika to również z rozumienia policji we współczesnym społeczeństwie, które jest zakotwiczone w Europejskim Kodeksie Etyki Policyjnej. W artykule omówiono obecne wyzwania związane z formułowaniem kodeksu etycznego w zawodzie policjanta w kontekście budowania relacji między policją a społeczeństwem obywatelskim. Autorka opiera się na aktualnych dyskusjach w kontekście europejskim i wyzwaniach wynikających z aktualizacji Kodeksu Etyki Funkcjonariusza Policji w Republice Słowackiej. W kontekście kształtowania relacji między policją a społeczeństwem obywatelskim koncentruje się na elementach etyki cnót wdrożonych w dokumencie etycznym oraz na aspekcie wiarygodności sił policyjnych na tle aktualizacji Kodeksu Etyki Funkcjonariusza Policji.

Słowa kluczowe: kodeks etyczny; Kodeks Etyczny Funkcjonariusza Policji; etyka cnót; zaufanie