

PUBLIC ADMINISTRATIVE MODEL OF THE STATE SECURITY ENSURING SYSTEM OF UKRAINE

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Abstract: Attention is focused on the conceptual uncertainty in the critical issue of what should be the most optimal public administrative model for ensuring the state security of Ukraine in the current realities of the development of the strategic security environment. The article analyzes the national scientific achievements in the development of state security ensuring system of Ukraine as a fundamental public administration system which comprehensively covers, among other things, the state security sphere. Research of theoretical general methodological approaches to improving existing and developing new forms and methods of ensuring state security of Ukraine is presented, highlighting promising scientific and academic experience that can be useful for the development and improvement of the optimal public administrative model of ensuring state security of Ukraine. Considering the national scientific discourse on the categorical concepts of "state security", "national security", and "national security system", the article examines the characteristics which should be inherent in a perfect system of ensuring state security, that should be developed in the Ukrainian State. The authors' definition of the generalized concept of Ukraine's security ensuring system is presented, considering the above analysis, and the critical tasks of Ukraine's security ensuring system are detailed. Characteristic features of the state security system of Ukraine are identified: the system has to be manageable, observable, and identifiable; the system may contain destabilizing elements of subsystems; it is necessary to distinguish security levels based on the principle of their relative independence ("strategic-tactical-operational" or, for example, "national-district-regional-local" or "functional-sectoral"). Methodological approaches to developing a complementary public administrative model for ensuring the state security of Ukraine are proposed, which is intended to serve as a reliable tool for solving organizational and administrative tasks in the sphere of ensuring the state security of Ukraine.

Keywords: state; security; state security; national security; national interests; state security ensuring system; models of ensuring state security; public administrative model.

1 Introduction

Clause 24 of Section III of the State Security Strategy of Ukraine as of 16 February 2022 stipulates that the main tasks of the state policy in the state security sphere include the "development of the capabilities of the subjects of the state security system to prevent timely, detect external and internal threats to the state security of Ukraine, and counteract such threats" [1].

Meanwhile, the development of these capabilities needs to be improved in the context of the insufficient development of the state security system of Ukraine. In particular, the concept of the state security system is used in the State Security Strategy. However, there is no legal regulation of this system at the legislative level: there are no definitions of the mission, functions, and tasks of the state security system, mechanisms of its functioning. The Law of Ukraine "On National Security of Ukraine" as of 21 June 2018 No. 2469-VIII defines only the concept of "state security" and the organizational and legal framework for the activities of the security and defense sector entities of Ukraine, including those responsible for ensuring state security [7].

One should point out that one of the reasons for this problem is conceptual uncertainties in the critical issue of the most optimal public administrative model of the state security system in the current realities of developing the strategic security environment.

This circumstance determines the connection between the general problem and the most important scientific and practical tasks, namely, the analysis of the issues of theory and practice of ensuring the state security of Ukraine, since the imperfection of scientific and methodological support for state security hinders the development of the state security ensuring system.

2 Literature Review

The theoretical and methodological foundations of national and state security have been studied by Ukrainian scientists, in particular, H. Sytnyk [15; 16], O. Hlazov [3], V. Horbulin and A. Kachynskyi [4], V. Smolianiuk [14], O. Reznikova [11], V.

Pylypchuk [10], M. Melnyk and M. Khavroniuk [8], Yu. Khatniuk [5], V. Pavlenko [9], A. Semenchenko [12], V. Kyrylenko [6], M. Shevchenko [6; 13; 18], and others. It is worth noting that considerable attention is paid to studying the state security ensuring system. At the same time, in the scientific discourse, the principles of the state policy of ensuring the state security of Ukraine are outlined as separate components of the state policy of ensuring the national security of Ukraine. This approach is reasonable due to the close interconnection of state security with other national security types (foreign policy, military, public, information and cyber security, critical infrastructure security). However, despite a sufficient number of scientific sources, it should be mentioned that the problem of building the state security ensuring system has been studied, as a rule, in separate aspects and has not yet received sufficient and comprehensive coverage in the scientific works of national authors.

Therefore, the purpose of the article is to analyze the national scientific achievements in the development of the state security ensuring system as a fundamental public administration system which comprehensively covers, among other things, the state security sphere. The article offers a research of theoretical and methodological approaches to enhancing the existing and developing new forms and methods of ensuring state security of Ukraine and highlights promising scientific and academic experience that can be useful for the development and improvement of the optimal public administrative model of ensuring state security of Ukraine.

3 Method

The methodological basis of the research consists of general scientific methods, including the system-structural approach, methods of induction and deduction, as well as special ones – primarily formal-legal, comparative-legal, and historical legal methods. The primary research method is the method of comparative legal analysis, which is used to identify the definite concepts of "state security", "national security", and "national security system". The article examines the characteristics which should be inherent in a perfect system of ensuring state security, which should be developed in the Ukrainian State.

4 Results and Discussion

To present the research results qualitatively, it is necessary to consider the national scientific discourse on the phenomena of "national security" and "national security system" and to reveal their interrelationships with the phenomena of "state security" and "state security system", as well as to characterize them.

H. Sytnyk defines the scientific concept of "national security" as the protection of vital interests of a person and a citizen, society and the state (national interests), which ensures sustainable development of society, timely detection, prevention, and neutralization of threats to national interests in various spheres of society and the state [16, p. 67].

The definition of Sytnyk is entirely in line with the scientific views of V. Horbulin and A. Kachynskyi, who define the concept of "national security" as the protection of vital interests of an individual, society, and the state in various spheres of life from internal and external threats, which ensures sustainable and progressive development of the country [4, p. 17].

According to the conclusions of O. Hlazov, national security comprehensively covers military, state, political, economic, energy, social, humanitarian, scientific and technological, information, environmental safety in the spheres of human, social and state life [3, p. 42-46].

Article 1 of Section 1 of the Law of Ukraine "On National Security of Ukraine" as of 21 June 2018 No. 2469-VIII defines the concept of "national security" as the protection of state

sovereignty, territorial integrity, democratic constitutional order, and other national interests of Ukraine from actual and potential threats [7].

This definition needs to be revised in terms of terminology. Simultaneously, the concept of “national security” is revealed in a more extended way through the interpretation of definitions, terminological concepts of “national interests of Ukraine” and “threats to the national security of Ukraine”, namely:

- “National interests of Ukraine” are vital interests of a person, society, and the state, the realization of which ensures the state sovereignty of Ukraine, its progressive democratic development, as well as safe living conditions and welfare of its citizens [2];
- “Threats to the national security of Ukraine” are phenomena, tendencies, and factors that make it impossible or difficult to implement national interests and preserve the national values of Ukraine.

Clause 4 of Article 3 of Section 2 states that “the state policy in the spheres of national security and defense is aimed at ensuring military, foreign policy, state, economic, information, environmental security, critical infrastructure security, cybersecurity of Ukraine, and other areas of national security and defense” [7].

At the same time, V. Horbulin and A. Kachynskyi characterize national security as a functioning system. They conclude that national security is a complex multi-level functional system with constant interaction and confrontation between internal and external threats and vital interests of an individual, society, and the state. In the conditions of interaction and confrontation, interests and threats are constantly influenced by other elements of the national security system: factors of the internal and external environment and management structures’ actions. The target function of this system is the level of protection of these interests from threats. The main objects of national security are: persons (human beings) and their rights and freedoms; society and its material and spiritual values; the state and its constitutional order; sovereignty and territorial integrity. The main subject of national security is the state, which carries out functions in this sphere with the help of legislative, executive, and judicial authorities [4, p. 17].

It should be noted that V. Smolianiuk [14] and O. Reznikova [11] reveal the mission of the national security system. Scientists point out that the functioning of the national security system (as a primary system) is impossible without the national security ensuring system (secondary system) since the first one requires constant support, protection, preservation, production, and supply of resources, which can be succinctly expressed by the term “provision”. Moreover, the national security system acts as an organizational system of state and non-state institutions and other entities that are called upon to ensure national security as determined by law [11, p. 6; 14].

According to Reznikova, the primary purpose of the national security ensuring system is to organize the process of threat and risk management, in which state and non-state institutions and individuals are guaranteed to preserve and strengthen national values, protect and progressively develop national interests through timely detection, prevention, localization, neutralization, overcoming internal and external threats, as well as to ensure the effective functioning of the national security ensuring system itself [11, p. 6].

At the same time, Sytnyk defines the national security ensuring system as a component of the national security system which is a set of interrelated and interdependent mechanisms (institutional, organizational, legal, and other) and subjects of national security ensuring (government officials, government authorities and local self-government authorities, state institutions and agencies, security sector forces and means, civil society institutions, individual citizens). They transform national security policy based on the current legislation into targeted coordinated measures (political, legal, organizational, military, and other

measures) to implement national interests (primarily to identify, predict, prevent, and neutralize threats to the security of a person (citizen), society and the state) [15, p. 628-630].

As to the concept of “state security”, V. Pylypchuk defines it as the protection of state sovereignty, constitutional order, territorial integrity, economic, scientific, technical, and defense potential of Ukraine from external and internal threats, intelligence, terrorist and other illegal encroachments of special services of foreign states, as well as organizations, individual groups and individuals on the vital interests of Ukraine [10].

M. Melnyk and M. Khavroniuk provide a more comprehensive definition of the concept of “state security” as the protection of state sovereignty, constitutional order, territorial integrity of Ukraine, its economic, scientific, technical, and defense potential, state secrets, law and order, state border, vital infrastructure and population from intelligence and subversive activities of foreign special services, as well as from terrorist and other hazardous attacks by criminal organizations, groups, or individuals [8].

Article 1 of Section 1 of the Law of Ukraine “On National Security of Ukraine” as of 21 June 2018 No. 2469-VIII defines the concept of “state security” more narrowly as the protection of state sovereignty, territorial integrity, democratic constitutional order, and other vital national interests from actual and potential non-military threats [7].

Ukraine’s legislative and regulatory acts do not identify and list the critical national threats to the state security of Ukraine. However, analysis of the publications of Yu. Khatniuk and V. Pavlenko leads to the conclusion that the critical threats to Ukraine’s state security are:

- Encroachment on the inviolability of the state border of Ukraine;
- Dangerous decline in the level of the state’s defense capability;
- Encroachment on the constitutional order of Ukraine;
- Encroachment on the state sovereignty of Ukraine and its territorial integrity;
- Unjustified territorial claims to Ukraine by other states;
- Interference in Ukraine’s internal affairs;
- Intelligence and subversive activities of foreign special services;
- Disclosure of information constituting a state secret;
- Formation and operation of illegal paramilitary groups [5; 9].

Thus, considering the analysis of the materials mentioned above, it is reasonable to state that since state security is a component of national security, the state security ensuring system is a subsystem of the national security ensuring system. If these systems are to function in a coordinated manner, they need to be appropriate in their organizational and management structure. Further, the state security ensuring system should be interconnected with other systems by security components of national security.

We will attempt to provide the authors’ definition of the generalized concept of the state security ensuring system, considering the above analysis: state security ensuring system is a component subsystem of the national security ensuring system, which performs functions and tasks as a state-administrative mechanism in the state security sphere to ensure the protection of state sovereignty, territorial integrity, democratic constitutional order, and other vital national interests from actual and potential non-military threats (through coordination and enhanced interaction of its actors, comprehensive analysis and assessment of threats, vulnerabilities and existing capabilities, development and rational use of capabilities).

Based on the studies of A. Semenchenko and other researchers in the sphere of national security system development, it can be stated that the critical tasks of the state security ensuring system should be:

- Implementation of a complex process aimed at constant monitoring, analysis, and forecasting of the security environment development; comprehensive study of reasons and factors that influence the level of state security; identification of threats; assessment of existing capabilities to implement national interests in the state security sphere;
- Planning at the strategic, functional, and territorial levels in the sphere of state security ensuring of Ukraine, development of scientifically grounded proposals and recommendations for solving urgent problems and achieving goals in this sphere;
- Development of capabilities and coordination of the activities of the security and defense forces of Ukraine to perform assigned tasks in the state security sphere;
- Prevention of threats to state security and their elimination, settlement of possible conflicts, and stabilization of crises in the state security sphere to gradually overcome them;
- Development of international cooperation and interstate partnerships for joint efforts in order to consolidate the state security of each country participating in such cooperation;
- Supervision of the implementation of measures to ensure state security and adjusting, if necessary, analysis and evaluation of the effectiveness and efficiency of measures following the costs, reporting [4; 10; 12; 14; 15; 16].

Meanwhile, the analysis of publications by A. Semenchenko [12], O. Zozulia, and M. Shevchenko [18] allows stating that any security ensuring system should be not only adaptive (capable of adjusting to changes in the strategic security environment in order to respond to threats in the process of protection), but also creative (able to offensively influence the development of the strategic security environment in order to eliminate or minimize threats at the stage of tendencies before they occur).

The analysis of the results of the studies by V. Kyrlyenko and M. Shevchenko [6] and other researchers lead to conclusion that the most appropriate approach is to use the methodology of building a complementary public administrative model of the state security ensuring system of Ukraine [4; 10; 11; 12; 14; 15; 16]. Thus, the state security ensuring system should have some characteristic features. Firstly, this system must be manageable, observable, and identifiable. Secondly, there may be destabilizing elements of subsystems in the system, so measures should be adjusted to ensure the system's stability. Thirdly, it is necessary to distinguish security levels according to the principle of their relative independence ("strategic-tactical-operational" or, for example, "national-district-regional-local" or "functional-sectoral"), since each level is a local subsystem combined with other structural elements. Finally, control over the functioning of all elements of the system. The high quality of dynamic interaction processes between all elements will ensure the system's efficiency if adequately organized. The deterioration of a subsystem's lower operational and tactical level is less significant than the violations at the "upper strategic level", but this deterioration should force appropriate measures to be taken. Destabilizing processes at the "top strategic level" are the most destructive for the system as they call into question its existence.

The state security ensuring system functioning within the complementary public administrative model framework should be carried out under the following principles:

- Functioning of the state security ensuring system based on strategic management.
- Legitimacy. State security ensuring within the framework of the current international and national legislation.
- State sovereignty in the international arena. Ensuring the security of Ukraine's state sovereignty and territorial integrity, the availability of international guarantees of national security, and the opportunity for Ukraine to participate in global political processes on an equal footing.
- Systemic and synergistic nature of security. State security in modern conditions is systemic: it combines global, regional, national, territorial, and administrative aspects.

- Proactive nature of state security ensuring (monitoring, forecasting, analysis, threat assessment, and prevention measures).
- Information and consensus-based nature of state security. It is successfully used, for example, in the joint provision of security by partner states within the framework of established regional security systems.
- Rationalization of security mechanisms. This principle envisages the implementation of proven practical international security projects to strengthen Ukraine's state security, as Ukraine's further spontaneous provision of state security is unacceptable, as confirmed by the experience of non-aligned status.
- Ensuring an effective response to current external and internal threats to Ukraine's national security.
- Systematic use of modern innovative approaches and methods of analysis of the state policy of state security ensuring, the application of the latest theoretical and practical knowledge in this sphere.

Analyzing the processes of ensuring state security leads to modeling, i.e., the study of objects of knowledge on their models. Analyzing the research of V. Kyrlyenko and M. Shevchenko, we can state that the model is an analogue, scheme, and structure of a specific fragment of social reality related to the policy in the state security sphere [6].

Summarizing the materials mentioned above, we can argue that the organizational and managerial model in the sphere of ensuring state security is an integral concept that provides for the creation of a system of guidelines and measures to protect state sovereignty, territorial integrity, democratic constitutional order, and other vital national interests from actual and potential non-military threats. This requires the formation of functions and tasks in the state security sphere.

According to the research of M. Shevchenko [6; 13; 17; 18] and others, it can be stated that the state security ensuring system should perform the following functions: goal identification; goal setting; goal realization; organizational and managerial functions; prognostic; fundamental; program and theoretical; planning; development of scientific and methodological support; coordination; interaction with international partners; resource provision; ideological; public-private partnership; monitoring; state control; civilian democratic control.

The tasks of the state security ensuring system are aimed at: supporting intelligence activities; countering intelligence and subversive activities against Ukraine; combating terrorism; protection of the state border and state secrets; counter-intelligence protection of state sovereignty, constitutional order, and territorial integrity; defense and scientific-technical potential; information and cyber security of the state; critical infrastructure [7; 17].

The complementary public administrative model of the state security ensuring system should structurally consist of a set of models (Table 1).

Table 1: The complementary public administrative model of the state security ensuring system

| Models | The mission of the model |
|--------|---|
| I | formation of the state security ensuring system of Ukraine, which structurally includes the current legislation regulating state security; national interests of Ukraine in the state security sphere; components of state security according to the law and those defined in the official discourse; threats to state security; system of threshold indicators; organizational structures for guaranteeing of the state security |
| II | development of state policy, which defines priority areas and tasks in the state security sphere of Ukraine |

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| III | implementation of the state policy in the state security sphere of Ukraine |
| IV | analysis and evaluation of the effectiveness and efficiency of the state policy in the sphere of state security, ensuring that Ukraine is at the intermediate stages of its implementation and analysis based on the final result of achieving the goals |
| V | adjustment of the state policy in the state security sphere of Ukraine |

Thus, the public administrative model of the state security ensuring system serves as a reliable tool for solving the following organizational and administrative tasks:

- Analysis of the state of protection of state sovereignty, territorial integrity, democratic constitutional order, and other vital national interests from actual and potential non-military threats;
- Justification of the necessary level of state security, adequate to the determined level of threats and dangers, as well as tendencies in the development of the security environment;
- Synthesis of a rational structure and assessment of the effectiveness of the state security system;
- Justification of comprehensive measures to improve the efficiency of the system of ensuring state security;
- Justification of requirements for the security and defense sector of Ukraine and other government authorities of the country that functions in the interests of ensuring the state security of Ukraine;
- Substantiation of recommendations for engaging the capabilities of international and regional (collective) security systems, choosing areas of interstate cooperation in this sphere [12].

It is advisable to conclude that the development of a complementary public administrative model of the state security ensuring system should be carried out within the framework of general systems theory, organizational theory, management theory, rule of law theory, international relations theory, collective security theory, national security theory, public administration theory, theories of social sciences and humanities.

5 Conclusion

1. Formation and development of the state security ensuring system should be carried out within the framework of a complementary public administrative model as a component of the subsystem of Ukraine's national security ensuring system. This model envisages a comprehensive implementation of the state policy in the sphere of ensuring state security of Ukraine within the framework of the functioning of the state security ensuring system based on high-quality coordination and expanded interaction of its subjects, as well as within the framework of international cooperation. In this context, the state security ensuring system is a unified public administrative system with clearly defined functions, goals, and objectives. Subsystemic elements of the state security ensuring system should be organically interconnected and complementary united by a single goal (mission) and procedure of the state security actors' activity based on effective organizational, institutional, legal, and other mechanisms of functioning. State security ensuring system should be adaptive and creative in the face of changes in the aggressive security environment.

2. The complementary public administrative model of the state security ensuring system should structurally consist of a set of the following models:

- A model of formation and development of the state security system;
- A model for the development of state policy in the sphere of ensuring the state security of Ukraine;
- A model of implementation of the state policy in the sphere of ensuring the state security of Ukraine;

- A model for analyzing and evaluating the effectiveness and efficiency of the state policy in the sphere of ensuring the state security of Ukraine at the intermediate stages of its implementation and by the final result of achieving the goals;
- A model for adjusting the state policy to ensure state security in Ukraine.

3. The development of the state security ensuring system requires the priority development of the relevant Concept for the creation and development of this system with further regulation of its activities at the legislative level.

Therefore, prospects for further research are to specify the tasks of designing and constructing mechanisms for ensuring state security.

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