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Moral-Ethical Principles in the Activity of a Polygraph Specialist

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Abstract

The purpose of the study is to examine the issue of introducing moral-ethical principles in the professional activity of a polygraph specialist. The methodological tools were chosen considering the set goal, the specific features of the object and the subject of research. In particular, it is a general dialectical method of scientific cognition of real phenomena and their connection with the theory and practice of introducing moral-ethical principles in the professional activity of a polygraph specialist, and special research methods, namely: system analysis, comparative-legal, system-structural, and forecasting method. Considering the new trends in the establishment and development of the interdisciplinary science of polygraphology, for the first time, the need to raise the issue of introducing moral-ethical principles in the activities of a polygraph specialist is justified and ways to streamline the existing gaps associated with them are proposed, and the content of the key components of this science is highlighted. The scientific position on the importance of moral-ethical principles in the activities of a polygraph specialist is justified since they perform both educational and control functions, without which the activity using a polygraph is not completely ordered. The specific features of this field of scientific knowledge require polygraphologists to treat individuals who, due to certain life circumstances, turn to this process of activity and specialists who provide it, to obtain additional information data on specific issues that are relevant to them. Disordered moral-ethical principles in the activities of a polygraphologist leaves this process out of control, which can negatively affect both the reputation of the specialist who provides it and leads to a negative attitude to polygraph activity and its specific features

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Introduction

The development of polygraphology in Ukraine as a new interdisciplinary science and related practical activities for conducting research using a polygraph prompted the question of introducing moral-ethical principles into this specific process to be raised. This is due to the fact that polygraph activity has a number of inherent features associated with obtaining confidential information by a polygraph specialist from the person in the process of research using a polygraph. An important component of such activities is communication as a process of exchanging information by persons of different categories and statuses involved in this field, interacting with each other to solve specific issues within certain tasks. It is not always well-coordinated, especially in communication between the polygraphologist and the person under study, who is trying to outsmart and circumvent the procedure using a polygraph. This often irritates specialists, who react in a peculiar way to insincere people, even somewhat biased. Conversely, the subjects apply elements of psychological pressure on polygraphologists for the sake of a condescending attitude towards them, showing off their status or connections with high-ranking officials. The ordering of the above issues forms the basis for the relevance of the topic of this study.

Unfortunately, the problem of moral-ethical foundations in the activity of a polygraph specialist is not sufficiently investigated and has not received proper discussion and presentation in the scientific achievements of polygraph researchers. There are substantial scientific findings in the field of polygraphology with an emphasis on the moral-ethical foundations of the activities of polygraph specialists and foreign researchers [1-3]. However, even now there are a number of unresolved important issues in this area of research that require scientific reconsideration.

The purpose of the study is a systematic analysis and presentation of material related to the introduction of moral-ethical principles in the activities of a polygraph specialist [4]. The justification of the key positions of the problem of this issue is conducted based on the proposed scientific positions of Ukrainian researchers in the field of psychology and polygraphology. The following tasks were set to achieve this goal:

- highlight the fundamental scientific and theoretical foundations of morality and ethics, their content and start practice;
- identify the importance of introducing moral-ethical principles in practical polygraphology and related activities;
- outline the specific features of the process of activity of a polygraph specialist in relation to moral-ethical principles;
- justify the need to introduce a code of ethics in the activities of a polygraph specialist.

Results and Discussion

Each field of activity aimed at performing a certain type of tasks or providing relevant services, in addition to its main purpose, should be regulated by the rules of conduct developed and established for working personnel, which are focused on ensuring moral-ethical principles in working with clients. According to official interpretations, the term "morality" comes from the Latin words "moralities" (moral) and "mores" – "custom", "will", "law", "property", and is a system of views, ideas, norms, and assessments that regulate the behaviour of people in society and is one of the forms of public consciousness [5]. Morality is evidence of a certain level of development, spiritual maturity of a person, and the nature of their relations with other people and the world. This is a system of views, ideas, norms, and assessments that regulates people's behaviour, and also covers all fields of social existence: those that are regulated by the state (politics, production, social field, family, etc.), and those that are not subject to the state (love, friendship, friendship, everyday life, preferences, etc.). According to N. Kuprina and S. Masliennikova, morality regulates the behaviour of the individual, sets boundaries that cannot be crossed, warns against unacceptable and dangerous behaviour [6].

Thus, morality serves as a regulator of a person's moral behaviour. The basis of its establishment is "psychological reflexes" developed as a result of prolonged exposure to the fear of social judgment and unconscious mechanisms of psychological protection. Morality has its own structure and forms two areas: moral consciousness and moral practice (morality). The first (moral consciousness) is guided by a certain system of moral norms, assessments, principles and fixes moral relations in society, which is a dynamic process, and also has an internal division into social (group) and individual (personal) moral consciousness. Social (group) moral consciousness is expressed through such elements as moral requirements and moral values. In turn, the elements of individual (personal) morality are presented as moral duty and moral values. The second area (moral practice) or morality demonstrates moral activity and moral relations. The first one has a subject-content certainty and internal peculiarity and is also the unity of moral consciousness and practical activity. The second one represents the totality of moral connections between people in the process of their moral activity. In general, morality is based on a fundamental principle that defines and professes the highest values of a person, honour, and dignity. The appeal to morality occurs mainly if there is a need to make a competent choice, when one's own priorities, desires, and the inner voice of conscience come into conflict. It is clear that an individual faces such difficulties in every field of their being, including their professional

activity [7]. Morality is implemented through the following key functions: regulatory, communicative, cognitive, and educational [8]. Each of them is endowed with meaningful content and its own area. The system of moral principles is represented by ethics (Latin *ethica*, from the Greek *ethos* – luck, habit, custom), which indicates the kinship of these categories [9]. It reproduces the philosophical vision, discipline about the origin and essence of morality, and norms of behaviour, a set of moral rules of the social community. At one time, the polygraphologist V.O. Varlamov emphasised that ethics is a branch of knowledge, that is, the science of morality, which is based on the fact that morality objectively exists independently of subjective ideas [10]. Ethics as a science not only investigates and systematises the moral principles and norms common in society but also contributes to the development of such moral principles that best meet modern needs and improve people and society [11]. Although these are not identical concepts, since morality is the object of the study of ethics. Morality and ethics are interrelated concepts, because they reflect the motives of a person's activity and the content of their life values, with a difference in the evaluative nature of the former and the normativity of the latter. That is, ethics is normative in nature, and morality is a manifestation of subtle human relationships. Ethics as a science, in addition to examining, analysing, and generalising the norms and principles of morality that exist in a civilised society, provides the development of moral ideas that contribute to the further development of society and the activities of conscious individuals in it, the establishment of the fundamental principles of integrity, justice, and humanism. According to N.Ya. Zabolotna, along with the development of general ethics, the subject of regulation of which is the moral behaviour of a person, regardless of their profession and under any circumstances, appears the concept of “professional ethics”, which as a theory investigates professional morality and is the practice of applying moral values in the process of professional activity [12]. N.I. Holovina is also inclined to this opinion, notes that the content of professional ethics is, first of all, the requirements of the profession, the establishment of a kind of internal standard, an epitome of professional behaviour [13]. No matter what profession a person has, no matter what specialist they are, their activity becomes more useful if it is based on moral principles. A particular professional group, in accordance with social and specifically professional values and norms, establishes certain types of moral relationships in its joint activities and relationships, which constitute the essence of professional ethics [12]. Professional ethics represents the theory of professional morality, which determines a person's attitude to their professional duty. That is, professional morality reproduces the

features of moral consciousness, relationships, and behaviour of people that are determined by the specific features of professional activity. In turn, professional ethics defines a set of rules of behaviour, due to which it is possible to evaluate activities considering such values as: justice, honesty, conscience, dignity, humanity, responsiveness, etc. Each profession has its own morality. Therewith, the profession forms among its carriers not only professional skills but also certain personality traits and attitudes to the content of their activities [14].

However, there are some professions in which the fate or even life of people depends on moral choice (medicine, education, legal field). Awareness of the role of morality in human professional activity led to the introduction of professional moral norms represented by professional moral codes [15]. Such, for example, is the profession of a polygraph specialist, which involves conducting research of various categories of persons using a polygraph, and in which the moral-ethical foundations of this activity become important. The specificity of polygraphology as a newly formed interdisciplinary science lies in the features of the polygraphological process, which is an instrumental detection of information traces. Thus, this is a separate method of psychodiagnostics of ideal traces of human memory, which allows, due to special technical equipment, appropriate methods, and sufficient knowledge and skills of a polygraph specialist through questions-incentives, tracking the physiological reactions of the investigated persons, decipher the results obtained and, in accordance with them, justify their conclusions.

Until recently, the polygraph was considered the only instrumental method of the so-called “Lie detection” of a person. Currently, an alternative to this scientific and technical device is EyeDetect, a scientific and technical device for detecting lies using human eye-motor behaviour (ODT). This device was preceded in 2003 by a conceptual development of two psychologists from the University of Utah (USA), Dr. John Kircher, a psychophysicist in the field of detecting lies (deception) and Dr. Doug Hacker, a teacher psychologist in the field of reading psychology. Subsequently, three other researchers joined this development: Dr. Dan Woltz & Dr. Ann Cook – researchers in the field of cognitive load, and Dr. David Ruskin – an expert in the field of polygraph. They have spent over a decade conducting studies aimed at testing this concept. The result of their hard work was the creation of a test for cognitive functions, which was based on the eye-motor indicators of cognitive effort, in particular, using the study of human behaviour when reading the test on a monitor of special computer equipment. Researchers came to the conclusion that a person, reading the text on the monitor screen, and realising that the content of a

particular question for them is disturbing to the point of exposure, begins to experience difficulties (tension) in reading, and at this time it is possible to observe a special reaction of the eyes, which correlates with the effectiveness of cognitive actions (tasks). This entire process is recorded by the EyeDetect software and automatically processed to produce the results of such studies. Since 2014, such findings have been popularised through the EyeDetect® trademark. Currently, several tests are used to work on this device, and the reliability of their results varies between 86-92%, depending on the test and the area of its application. The development and further implementation of EyeDetect in no way means that the polygraph has already outlived its usefulness and needs a logical replacement. Each of these devices in its own way provides an opportunity to check the information trace of the reflection that has formed in the investigated person regarding a specific fact, event, circumstance, or phenomenon, and based on the results of the application, provide them with an assessment. Unlike the EyeDetect procedure, the polygraph-logical process is much more complex in organisation and conduct, longer in time, and a considerable share is taken over by the communication of the polygraphologist with the person under study, which allows for the polygraph specialist to know the individual under study better. Such communication is not always open and transparent – there are also difficulties that need to be solved, such as the aggravation of problematic issues caused by both the studied person and the polygraphologist.

The above encourages the need to streamline the ethical aspects of the Ukrainian polygraph process. Now they are on the list of urgent ones and require urgent solutions, in particular by creating a separate code of ethics or the code of honor or decency of a polygraphologist. The purpose of such documents is to avoid situations in which a particular decision focused on a certain consciousness of the public is imposed by society or a certain group of it [16]. The need to consolidate the basics of polygraph activity in such a document is dictated by the absence of a separate Ukrainian legislative act that would normalise the polygraph and everything related to it. The current laws of Ukraine “On the National Police”, “On the state Bureau of Investigation”, “On Intelligence” contain separate norms regulating the use of the polygraph in targeted areas, while departmental orders and instructions developed on their basis, which allow introducing the polygraph in the activities of a particular law enforcement agency, the Armed Forces of Ukraine, the tax or border service, etc., do not reflect the ethical issues of the polygraph process. Now there are a number of problematic aspects in this industry that undermine citizens' trust in the polygraph and everything related to it. For example, opponents of this scientific and technical device

post a specially selected negative on social networks, hoping on insufficient awareness of citizens, to compromise the instrumental method of detecting information traces of reflections. Hence the rumors about:

- weak scientific basis that would convincingly justify the appearance of physiological reactions of a person during research using a polygraph;
- objective interpretation of the research results by the polygraphologist;
- negative impact of the polygraph on human health;
- provoking the appearance of stress in the persons being examined on the polygraph;
- biased attitude of the polygraphologist to a certain category of individuals undergoing research using a polygraph;
- early preparation of research results to please its initiator;
- low level of relations between the theory of polygraph activity and the practice of its application, etc.

In fact, these questions are mostly artificial, which, in addition to negativity, do not contain any threats to either the person under study or the stable development of the polygraph process in Ukraine. However, among them, there are also those that require proper attention, for example, moral-ethical issues of the polygraphologist's activity. This important component of the polygraph process is investigated by both Ukrainian polygraphologists and foreign specialists. For the sake of the decency among those who provide services using this device and compliance of such specialists with the criteria of righteousness, a number of important documents of theoretical and practical importance were developed and implemented. In particular, the American Polygraph Association (APA), as one of the leading international public organisations, developed the code of honour of the polygraphologist, which outlined and consolidated the main components of the ethics. In addition, the International American organisation ASTM International, which develops standards (SDO) around the world and in various fields of knowledge, including polygraph, among the current fifteen standards on the use of the polygraph, has prepared and implemented a standard guide on ethical requirements for experts in the field of psychophysiological lie detection ASTM E2065:201 (ASTM E2065-11, IDT). Such documentary ordering of this process creates the effect of protecting both the polygraphologist and persons who voluntarily expressed a desire to undergo research using a polygraph. What exactly causes such a need for Ukrainian polygraphology and what should be involved in the moral-ethical issues of a polygraphologist is one of the priority issues of modern polygraphology. Justifying the answer to its first part, the current state of development of polygraphology in Ukraine is at the stage of polishing and streamlining of all its processes.

Now, due to the enthusiasm of Ukrainian polygraphologists, favourable conditions have been created for further implementation of polygraph activities in key areas and areas of public legal relations. Highlighting and covering problematic issues of polygraphology in the framework of numerous scientific and practical events ensure the creation of new approaches in the development of the polygraph and its application activities. The study of advanced foreign experience of polygraph activity provided the development and publication of a substantial number of scientific and practical materials (monographs, textbooks, manuals, methodological recommendations, studies), outlining topical and problematic issues of polygraph science, which is important for the theory and practice of its application.

Modern Ukrainian polygraphology has reached the level of fundamental knowledge that brings it as a science to a qualitatively new level of defining urgent tasks, including:

- establishing proper state educational activities for the training of polygraphologists;
- ensuring the timely and effective professional development of persons among polygraphologists who practice;
- legislative regulation of the use of the polygraph in Ukraine and the results obtained, which can play an important role in the adoption of relevant decisions by officials, etc.

It is necessary to join the efforts of relevant organisations, researchers and practitioners, statesmen, the public, and all those who seek to join the process of approving polygraph testing in Ukraine to implement these and other plans, which should assist law enforcement agencies and departments, other state institutions, human rights organisations, businesses, public organisations, individual business entities, ordinary citizens in directing its capabilities to clarify urgent and complex issues where their solution is difficult or impossible without the help of a polygraph. Therewith, to ensure all components of this specific activity, in which the rights and guarantees of its participants must be respected, it is necessary to develop and implement a code of ethics for a polygraphologist. Thus, departmental instructional documents of state institutions that use the polygraph in their activities contain information about the procedure and conditions for conducting psychophysiological research using the specified equipment, the procedure for processing the results obtained, preserving confidential information of polygraph research, etc., but they do not have requirements for the moral-ethical components of this process of activity. At best, they are nominally designated or have a reference to them without a mechanism for applying them. Undoubtedly, this is not provided for by the requirements for this type of document, but it is designed for the fact

that every polygraphologist must necessarily adhere to ethical and moral standards in their work, in particular with the persons being examined on the polygraph. It should be recognised that little attention is paid to moral-ethical issues in the process of training as a polygraphologist and during the improvement of the professional skill of such specialists. This is a substantial disadvantage of organising educational activities for polygraphologists [17]. Ethical standards for these specialists and those who are involved in providing assistance in conducting research (translator, sign language interpreter, psychologist, investigator, lawyer, etc.) should be the postulate of their relationship with the person under study. A prominent place in this process should be given to the ethics of communication of the polygraphologist as a component of verbal communication. The effectiveness of the research conducted by the specialist will depend on their polite attitude to the person under study, clarity of speech diction, correctness of focusing attention in questions, providing explanations of words, concepts, and categories that are not clear to the person. It is clear that it is difficult to demonstrate respect for a person who is suspected or accused of a crime. Best human and professional qualities are not demanded, yet tolerance, restraint, and tact may well serve as the key to success. It is not for nothing that polygraphologists who have been in this profession for a long time and have conducted hundreds or even thousands of psychophysiological studies using a polygraph note that high-quality communication, especially during a pre-test conversation, substantially shortens the way to solving the issue. Properly organised, prepared, and conducted by a polygraphologist, the pre-test conversation performs a double function: first, it familiarises a person with the basics of the polygraph process, the conditions, procedure, and specific features of its conduct; secondly, it is a kind of time for learning and compiling a psychological portrait of a candidate for polygraph research. Establishing psychological contact will endear such a person to the polygraphologist and ensure that the study planned by the initiator is conducted smoothly. Compliance with tact requirements is required in both Inter-test and post-test conversations. The investigated persons due to insufficient level of knowledge cannot always understand the content of individual concepts, categories, so the polygraphologist without ridicule, grimaces, and surprise should explain and explain incomprehensible words, statements, and meanings, demonstrate their content and practical importance, make sure that the person correctly perceived and understood them. They should not provoke the person under study to be rude, use profanity and indecent gestures with their questions, but show diplomacy so that their communication does not go beyond the limits of what is allowed and concerns only the subject of research, and

not issues of intimate or private content (if they do not form the subject of research).

Diction, accents, and pauses between words and phrases during the research planned by the initiator become important in the ethics of a polygraphologist. They can be viewed from different perspectives: focusing on something, for something, or as a hint or warning against something. Thus:

- indistinct diction of the polygraphologist can cause irritation in the subject, which will lead to additional physiological reactions, which will prevent the polygraph specialist from evaluating the reactions received by them;

- incorrectly emphasised words for a certain category of subjects will also serve as an additional irritant;

- the pauses used by the polygraphologist between words and phrases will disorganise the attention of the investigated person, who can focus on them as a sign to action.

It is unacceptable in the activity of a polygraph specialist to raise the tone or voice. It is necessary to understand and profess a simple truth: what is easy and understandable for one person may not be possible for another. For a polygraphologist, a polygraph test is a common job, and for the person under study, it is an exam, the result of which can be unpredictable. However, its unsuccessful compilation should not be unambiguously interpreted as a person's desire to bypass the testing procedure, since this may be caused by the specific features of the physiology of an individual who, due to their excessive excitement, is quite capable of demonstrating absent-mindedness, confusion, fear, which can confuse even an experienced polygraphologist, and due to raising their voice or shouting at the person under study, there may be tension in the muscles of body parts – additional physiological reactions.

Unacceptable in the work of a polygraphologist is a violation of the ethical norms of nonverbal communication, which can manifest itself through facial expressions, gestures, etc. Often, specialists are not aware of such actions, and execute them without any intentions, attaching much importance to them. Nonverbal language is a part of communication not only for polygraphologists, but also for representatives of other professions, in general, for the entire society. Due to it, the individual expresses their attitude to something, shows both positive and negative emotions, explains certain facts, phenomena, etc. Therewith, nonverbal communication can serve as an irritant to the emotional state of other people, incite and provoke them to certain actions, even rude and inadequate. This is especially unacceptable in the profession of a polygraph specialist, which represents a calm, balanced, well-thought-out, and clearly organised process of activity. Hand gestures, tapping fingers on a table or other surface, stomping or shuffling feet, and facial expressions that reproduce the mood,

surprise, mockery, anger, arrogance, and other physiological manifestations of a polygraphologist during a psychophysiological study using a polygraph is a gross violation of the ethical standards of the polygraph process. From the standpoint of the person under study, such actions can be interpreted as bad manners. They may also have the opinion that the polygraphologist intentionally distracts them from focusing on important research issues or provokes additional physiological reactions, that is, applies peculiar techniques of emotional influence or pressure to distort physiological reactions and enable the polygraphologist to make a decision in favour of the initiator of the study, or to make a decision before interrupting, stopping, postponing, or further abandoning such a research procedure. The polygraphologist's code of ethics should aim to balance professionalism with moral qualities. When a polygraph specialist goes beyond the limits of what is allowed, the authorities that control their activities, defined by the code of ethics, or the competent law enforcement agencies should properly respond. All polygraphologists, without exception, should clearly understand and realise that this specific profession requires individuals to have high moral principles, non-compliance with which should be regarded as a betrayal of the interests of this profession. This is not pathos, but the harsh realities of life. Everyone should be sure that their interests will be protected at the right time. The competent approach of a polygraph specialist to the performance of professional duties makes their activity no less important than the help of a lawyer. This will allow increasing the prestige of this profession and raise the level of trust in such specialists, the vast majority of whom honestly perform their work aimed at helping those who need it.

Moral-ethical issues form the basis for all processes of human life and associated industrial relations. The relationships between people that occur in these processes require certain, established, and fixed rules of behaviour, the range of which should be aimed at ordering, regulating, and controlling interacting entities. Moral-ethical principles are particularly important in polygraph activity, especially in the profession of a polygraph specialist.

Considering new trends in the establishment and development of the national interdisciplinary science of polygraphology, it is justified and proposed for the first time to:

- consider the introduction of moral-ethical principles in the activities of a polygraph specialist;

- identify the content of the key components of this process of activity and the existing gaps related to the moral-ethical foundations in the activities of a polygraph specialist;

- propose ways to streamline this process of activity, in particular, through the introduction of moral-ethical norms in the code of ethics of a polygraph specialist.

Conclusions

Thus, summarising the above, the following conclusions can be drawn:

1. Morality and ethics are integral components of any process of activity, since they perform an important function aimed at harmonising and polishing the relationships that arise between different subjects of public legal relations.

2. Moral-ethical principles in the activity of a polygraph specialist are an important part of the entire polygraph process. They simultaneously perform educational and controlling functions, without which activities using a polygraph are disordered and unprotected.

3. The specificity of polygraphology as a newly formed interdisciplinary science lies in the features of the polygraphological process, which is an instrumental detection of information traces. Working with such traces requires special treatment of polygraph specialists for persons who, due to certain life circumstances, turn to the polygraph process to obtain additional information on specific urgent issues that require their solution.

4. Introduction of moral-ethical norms in the form of the code of ethics of a polygraphologist into activities using a polygraph, will ensure the avoidance of errors and misunderstandings that arise in practice in the relationship between a polygraph specialist and the person being investigated.

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Морально-етичні засади в діяльності спеціаліста-поліграфолога

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Анотація

Метою статті є дослідження питання запровадження морально-етичних засад у професійній діяльності спеціаліста-поліграфолога. Методологія. Методологічний інструментарій обрано з огляду на поставлену мету, специфіку об'єкта та предмета дослідження. Зокрема, це загальний діалектичний метод наукового пізнання реальних явищ і їхній зв'язок з теорією та практикою щодо запровадження морально-етичних засад у професійній діяльності спеціаліста-поліграфолога, а також спеціальні методи дослідження, а саме: метод системного аналізу, порівняльно-правовий, системно-структурний і метод прогнозування. Наукова новизна. З огляду на нові тенденції в становленні й розвитку міждисциплінарної науки поліграфології, уперше обґрунтовано потребу в порушенні питання щодо запровадження морально-етичних засад у діяльності спеціаліста-поліграфолога та запропоновано шляхи впорядкування наявних прогалин, що пов'язані з ними, а також висвітлено зміст ключових складових зазначеної науки. Висновки. Обґрунтовано наукову позицію щодо важливості морально-етичних засад у діяльності спеціаліста-поліграфолога, оскільки вони виконують як виховну, так і контрольну функції, без яких діяльність із застосуванням поліграфа є не цілком упорядкованою. Специфіка зазначеної галузі наукових знань потребує від поліграфологів особливого ставлення до осіб, які через певні життєві обставини звертаються до цього процесу діяльності та спеціалістів, що його забезпечують, з метою отримання додаткових інформаційних даних у конкретних нагальних для них питаннях. Невпорядкованість морально-етичних засад у діяльності поліграфолога залишає цей процес поза контролем, що може негативно позначитися як на репутації самого спеціаліста, який його забезпечує, так і призвести до негативного ставлення до поліграфологічної діяльності та її специфіки

Ключові слова:

поліграф; поліграфологія; поліграфолог; морально-етичні засади діяльності; комунікація