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EFFICIENCY OF MANAGEMENT ACTIVITY ON THE BASIS OF MORAL-LEGAL AND PSYCHOLOGICAL REGULATION

ЕФЕКТИВНІСТЬ УПРАВЛІНСЬКОЇ ДІЯЛЬНОСТІ НА ЗАСАДАХ МОРАЛЬНО-ПРАВОВОЇ ТА ПСИХОЛОГІЧНОЇ РЕГУЛЯЦІЇ

Urgency of the research. The processes of globalization, eurointegration and domestic decentralization require more efficient management model. The complexity of the formation of such a model is conditioned by social and economic instability, morality crisis and legal consciousness. A particular relevance in these conditions obtain the study of the moral and legal and psychological principles of the effectiveness of management.

Target setting. Management effectiveness is determined by external and internal factors of influence. Therefore, the increasing role of moral and legal and psychological factors is logical, since it actualizes the meaning of improvement of human capital quality.

Actual scientific researches and issues analysis. Famous scientists R.H. Thaler, D. Kahneman, A. Tversky, H.A. Simon, M. Rabin, K. Krylov, L. Orban-Lembryk and others have made a significant contribution to the development of the theory and methodology of moral and legal and psychological principles for improving the efficiency of management activity. etc.

Uninvestigated parts of general matters defining. Insufficient scientific works highlight features, essence, content of the relationship of morality and law in management activities.

The research objective. The purpose of investigation is a determination of terms of implementation of moral and legal and psychological factors of impact for increase of efficiency of management on all its hierarchical levels.

The statement of basic materials. In the article the essence, content, features of the relationship of morality and law are considered in the light of new achievements in management psychology, including in the theory of "controlling choice". Moral-legal and psychological basics of management activity are considered as internal factors of determination of efficiency of management.

Conclusions. Determining the essence, content, features of the relationship of morality and law in management activities gives the opportunity to the most fully use this knowledge in the increase of quality of human capital. The factor of consciousness, moral and legal and psychological principles play a key role in maintaining high level of efficiency of management.

Keywords: management efficiency; right; personnel; the quality of human capital; morality; improvement of management activity.

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Актуальність теми дослідження. Процеси глобалізації, євроінтеграції і вітчизняної децентралізації потребують більш ефективної управлінської моделі. Складність з формуванням такої моделі обумовлені соціально-економічною нестабільністю, кризою моральності і правосвідомості. Особливої актуальності в цих умовах набуває дослідження морально-правових та психологічних засад ефективності управління.

Постановка проблеми. Ефективність управління детермінована зовнішніми та внутрішніми факторами впливу. Тому підвищення ролі морально-правового і психологічного чинників є закономірним, оскільки актуалізує значення підвищення якості людського капіталу.

Аналіз останніх досліджень і публікацій. Значний внесок у розвиток теорії та методології морально-правових та психологічних засад підвищення ефективності управлінської діяльності зробили відомі вчені Р. Талер, Д. Канеман, А. Тверські, Г. Саймон, М. Рабін, К. Крилов, Л. Орбан-Лембрик та ін.

Виділення недосліджених частин загальної проблеми. Недостатньо наукових праць, що висвітлюють особливості, сутність, зміст взаємозв'язку моралі і права в управлінській діяльності.

Постановка завдання. Метою дослідження є визначення умов реалізації морально-правових і психологічних чинників впливу на підвищення ефективності управління на всіх його ієрархічних рівнях.

Виклад основного матеріалу. У статті розглянуто сутність, зміст, особливості взаємозв'язку моралі і права з урахуванням нових досягнень в психології управління, у тому числі в теорії «управляючого вибору». Морально-правові і психологічні засади управлінської діяльності розглядаються як внутрішні фактори детермінації ефективності управління.

Висновки. Визначення сутності, змісту, особливостей взаємозв'язку моралі і права в управлінській діяльності дає можливість найбільш повно використовувати це знання в підвищенні якості людського капіталу. Чинник свідомості, морально-правові і психологічні засади відіграють ключову роль в забезпеченні високого рівня ефективності управління.

Ключові слова: ефективність управління; право; персонал; якість людського капіталу; мораль; удосконалення управлінської діяльності.

Urgency of the research. The complex conditions of European integration and decentralization require a more perfect management model. Effective management is the main source of modern socio-economic development. "Thus, according to the estimates of Western experts, the value of an ef-

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fective management system for the company is 80%, and the value of capital and labor – only 10%" [1, p. 199].

In modern Ukraine, the concept of increasing the efficiency of governance in the conditions of globalization is never needed. Of particular relevance in these conditions is the study of the factor of consciousness, moral and legal and psychological principles of increase of the effectiveness of management activity, which combine objective and subjective aspects of economic development.

Target setting. The effectiveness of management is determined by external and internal factors of influence, which are in close dialectical interconnection. External factors are those objective conditions in which the management process is carried out. Internal factors are associated with organizational, economic, moral, legal, psychological, and physiological components of management activity. It is no coincidence that certain aspects of the effectiveness of management are reflected in management, psychology, sociology, law, in economics and other sciences. And it only enriches and develops the theory of management. In this regard, the American economist, Nobel Laureate for Economics in 2017 for his contribution to the field of behavioral economics [2] Richard H. Thaler wrote: "As economists become more and more advanced, their ability to absorb the achievements of other disciplines, for example, psychology" is improved [3, p. 14]. Increasing the role of moral and legal and psychological factors is logical for improving management, as it actualizes the problem of improvement of quality of human capital.

Actual scientific researches and issues analysis. Famous scientists R. H. Thaler, D. Kahneman, A. Tversky, L. Orban-Lembryk and others made significant contribution to the development of the theory and methodology of moral-legal and psychological principles for improving the efficiency of management activity. Particular attention deserves the works of R. H. Thaler, the author of the so-called "theory of pushing" (Nudge theory, "controlling choice"), which established the relationship between economic and psychological analysis of individual decisions and included in the analysis of economic decision-making realistic psychological proposals that are conditioned evolutionary and value. His ideas played an important role in the creation of a new behavioral economy, which has a great methodological value for the theory of effective management.

Uninvestigated parts of general matters defining. At the same time, insufficient scientific works highlight the essence, content, features of the relationship of morality and law in management activities, taking into account new advances in management psychology. Particular attention is required to consider the problem of moral and legal regulation of behavior of personnel in the context of modern requirements for the realization of its creative potential, initiative, aimed at putting forward innovative ideas that will provide competitive advantages, economic benefits to enterprises.

The research objective. Determination of the conditions of optimal interconnection of morality and law in management activity, taking into account its psychological nature, as well as the influence of moral and legal regulation on the disclosure of creative potential of personnel of enterprises and improvement of management efficiency.

The statement of basic materials. The problem of effective social-economic management remains a pressing issue for Ukraine for a long time. Responsibility for solving this problem rests on systems of management of all levels of the hierarchy, most of which have not yet been able to adapt to modern social and market transformations in conditions of competition, European standards, economic risk, innovation development, social responsibility, etc. An important role here is played by the factor of consciousness, which is a specific feature of the social-economic system. It enables the organization of social life to be presented in the form of two subsystems of organizational-managerial and value-normative, which are in close dialectical interconnection, and the contradictions between them lead to a conflict between culturally dictated aspirations and socially structured means of achieving them. And this does not correspond to the purpose of management, which is aimed at organizing joint activities of people, their groups and organizations. A human in the management system acts as the primary, controlling component, if in certain interrelations, relations, phenomena, processes there is an existing conscious beginning, interest, knowledge, goals, will, energy and actions of man [4, p. 6]. Since the control system operates in conditions of continuous changes of the external and internal environ-

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ment, one of the main tasks of the control body is timely and adequate response to these changes, ensuring effective management activity.

Human management activities consist of a number of interrelated components, each of which has a spiritual component, a factor of consciousness: the activity of the control subsystem, purposeful management influence on the objects of management, social-economic self-organization, the system of managerial decisions, evaluation of the efficiency of the management process. This suggests the need to study the mechanism of regulation of management activities, and, first of all, psychological regulators of human behavior, values and social norms.

Increasing the role of moral and legal and psychological factors in management is logical, because they actualize the importance of quality of human capital in the management system. Moral and legal dimension defines human behavior, its attitude to society. But, as real practice shows, managers do not always understand the essence of the relationship between morals and law and their influence on improvement of management activities. Also, managers often lack the knowledge of moral and legal norms. At the same time, the unethical behavior of the subject of governance can ruin the socio-psychological integrity of the organization as a destructive, demoralizing factor, which affect financial and economic condition of companies and domestic economy in general. Mostly, it is caused by modern conditions in Ukraine:

1. Significant amount of "shadow" economy, criminal "competitive" struggle.
2. Ignorance of moral and ethical aspects of negotiations, psychological methods of convincing influence, ethics of relations with employees, partners, competitors, which greatly damages the reputation of managers.
3. The desire for illicit enrichment, corruption.
4. Reduction of investment attractiveness of business structures, including, as a result of poor quality of corporate culture, legal norms of regulation of business relations.
5. Insufficient attention to solving social-economic and cultural problems of employees, etc.

The combination of morality and law in the management psychology is not accidental, since they, although they are independent branches of scientific rank, but function in close interconnection and significantly affect the effectiveness of management activity. Morality and law, their place and role in regulating the relationship between people were considered and interpreted at all times from different positions. Representatives of the doctrine of natural law do not define a clear line between law and morality, and believe that the main purpose of the law - the implementation of justice. Depending on the value priorities used in this or that concept of justice, it is understood mainly as: 1) equality; 2) the proportionality of merit; 3) guarantees of inalienable rights [5, p. 26].

Cicero emphasized that the foundation of law lies in the inherent nature of justice, which is eternal, immutable and inalienable of its property in general. Even if we consider the legal systems that contain a positive law, the norms of which are adopted by the state authorities, then they can see the idea that the main task of the law is to consolidate fair decisions. Maksimov S. I. emphasizes that justice, being a moral category, is also a value that occupies a priority place in the system of critical assessments (legitimation) of legal institutions [6, p. 198]. The right is essentially aimed at achieving justice, so there is every reason to consider it as the most effective regulator of social-economic life, the most important moral value, the measure of justice and responsibility of the individual and quality of human capital.

Morality manifests itself as the most important personal and social value, which correlates with the attraction of man to maintain the unity of interpersonal connections and the achievement of moral perfection. Moral is controlled by an external factor – public opinion and internal – with conscience. Thus, conscience is a personal awareness of one's duty. Morality has an internal and an external aspect. The first expresses the depth of awareness of the individual by the measure of responsibility, public duty and puts the limit on his own arbitrariness, selfishness, selfishness. The second aspect of morality is concrete forms of the external manifestation of virtues, because morality cannot be reduced to bare principles. The significance of universal human moral foundations is that they provide a meaningful and functional structure of morality, characterizing its general orientation, which permits it to be viewed as the law as a regulator of social-economic life. Morality and law in the process of realizing

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their functions "support" each other in ordering social-economic relations, the formation of proper legal and moral culture, legal consciousness and moral consciousness in management subjects.

The influence of morality on the right is felt in the very application of law in management activities. By its nature, requiring unambiguous execution, the right in their general requirements cannot take into account the individual psychological characteristics of individual cases. It, in turn, also affects morality. Just organized law and order in the organization, which ensures the formal equality of its members, creates conditions for normal life. The right to make a social-economic relationship is firmness and stability, since only internal motives for people is not enough to overcome the possibility of social collisions. A firm legal management organization is needed that could attach to the internal motives the restraining force of the law.

But this approach does not mean that along with the common features between them there are some differences that need to be taken into account in management activities. The law consists of the standards established in a certain order by the state bodies, which are fixed in the legal acts. The norms of morality are formed in public opinion and transmitted through the traditions, customs, art, the media. Morality covers the field of relations wider than the scope of relations regulated by law. There are many relationships among people in the team that are subject to morality, but are not subject to legal regulation. The difference in the rules of moral law is also manifested in the nature of the guarantees of the implementation of these norms. The rules of law have the guarantees of performance as the authority and power of the state and provided, if necessary, by coercive measures. The norms of morality are performed by virtue of personal conviction, human habits. The internal guarantor is the conscience of man, and the external – a public opinion, which can be both a form of coercion. But the nature of coercion and the way they are implemented in law and morality are different. Violation of the law requires a clearly defined procedural procedure for bringing the guilty party to legal liability. Violation of the same moral norms of this order does not imply.

The difference between law and morals is manifested in the assessment of the motives of the person's behavior. It emphasizes that the system of morality is more subjective than the system of legal norms, which is objectified in the law. If the law is seen as a means of regulating social relations, the purpose of which is social order, then morality – as a means of improving the personality.

Both moral and legal norms are the basis of moral and legal regulation of human behavior. At the same time, it is necessary to take into account the administrative activity that the law and morality oblige the subject of management to distinguish the correct behavior from the wrong one, and psychology reveals the psychological nature of the concrete revealed the behavior and conditions of the formation of these moral and legal phenomena. These features and differences in morality and law significantly affect not only the methods of regulating social-economic relations, but also the nature of the relationship with other social norms that operate in the field of management activities.

The basis of professionalism in management is knowledge of the essence, content, general and special in the relationship of morality and law as regulators of personnel behavior. The effectiveness of managerial activity is influenced by the compliance of the subject of the management of objective patterns of interaction, which significantly affect the implementation of socio-psychological contacts associated with the mental state of their participants, and the level of moral and legal maturity of the human capital.

Conclusions. Determining the essence, content, features of the relationship of morality and law in management activities makes it possible to fully use this knowledge in the moral and legal impact on improving the management efficiency by creating conditions for transparency in the adoption of managerial decisions, involving staff in active search for development reserves, skills development, use of moral incentives, negative attitudes to abuse, etc. If the law and morality require a subject management to distinguish the right behavior from the wrong one, then psychology reveals the psychological nature of specific manifestations of behavior and the conditions for the formation of these moral and legal phenomena, in particular, when solving tasks of improvement of efficiency of management. Understanding the value of moral and legal and psychological principles of management is the basis of professionalism, which is a guarantee of prevention of large losses in the economy.

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