

Analysis of Directive Ethical Requirements of the Notary's Professional Activity in the Context of the Neuroethical Approach to the Formation of Legal Norms

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Abstract: *The article is devoted to the analysis of directive ethical requirements, the content of the professional activity of a notary in the context of the neuroethical approach to the formation of legal norms. In the context of neuroethics, it is determined that values are inherently internal motivations formed by the evolution of natural processes, the essence of which is that everything that received a kind of natural right to appear, has the potential for self-realization. The prospect can be realized if a person feels this evolutionary help and consciously / deliberately makes choice in a way that indicates his or her inner aspirations, not external requirements.*

The article determines the factors of formation of the «code of honor» in the professional activity of a notary. Thus, the key aspects of the neuroethical manifestations of determining the internal attainment of morality, the rules of conduct in society during the notarial procedure are identified. The study examines the concept of neuroethics and knowledge of the law as factors in shaping the socio-legal behavior of the notary in social life. The philosophical approach to the formation of the values of the notary requires the application of the basic essence of the dialectical methodology of cognition. The article reveals some aspects of a more dialectical understanding of the principles of independence, legality, objectivity, confidentiality, conscientiousness, and honesty. The analytical and research method was used in the article. Synthetic and analysis methods formed the main results of the study, which show that neuroethics determines the personal normative behavior of the notaries in their professional activities.

Keywords: *Neuroethics, profession, ethics, legality, objectivity, conscientiousness, honesty, independence.*

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Introduction

Relationships between people are always problematic, due to their inherent subjectivity, which determines their characteristics. This makes it difficult to reach an understanding between them, which leads to a lack of harmony, creating even conflicts or wars among nations. To some extent, a clear definition of concepts that is inherently serving as a method that can find a middle ground, peace and harmony allows to reduce the negative consequences of misunderstandings. Philosophy is constantly engaged in this, because its inherent dialectical thinking encourages scholars to constantly search for such meaningful definitions of concepts that would contribute to this. It is especially problematic to define moral-ethical and ethical-legal concepts because it is not so easy to perceive their motivating effect on oneself. The reason is that their scientific definition is always preceded by definitions as certain generalizations from individual experience.

Human behavior in society is determined by its individual characteristics, which it implements in the process of socialization. Man performs certain social roles in society and shows their personal traits. Social roles are related to family life, professional activities, etc. The legal profession requires regulatory knowledge, as well as ethical behavior and analytical mental interpretation of the legal framework, which must be quickly manifested in the case.

The personal behavior of a notary is formed in the context of physiological development as a manifestation of neuroethical influence on social role, as well as tendency to respect the rule of law, which corresponds to the social demand of society for such a profession. This aspect of the formation of the notary's behavior has identified a problem for our study.

The aim of the article is to consider the basic principles of professional ethics of notaries in their relationship with the normatively binding behavior in society.

Theoretical and methodological principles of research of normative behavior in the professional ethics of a notary

The internal law that applies to all living natural objects, especially those that are living organisms and man as the apex of evolution, is the law of justice as the right to exist. This is not only about the existence of the genus, but also of individuals who are able to leave the memory of their existence by some discoveries that continue to live after their biological death, determining the lives of descendants (Smith, 1990). The ontological status of justice for physical objects is expressed by the laws of conservation

of mass, energy, and information. Information is stored in a person's memory as the basis of his or her life if it is obtained by one's own efforts, and not simply by acquaintance with normative instructions.

Such an approach to the ratio of normative ethical and legal content in its state enforcement is not effective for various reasons. The main thing is that it violates the free will of person. Especially the one who consciously chose a profession, which is based on the right of free will in its reasonable direction. After all, the legal profession is acquired by a lasting integration into knowledge of justice as the basis of legal awareness. In addition, in most cases, it is an inner emotional urge to understand it consciously. This is a situation that can be described in the categories of call-and-response: the soul summons a person to a response related to his or her calls.

The well-known German scientist R. Zippelius pays serious attention to this factor. Namely, «If someone wants to reduce all rights to the prescriptions of state legislators in the spirit of legalism, a number of questions remain open, and primarily the question on what basis the prescriptions of the coercive central government should be followed. The justification for this could be found in the opinion that legal peace and security can be guaranteed only in this way. However, this ground is not enough to justify all state law, which should create not only a reliable but also a fair order (Florea, 2021). Only those who believe that a critical approach to state law does not make sense at all or is not necessary,... can claim that the question of justice does not exist for their legal awareness» (Zippelius, 2000).

We accept this opinion of the famous philosopher and jurist, so let's move directly to the content of the approved by the Ministry of Justice of Ukraine «Rules of professional ethics of notaries of Ukraine». Since we are talking about ethics, we note that ethical standards are the basis of legal legislation. We will not deny the need for such rules. However, their mere existence does not guarantee that they will be implemented. It is better this way: their presence does not ensure that notaries comply with professional requirements. In fact, these are the human requirements in the status of an individual who has consciously chosen to protect the rule of law and justice in society.

The main tasks of the «Rules are: - ensuring public and citizens confidence in notaries; - ensuring the effectiveness of the performing the tasks and functions of the notary; - increasing the authority of the notary and the reputation of notaries; - expanding opportunities for public influence on the quality of notaries; - informing individuals and legal entities about the

behavior they have the right to expect from notaries» (Pro zatverdzhennja Pravyl profesijnoji etyky notariusiv Ukrainy, 2021).

For the purposes of our study, it is extremely important that they contain the grounds for creating all the necessary conditions to give the community of notaries the status of an important spiritual and practical phenomenon, able to become an attractive center for its formation as a truly legal and democratic. But this cannot be the task of the notarial community itself. This should be the task of state institutions, in this case the Ministry of Justice. This version of the order states that the community itself must ensure its credibility. Of course, it exists, but the public and citizens should be informed about it by government authorities through the mass media, conducting sociological polls and *regularly* informing the public about them. Meanwhile, when researching the trust of citizens in various state institutions and public organizations, such data related to the community of notaries are missing. Without such constant monitoring of the attitude of society and citizens to notaries, it is impossible to hope that trust in them, in their activities increases their authority and reputation itself, expands the possibilities of public influence on the quality of their activities.

The main principles of professional activity of notaries «Rules» include «independence, legality, objectivity and impartiality, confidentiality, conscientiousness, honesty, respect for the profession, culture of conduct» (Pro zatverdzhennja Pravyl profesijnoji etyky notariusiv Ukrainy, 2021).

Each principle finds its explanation in some way. But it is based on the fact that the notaries intuitively, from their own experience, their professional knowledge is able to resist the opposite manifestations of *dependence, illegality, bias and prejudice, breach of confidentiality, lack of conscientiousness and dishonesty*.

Research of the ratio of normative and personal in the professional ethics of a notary based on a neuroethical approach

Ethical, legal and social relationships in society from a physiological and psychological point of view are determined by neuroethical approaches, which are defined by research in neurology and neurobiology as the basis of problems related to human consciousness, morality, decision-making or «self» and personality. Such traits determine the behavior of the individuals, their character and perception of the image, as well as form an awareness of the social role of the individual in society. Relevant features are defined in the context of neuroethics, the manifestation of neuroimaging as the functioning of the brain, which contributes to the formation of knowledge

about human activities, feelings and certain norms of behavior (Demchenko et al., 2021; Kosholap, 2021; Sarancha et al., 2021).

For the notary, neuroethics contributes to the formation of certain norms of conduct that help in the manipulative manifestations of professional activity.

Thus, to determine the legal norms in resolving the case, the notary must establish the legal content of the case and establish the principles of resolving the case. Therefore, there is a need to form a certain behavior that helps the notary in implementing their professional activities. Such behavior is formed as a result of neuroethical principles that express certain individual characteristics of the personality.

Theoretical neuroethics defines methodological and conceptual aspects of the interaction of neuroscientific aspects with the concepts of ethics, both descriptive and normative. We will briefly analyze those aspects that objectively hinder the notary, as well as any other person, according to these mandatory principles.

Independence. Man as a social being depends in his or her being on other people. As a political being, it depends on the state, its existing form of government and political regime. Ultimately, as a family being, it depends on the needs of the family, primarily on whether it will have a job if it actively resists pressure from high-ranking government officials, friends, acquaintances, family members, the public, which according to one of the tasks, has the right to influence, criminal groups, etc.

Legality. We have already referred to the fact that there is a constitutional norm about right before the law. As well as the fact that laws passed by a certain legislative majority are not always a manifestation of justice that suits society as a whole. In addition, the laws of society are not a manifestation of eternity, but of temporality. If the laws of nature reflect the objective, general, necessary, internal, essential, invariably repeated and established relationships between objects, the legal laws must take into account certain manifestations of subjectivity, features, coincidences, exterior, not necessarily manifestations of the essence of the highest order, variability and uniqueness in relationships between people who are not pure objects. Finally, a notary may be able to apply case law, although he does not have such rights by law.

The explanation of this principle states that the notary is obliged to «promote the establishment and practical implementation of the principles of the rule of law, use all their knowledge and professional skills to properly protect the rights and legitimate interests of individuals and legal entities» (Pro zatverdzhennja Pravyl profesijnoji etyky notariusiv Ukraïny, 2021).

However, the eighth article of the Constitution of Ukraine states that «the principle of the Rights law is defined and operates in Ukraine» (Konstytucija Ukrajinjy, 1996). It is obvious that in this case the Ministry of Justice should point to one principle, or the principle of the primacy of the Rights law since all laws in society are an expression of right as a measure of justice.

Objectivity and impartiality. We have just noted that man is inherently a subjective being. Moreover, if we take the existential dimension of its existence, then subjectivity is its first humanistic principle. This does not mean that a notary should act based on his own subjectivity, which is always a manifestation of prejudice. Not at all. This means that acting objectively and impartially is quite difficult, that this requirement violates the notaries' right to preserve their life in good health, which, according to the same constitutional law, is the highest value in the state of Ukraine.

The «Rules» appeal to the requirements of the notary's oath. Here is it: "I solemnly swear to perform the duties of a notary honestly and conscientiously, according to the law and conscience, respect the rights and legitimate interests of citizens and organizations, maintain professional secrecy, everywhere and always keep the high rank of notary» (Pro zatverdzhennja Pravyl profesijnoji etyky notariusiv Ukrajinjy, 2021). The main claim from the standpoint of philosophical analysis is not so much to the content as to the fact that its content is not the own attainment of those who take it. All people's deputies, as legislators, are also obliged to take the oath, but does this oblige them to act objectively and impartially if each of them represents not society, but only a party with a special interest, which it gives, sometimes sincerely and in most cases slyly, as the common interest. And again, the stereotype of «the purity of the high title of notary». Purity is not determined by the person themselves, but by those who are affected by them, particularly obligating.

In this case, it would be appropriate to cite the right opinion of J.J. Rousseau about the establishment of a real, not a narrow-party, but democratic-republican system in the state. This is possible «when a sufficiently knowledgeable people make decisions, then if citizens do not have any relations with each other, the common / general will and decision from the set of minor differences will always be right. But when conspiracies, partial associations are formed to the detriment of the basic association, the will of each of these associations becomes general in relation to its members and partial in relation to the State; then we can say that voters are not as many as people, but only as many as associations. Differences become less numerous and give less overall results. Finally, when one of these associations is so large that it prevails over all others, the

result is no longer a sum of minor differences, but a single difference. Then there is no more common will, and the opinion that prevails is nothing more than a partial opinion» (Rousseau, 1969).

This situation developed during the Soviet era, which eventually led to the country's collapse. The same danger has arisen in modern Ukraine when partial opinion simply destroys state institutions. That is why it is so important to form social structures on the basis of «sufficient awareness» of members of certain associations / unions with essential definitions of basic concepts of legal values developed by the history of knowledge, which constitute the above-mentioned subjective set of norms of human-citizen and human-individual behavior as active and at the same time responsible. The oath should be taken of these internally conscious norms as objective and impartial, which have acquired the status of one's own inner convictions. Thus, their content precedes the content of individual consciousness, formed by empirically reliable modernity. But it is confirmed by historical practice and scientific methodology of cognition in the unity of history and logic. Hence the fundamental principle that «truth is the daughter of time», not just the present.

Confidentiality. The «Rules» rightly state that this principle «is a necessary and most important condition for trusting relationship between a notary and individuals and legal entities» (Pro zatverdzhennja Pravyl profesijnoji etyky notariusiv Ukrajinjy, 2021). However, there are also some caveats here. Especially in the part that deals with the actual obligation of the notaries that their assistants and technical staff have to comply with this principle. We have already noted that a person is bound to a certain way of acting, a certain way of thinking, a certain worldview by their inner conviction that there are two interconnected principles inside them: ego-centric and socio-centric. It is extremely difficult to oblige another person to something that is not present in them or is present as an attainment of memory, and not an attainment of one's own cognitive efforts. Besides, everyone has the constitutional right to inviolability not only in relation to themselves as individuals but also in relation to themselves as a spiritual beings who has the right to freedom of beliefs. Notary assistants and consultants usually have a law degree too. Why not applying the same principle to them.

It is also important to consider another factor. It is not so easy for a person as a social-communicative being to adhere to the principle of confidentiality of information. Especially nowadays, when all the information is not in the papers, but in the computer network, which, as it turns out, is not so difficult to penetrate. In addition, there is always a desire

to share secret information at least with the closest people, who often have a corresponding desire to join something secret. This is considered in the state of Israel, when its captured citizens in order not to be tortured, they are obliged to tell secret information. Again, life and health are the highest social values of the state in reality, not in declarations.

Conscientiousness. Quite authoritative thinkers have always been skeptical of the so-called «pure conscience», which is defined in the «Rules» as a requirement to be conscientious. This contradicts the dialectical nature of being and, consequently, dialectical thinking, which cannot operate on the concept of good regardless of its own opposition to evil. Plato noted that only the creator of being «was good; and there is no envy of anything in good» (Plato, 1969). As in natural existence everything interacts and is interconnected, man as a social being, while interacting with other people, cannot consider himself exclusively conscientious without being confirmed by all those to whom his action was directed. Moreover, the action is purely legislative, with which everyone as a subjective and special beings, including the notaries themselves, cannot fully agree.

Defining the «social significance and complexity of professional responsibilities of notaries, they are required to have a high level of professional training» as well as the obligation to «ensure the necessary level of competence of their assistants (consultants of the state notary office), technical staff and others... by constantly improving their skills» (Shevchuk, 2013). From our point of view, it is a mean of intensifying their work. We are convinced that such activities are organic for the staff of notary offices, so it is hardly necessary to oblige to it. After all, if notaries «*must*», then in case of detection of incompetence of support staff, the notary is *guilty*. This is hardly fair... In addition to the purely cognitive interest, employees should always have a sense of responsibility for the fact that receiving financial compensation for work, they need to improve their knowledge, for which there will certainly be additional rewards. Especially when it comes to private notaries.

Honesty. Like previous principles, they suffer from conceptual uncertainty. After all, the list of prohibitions given in the explanation does not determine the meaning of the concept in its methodological and educational function. Like any concept, it must be defined by genus and species differences. Therefore, it is highly preferably, considering ethics, morality, law, and their basic concepts as an organic part of philosophy as the art of conceptual thinking, to give such definitions. By being concise, they can be immediately understood by those who need them to perform their professional duties. Thus, *honor is a person's compliance with such rules of*

interaction with other people, which cause them full confidence in their mutual competence. The generic feature here is trust in the cognitive abilities of a person who seeks advice (Yusupov, 1985). Specific difference – one person acts as a qualified professional at the problem with which he or she is addressed; the other, not being so professionally prepared, in the process of communication feels able to perceive the essence of the problem due to the obvious belief in his or her cognitive abilities by a professional. Since it is impossible to be honest and decent without interacting with people. If such a definition is given, considering the dignity and decency of notaries, based on trust in them, all these prohibitions will not manifest themselves as a humiliation of their honor.

We conducted a kind of critical analysis of the requirements for notaries on the grounds that the above-mentioned normative requirements for their professional ethics, in our opinion, do not show full confidence in them by the governmental body (Yarkov, 2008). After all, if a person has chosen the profession of a lawyer, in this case a notary as a guarantor of the need to act according to legal law, it goes without saying that they respect their profession by vocation. Hence the corresponding culture of behavior, way of thinking, attitude to people, to the state in general (Balzer, 1912). This does not mean that the existence of binding documents is not required. But they must proceed on the understanding that the proposed principles are already available in the field of ideological and motivational consciousness of notaries.

R. Zippelius, already quoted by us, notes: «People need not only a thorough normative organization of behavior, but also a broad semantic orientation. From the very beginning, the individuals are forced to navigate correctly in this complex world, they are faced with an extraordinary variety of experience data and expectations of reactions to behavior. They seek to make this diversity clear, «comprehensible» and intelligible through conceptual schemes. Man seeks to find a certain «meaning», i.e. to find a comprehensive concept that allows him to understand the world. Such ways of orienting in the world appear in the form of religious or other «worldview» conceptual schemes in which they find their place, as well as their meaning and social institutions» (Zippelius, 2000).

Applying a philosophical and anthropological approach to the analysis of the phenomenon of the notary, we stressed the need to study the natural inclinations of man in order to be able to direct their energy into social life, which certainly develops through the adoption of certain rules and norms of behavior. «Only the normative order creates confidence in the guidelines and social stability» (Zippelius, 2000). But such an order will work

effectively, especially in complex types of society, under the condition that their requirements are sanctioned by a deep understanding of their necessity by the people themselves who form a particular social institution (Bodio, 2011). The usual call to be honest and decent without understanding how to shape them and what they will give to establish social stability will not establish it.

The convictions of a person who has not approached their truth by means of making their own cognitive efforts will only be a manifestation of instinctive impulses. «In fact, my belief is something highly insignificant if I am not able to know anything true» (Hegel, 1990), we cannot but agree with this Hegel's opinion. That is why we emphasize that normative regulations should not have a legislatively coercive status. After all, the existence of the principles listed in the «Rules» in a person can comprehensively and objectively learnt by a variety of socio-psychological tests.

We have already noted that the worldview is a form of human self-consciousness, which acts as a motivational dominant of human activity. Notaries as highly professionally educated people define their limiting and at certain moments of life metaboundary existence as a philosophical type of worldview (Dabkowski, 1918). Due to this, the legislatively coercive reminder of the principles of conscientious performance of their professional duties and conscientious professional behavior considered as a form of unjustified distrust.

Modern society, and not only Ukrainian, is in a difficult state of crisis. This significantly affects the notarial community, whose activities are based on the principle of justice. R. Zippelius emphasized the difficulties caused by the crisis more than twenty years ago. Nowadays, however, the crisis has deepened considerably, which is facilitated by the rather dubious in terms of reasonableness policy of certain states that consider themselves to be supposedly civilized. In such a situation, «when institutional and ideological orientations are shaken, when the self-evident worldview, which has outlived its usefulness, disappears, ethical criteria become problematic, the reliability of legal guidelines is lost and, if this is also because of vagueness or rapid change of legal norms, then irritability, insecurity, aggression or escape from reality, which becomes unbearable, take place, due to the inability of man to «absorb» it all – in short, releasing the «chaotic in man». The great importance that people give to their worldviews and normative guidelines is not least is reflected in the fact that the most fierce wars are wars for worldview beliefs and faith» (Zippelius, 2000).

Modern Ukrainian society is in a state of crisis throughout the period of independence. After all, it is quite obvious that the worldviews of the

Soviet period cannot operate in the context of building a democratic society ruled by law and a competitive economy. Paternalistic psychology, formed by means of purposeful ideological processing of society's consciousness and definition of outlook as a system of monopoly ideology of human worldview and their place in it, constantly poses obstacles to the establishment of worldviews based on their understanding as individually sanctioned motivational dominants. Hence, perhaps, a manifestation of the inertia of paternalistic psychology on the part of the state legal institution (*Drevnekitayskaya filosofiya*, 1972).

Competitive society puts before each person the need to find ways of combining in themselves from birth acquired tendencies with their socially popular direction of development and use. Notaries really need help from state legislatures and executive structures regarding the need to «constantly improve their competence» (*Pro zatverdzhennja Pravyl profesijnoji etyky notariusiv Ukrajinjy*, 2021). But not because it is at an inappropriate level, but because «legal chaos» is quite obvious to society, it prevents them from acting calmly, balanced and competently, not so much according to current laws, but according to the questionable principle of justice. Legislators are not always like that because they have an innate sense of justice. Instead, it is undoubtedly dominant among notaries. And, to a much greater extent than is typical of other subjects of law (*Harsagi*, 2021). This is proved by sociological surveys, which show an extremely low trust of citizens in the judiciary, and it includes not only judges but also lawyers and prosecutors.

R. Zippelius also emphasized this feature in his work «Philosophy of Law», based, as he himself noted, on the extension of Karl Popper's theory of science to the realm of law and the ideas of Kant, who considered the mind-driven conscience of man to be the decisive instance of his moral views and understanding of justice (*Skupieński*, 1990). K. Popper's concept of building a society open to human development is highly desirable in order to build a domestic legal, democratic, just society on its basis. Thus, according to R. Zippelius: «Methodology has long recognized that the answers to specific legal problems cannot be strictly derived from state law, that the administration of justice should include assessments, and in particular an understanding of justice» (*Zippelius*, 2000). And further explanation: «The regulatory system cannot count on universal recognition just because it functions effectively, consistently and smoothly, but only when the decisions made are inherently acceptable to the rule of law. Only under this condition the system is able to function for a long time and without hindrance: if the state system in its regulations constantly

contradicts the prevailing notions of justice in society, it provokes resistance and revolutions» (Zippelius, 2000).

This is what is happening in Ukraine. But this will not happen if we take into account historical experience and not invent a separate path of development. A person will not experience a general worldview crisis if they are constantly offered models of worldview confidence from those social structures that demonstrate success in their activities (Niemiowski, 2014). It is not necessary to call on notaries to perform those actions that they do not do anyway. Their activities are, without a doubt, «acceptable to the Law Society» (Malatesta, 1995). But it must be informed about their activities not by themselves, which from a moral and ethical point of view will not be perceived by society as positive, because it does not tolerate praise. But they will perceive their activities positively if it is demonstrated either by public organizations as a support for the civil type of society, or by reporting on the sociological services that society trusts.

In fact, this approach was proposed more than 2.5 thousand years ago by Confucius. «The teacher said, «A person should not be upset if they do not have a high position, they should only be upset that they are not morally strong. One should not be upset that one is unknown to people. As soon as they begins to strive for morality, people will learn about them» (Drevnekitayskaya filosofiya, 1972). But it is not they who must demonstrate their perfection. It is a matter of the state and statesmen, aware that they are in the service of society, not vice-versa (Chojak, 2018). Therefore, in our opinion, supported by the authority of prominent sages, philosophers, scientists, this is the main task of government agencies and powerful men, and not just endless regulatory action.

Man as a social being manifests themselves in an organization. In additional materials to the «Philosophy of Law», Hegel cites the opinions of other experts on the problems of understanding the essence of man, honor, decency, dignity, etc. Here is one of them: «In a corporation, a citizen gains their honor, they are recognized; if things are different, they are forced to seek their recognition in another way, creating the semblance of wealth, etc. In the corporation, the citizen is a master, a man of honor and is recognized as such, outside the corporation they have no recognition (Hegel, 1990). And this cannot be otherwise, unless the state as a whole, uniting all social corporations / structures, does not take care of public recognition (Glass, 1933). However, not only individuals, but also their groups, because a person should owe their success to them as well, and not only to their own talents and efforts.

Indeed, a person as a personality, and not only as an average individual, manifests themselves in a team related to the aptitudes, abilities, interests, talents. Not only K. Marx and F. Engels (1957) wrote about this, but also his predecessors, including G. Hegel as their correspondence teacher, who also learning from others. Their opinion is as follows: «I can only get it from others, namely through my own work, because everything is already the property of another. Thus, the satisfaction of needs no longer depends on direct taking into possession, but on work in general, this is also a truly reasonable attitude. Satisfaction of needs should, as far as possible, depend on man themselves, their activities, behavior, understanding, prudence, not on what good nature gives. The honor of man is that in their imagination they are the main» (Hegel, 1990).

The system of education that a person receives before they start working already forms such a unity of individual and social, innate and acquired, regulatory and personal. All this, taken together, as well as the experience of the notaries, allows us to approve their ability to self-regulation. In addition to the moral virtues that oblige to a proper culture of behavior, it is also obliged by responsibility for one's family's financial situation. Therefore, it is unlikely that the «Rules» should include the regulation of behavior outside of office hours. Most likely, the category of people who belong to government structures, especially the highest ones, should be obliged to do so. This is where there are problems that negatively affect society.

Conclusions

There should be not only a relationship of subordination, but mainly coordination, between the higher executive bodies and its internal structures. In this case, the subject-subject interaction is established, not the object-object interaction. Which, in turn, destroys established over many centuries paternalistic psychology, including of public officials.

The community of notaries must itself produce those professional codes of ethics and law that express their inherent way of thinking and understanding their responsibility for performance. And such codes exist, so it is unlikely that unnecessary care will inspire them.

Personal development and perception of the professional social role of the notary is one of the determining factors of their ethical behavior. The legal and regulatory aspects in the context of professional activity determines the essence of the social role of the notary. But it is important to show a personal perception of their profession. Therefore, the neuroethical approach to the study of notary's conduct in professional activities is one of

the most important factors in the interaction of personal and normative in the legal ethics of notary's conduct.

Areas of further research are determined by the need to develop and establish a truly subject-subject relations in society at the level of concepts that by their definition are able to directly form an objective way of both cognitive and practical activities.

References

- Balzer, O. (1912) *Porządek sądów i spraw prawa ormiańskiego*. [Order of courts and matters of Armenian law]. Lwow.
- Bodio, J., Borkowski, G., & Demendecki, T. (2011). *Ustrój organów ochrony prawnej. Część szczegółowa*. [The system of legal protection. Detailed part] (Vol.3). Oficyna a Wolters Kluwer business.
- Chojak, M. (2018). Neuropedagogy as a Scientific Discipline: Interdisciplinary Description of the Theoretical Basis for the Development of a Research Field. *International Journal of Education and Pedagogical Sciences*, 12(8), 1084-1087.
<https://zenodo.org/record/1474341/files/10009406.pdf?download=1>
- Dabkowski, P. (1918). Urzednicy kancelaryjni sadow ziemskich i grodzkich w dawnej Polsce. [Offices of land and city courts in old Poland]. *Archeion*, 337 – 364. <https://doi.org/10.4467/26581264ARC.21.002.14482>
- Demchenko, I., Maksymchuk, B., Bilan, V., Maksymchuk, I., & Kalynovska, I. (2021). Training Future Physical Education Teachers for Professional Activities under the Conditions of Inclusive Education. *BRAIN. Broad Research in Artificial Intelligence and Neuroscience*, 12(3), 191-213.
<https://doi.org/10.18662/brain/12.3/227>
- Drevnekitayskaya filosofiya. Sobranie tekstov v dvukh tomakh* [Ancient Chinese philosophy. Collection of texts in two volumes]. (1972). (Vol.1).
- Florea, D. (2021). *Particularitățile creării și aplicării de către state a normelor de drept internațional public*. Lumen.
- Glass, J. (1933). *Rzut oka na polską ustawę notarialną*. [Review of the Polish notarial act].
- Harsagi, V. (2011) *The Notarial Order for Payment Procedure as a Hungarian Peculiarity*. Piter Pazmany Catholic University.
- Hegel, G. W. F. (1990). *Filosofiya prava*. [Philosophy of law]. Mysl.
- Konstytucija Ukrainy vid 28 chervnja 1996 roku* [Constitution of Ukraine of June 28, 1996]. (1996).
- Kosholap, A., Maksymchuk, B., Branitska, T., Martynets, L., Boichenko, A., Stoliarenko, O., Matsuk, L., Surovov, O., Stoliarenko, O., & Maksymchuk, I. (2021). Neuropsychological Bases of Self-Improvement of Own Physical

- Health of Future Teachers in the Course of University Education. *BRAIN. Broad Research in Artificial Intelligence and Neuroscience*, 12(3), 171-190.
<https://doi.org/10.18662/brain/12.3/226>
- Malatesta, M. (1995). *Society and the Professions in Italy, 1860-1914*. Cambridge University Press.
- Ministry of Justice of Ukraine. (2021). *Pro zatverdzhennja Pravyl profesijnoji etyky notariusiv Ukrainy*. [On approval of the Rules of professional ethics of notaries of Ukraine] <https://zakon.rada.gov.ua/laws/show/z0759-21#Text>
- Niemirowski, A. (1876). *Wyklad notariatu dziejowy i porownawczy*. [Lecture on historical and comparative notary]. Druk. K. Kówalewskiego.
- Plato. (1969). *Antologiya mirovoy filosofii* [The World Philosophy Anthology] (Vol.1). Mysl.
- Rousseau, J. J. (1969). *Traktaty*. [Treatises]. Nauka.
- Sarancha, I., Maksymchuk, B., Gordiichuk, G., Berbets, T., Berbets, V., Chepurna, L., Golub, V., Chernichenko, L., Behas, L., Roienko, S., Bezliudna, N., Rasskazova, O., & Maksymchuk, I. (2021). Neuroscientific Principles in Labour Adaptation of People with Musculoskeletal Disorders. *BRAIN. Broad Research in Artificial Intelligence and Neuroscience*, 12(4), 206-223.
<https://doi.org/10.18662/brain/12.4/245>
- Shevchuk, L. (2013). Notariat v Ukraini v skladi Rosijskoi imperiji. [Notary in Ukraine as part of the Russian Empire]. *Visnyk Ljvivskogo universytetu. Serija «Jurydychna»*, 57, 154-162.
- Skupiński, K. (1992). O znaku notarialnym jako źródle poznania polskiej heraldyki szesnastego wieku. [About the notarial mark as a source of knowledge of Polish medieval heraldry]. *Discernere vera ac falsa: praca ofiarowana Józefowi Szymańskiemu w sześćdziesiątą rocznicę urodzin*, 45, 231-243.
- Smith, M. B. (1997). Values. In J. W. Berry, M. H. Segall, & C. Kagitcibasi (Eds.), *Handbook of Cross-Cultural Psychology*, (pp. 77–118). Allyn & Bacon.
- Yarkov, V. V. (2008). *Notariat i mediatsiya* [Notaries and mediation]. Notarialnyy vestnik.
- Yusupov, V. A. (1985). *Teoriya administrativnogo prava* [Theory of administrative law]. Yurid.
- Zippelius, R. (2000). *Filosofija prava: Pidruchnyk*. [Philosophy of Law: Textbook]. Tandem.