

Varguzova A. A.

ENSURING PUBLIC SAFETY AS A SOCIO-LEGAL CATEGORY

*Varguzova Anastasiya
Anatol'evna,
c.j.s. (PhD of jurisprudence),
Associate professor, leading re-
searcher in the department of
scientific personnel training at
Federal State Owned Institution
"All-Russian Research Institute
of the MIA of the RF",
varguzova@mail.ru*

Peculiarities of public security, considered by the author as a socio-legal category, which covers a specific sphere of social relations that determine the content of their law enforcement functions and powers, are given in the article.

The author states that the aims and objectives of ensuring public safety are determined by the nature of potential and existing threats, i.e., conditions and factors that create a real or potential threat to life, health, civil and political rights and freedoms of citizens, property, state and public institutions whose functioning provides normal conditions for life of individuals, society and the state.

Keywords: public safety, ensuring public safety, protection of public order.

The problem of ensuring security has been existing at all stages of the development of social relations and institutions of society. The simplest explanation of the meaning of the word "security" is a state of "no danger", that is, the absence of any risk to a certain subject. The need for security is one of the basic motivational values of society and, according to A. Maslow, by importance is in second place among the basic human needs [3].

There are many different aspects (semantic meanings) of the concept of security, which can be considered both in the broad sense of the word, and in relation to specific conditions. From the point of view of social phenomena security can be seen as a need and interest, as feeling, as a social function, as a social relation, as purpose and result of activity, as process, as value, of system, as science and an art, etc.

One of the components of security is public safety, in the broadest sense of the word, defined as a totality of ensuring security of the established legal regime of society, citizens, safety of their property, the normal operation of sources of increased danger that threat to man and society.

In particular, one of the juridical encyclopedic dictionaries interprets the concept of "*public safety*" as a system of social relations and the legal norms governing these relations in order to ensure public peace, inviolability of life and health of population, normal labor and rest of citizens, normal activities of state and public organizations, institutions and enterprises [4, 204].

At that, there are different opinions of authors regarding inclusion of public safety to the components of the concept of public order. If to consider public order as public relations regulated by law norms and morality, which in their entirety ensure public peace, generally accepted norms of behavior, normal operation of enterprises, institutions and organizations, transport, safety of all types of property, as well as respect for public morals, honor and dignity of citizens, it is possible to conclude that these concepts are complementary. In this case, the concept of "*public safety*" is objectively slightly wider than the concept of "*public order*".

Public safety as a social and legal category, which covers a specific sphere of public relations, is characterized by a number of features that define the content of activities of the law enforcement agencies for the protection (ensuring) of these relations.

Firstly, public safety concerns all citizens without exception, from the birth to the end of life.

Secondly, public safety, as a rule, concerns elementary actions, deeds and rules of behavior of people that are taking place openly, publicly, and generally understood by others.

Thirdly, public safety is regulated by both law norms and other social and technical norms (morality, customs, traditions and even fashion).

Fourthly, in the field of public safety a huge number of offences are committed every year. And all offenders, and it is a significant part of the population, one way or another, are subjected to forced impact of law enforcement agencies.

Fifthly, there is a significant circulation of objects and subjects of high risk in the field of public safety: acquisition, storage, use, transportation of civil and service firearms, explosive and highly toxic substances, radioactive isotopes, etc. Therefore, licensing and permitting activities of the internal affairs bodies that exercise state supervision and control in this area allow prevention and suppression of violation of established rules, and thereby minimization of the occurrence of serious implications, as a rule associated with the violation of relevant norms, standards and requirements.

Sixthly, the area under consideration is in close contact with such dangerous anti-social phenomena as drug addiction, alcoholism, prostitution, vagrancy and begging. That's why in a number of cities in the country established special units, so called the morality police.

Seventhly, in the area of public safety various mass public events are regularly held with a large concentration of people in various premises or in a limited territory, what often poses a threat to the life and health of citizens, the normal functioning of organizations. These include political (rallies, marches, demonstrations), economic (picketing, hunger strikes), cultural and entertainment (festivals, concerts, days of cities), sports (Olympics, football, hockey and other competitions), religious and other public events. Their implementation requires a great deal of organizational work of law enforcement agencies, as well as bringing of significant manpower and means of the police and internal troops to ensure order and safety [1].

Eighthly, there are various group violations of the order, riots, armed and unarmed conflicts, acts of terrorism in the field of public safety. Often they are accompanied by killings, loss of lives, demolitions and arsons of state and public buildings, residential houses of citizens, destruction of railways, bridges, power lines and communications.

Ninthly, the considered area is inextricably linked with emergencies coming in the event of natural disasters, fires, major industrial accidents, disasters, epidemics and epizootic that violate the conditions of life, threaten to the lives and health of citizens, and require rescue and recovery operations.

The above aspects of public safety clearly demonstrate the importance and relevance of this field in activity of law enforcement agencies, and the most important – define the content of their law enforcement duties and powers.

It should be noted that in the post-Soviet period the differentiation of scientific knowledge on the basics of ensuring safety of individuals, society and the state is taking place across the full range of state policy of the Russian Federation.

This trend also has affected the theory of ensuring public safety in the Russian Federation. As part of this trend, the issues of ensuring public safety in the Russian Federation stand out in a relatively independent part.

In due time, the Concept of the Development of Public Security Service of the Russian Ministry of Internal Affairs [2] defined public safety in the Russian Federation as a state of protection of the vital interests of an individual, society and the state from socially dangerous deeds and the negative impact of emergencies caused by the crime situation in the Russian Federation, as well as emergency situations caused by natural disasters, catastrophes, accidents, fires, epidemics, and other emergency events.

This definition is linguistically based on the indicators that display the performance of the Ministry of Internal Affairs of Russia in the field of ensuring public safety, and with taking into account today's realities does not quite truly interpret the definition of public safety.

Meanwhile, the goals and objectives of ensuring public safety are defined by the nature of potential and existing threats, that is, the conditions and factors that constitute a real or potential danger to life, health, civil and political rights and freedoms of citizens, property, state and public institutes, the functioning of which ensures the normal conditions of life of citizens, society and the state.

In this case, public safety is ensured by a set of measures of economic, political, legal, organizational and scientific, and other nature implemented by the federal bodies of legislative, executive and judicial powers, bodies of state power of subjects of the Russian Federation and local self-government bodies, citizens and public associations.

In this regard, it is proposed to extend basic content of ensuring public safety, which within the framework of new approaches to understanding the national security that are defined by the Strategy lies in maintenance of legal and institutional mechanisms, as well as resource capabilities of the state at the level that ensures protection of society from potential and existing threats that could harm the foundations of the constitutional system of the Russian Federation, preservation of civil peace, political and social stability in the society.

It should also be noted that ensuring public safety is aimed at preserving civil peace, political and social stability in the society, and that it is not just an integral part of the scope of the national security of the Russian Federation.

This concept has its own content, which, in turn, defines the independent direction of state law-enforcement policy, needs theoretical development like methodological framework to address many of legal, institutional, law enforcement

and other issues at various directions of protection of an individual, society and the state.

In general, the justification of requirements to the content of public safety allows a comprehensive approach to its definition and defining the concept of public safety as a state of protection of society from potential and existing threats, which ensures the protection of the constitutional system of the Russian Federation, the preservation of civil peace, political and social stability in the society.

However, the theoretical study of problems in the functioning of the regional systems to ensure public safety in the Russian Federation is in need of experimental and legal verification, since it is necessary to recognize that the scientific development of a system of theoretical views on the strategy and tactics to ensure public safety in the subjects of the Russian Federation as a separate direction of law enforcement activity should take its proper place both at research and at legislative level.

In general, it is correct to assert that the legislative enshrining of the principle of balancing between the vital interests of an individual, society and the state is a reflection of democratic changes in our country.

References:

1. Federal law from July 19, 2004 "On Meetings, Rallies, Demonstrations, Processions and Picketing" [Federal'nyi zakon ot 19 iyunya 2004 g. «O sobraniyakh, mitingakh, demonstratsiyakh, shestviyakh i piketirovaniyakh»]. *System GARANT* [Electronic resource], Moscow: 2013.
2. Order of the Russian Ministry of Internal Affairs No. 240 from March 15, 2002 "On Approval the Concept of Developing Public Security Service of the Russian MIA" [Prikaz MVD Rossii «Ob utverzhdenii Kontseptsii razvitiya Sluzhby obshchestvennoi bezopasnosti MVD Rossii» ot 15 marta 2002 g. № 240]. *System GARANT* [Electronic resource], Moscow: 2013.
3. *Motivation and Identity. 3rd edition* [Motivatsiya i lichnost'. 3-e izdanie]. A. Maslou – translation from English, St Petersburg: Piter, 2007.
4. *Juridical Encyclopedia* [Yuridicheskii entsiklopedicheski slovar']. Moscow: 1984.