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ENSURING NATIONAL SECURITY AS A MAIN COMPONENT OF PUBLIC ADMINISTRATION

ЗАБЕЗПЕЧЕННЯ НАЦІОНАЛЬНОЇ БЕЗПЕКИ ЯК ОСНОВНОЇ СКЛАДОВОЇ ПУБЛІЧНОГО УПРАВЛІННЯ

Summary. Introduction. The basic priority of life activity is the preservation of the qualitative certainty of statehood and the functioning that corresponds to its nature, and national security reflects the degree of protection of the material and spiritual values of man, society and state institutions from dangers or their absence and the related basic priorities for ensuring the positive dynamics of statehood development. Therefore, the choice of specific ways, means, and methods of ensuring national security is determined by the need to take timely measures, adequate to the nature and scale of threats to statehood.

Purpose. The purpose of this article is to analyze the provision of national security in Ukraine, which is regulated by the regulatory framework, and to substantiate the feasibility of improving state policy in the field of national security, taking into account the martial law in Ukraine.

Materials and methods. The materials of the study are: 1) regulatory and legal support for public management of national security; 2) works of domestic and foreign authors who conduct their scientific and practical research in the field of state-management activities in the field of national security.

In the process of conducting the research, the following scientific methods were used: theoretical generalization and grouping to characterize the components of national security, as well as analysis of the current legislation of Ukraine, which allows us to conclude that the objects on which the managerial influences of subjects of state and administrative activity is directed are: constitutional rights and freedoms of man and citizen; spiritual, moral and ethical, cultural, historical, intellectual and material values of society; constitutional order, sovereignty, territorial integrity and inviolability; information and natural environment; natural resources.

Results. In the article, the problems of ensuring national security in Ukraine are analyzed in detail. It is noted that their specific diversity and complexity are constantly increasing, which is a natural consequence of the threatening situation in almost all spheres of state and public life. At the same time, national specificity regarding the sources and manifestations of threats is revealed.

The analysis of information sources shows that there are different definitions of the concept of threats to national interests, and the concept of "threat" is general and is widely used in the analysis of phenomena, actions, inaction, events that can cause harm to a person, society, state. At the same time, it should be emphasized that the threat may arise with one or another degree of probability under certain conditions that are not always easy to foresee.

Discussion. The choice of ways, means and methods of ensuring national security is determined by the need for timely adoption of measures adequate to the nature and scale of dangers to statehood.

Therefore, we believe that there is a need to analyze and use international experience in ensuring the national security state policy, taking into account their specific conditions and new challenges. It remains important to develop and implement effective measures aimed at real solutions to the main problems of ensuring the national security of our country.

Key words: national security, threats, public administration.

Анотація. Вступ. Фундаментальне значення життя полягає у підтримці якості державності та функціонування відповідно до її природи, а національна безпека відображає рівень захищеності матеріальних і духовних цінностей особистості, суспільства та державних інституцій від небезпек або їх відсутності та пов'язані з цим фундаментальні пріоритети для забезпечення розвитку держави. Отже, вибір конкретних методів, засобів та прийомів забезпечення національної безпеки визначається необхідністю своєчасного вжиття заходів, адекватних характеру та масштабам загрози державі.

Мета. Метою даної статті є аналіз забезпечення національної безпеки в Україні, що регулюється нормативно-правовою базою та обґрунтування доцільності вдосконалення державної політики в сфері національної безпеки з урахуванням воєнного стану в Україні.

Матеріали і методи. Матеріалами дослідження є: 1) нормативно-правове забезпечення щодо публічного управління національною безпекою; 2) праці вітчизняних та зарубіжних авторів, що провадять свої науково-практичні дослідження у царині державно-управлінської діяльності у сфері національної безпеки.

В процесі здійснення дослідження було використано наступні наукові методи: теоретичного узагальнення та групування для характеристики складових національної безпеки, а також аналіз чинного законодавства України, котрий дозволяє дійти висновку, що предметами, на які спрямовуються управлінські впливи суб'єктів державно-управлінської діяльності, є: конституційні права і свободи людини і громадянина; духовні, морально-етичні, культурні, історичні, інтелектуальні та матеріальні цінності суспільства; конституційний лад, суверенітет, територіальна цілісність і недоторканість; інформаційне і навколишнє природне середовище; природні ресурси.

Результати. У статті детально аналізуються проблеми забезпечення національної безпеки в Україні. Відзначено, що їх видова різноманітність та складність постійно збільшується, що є закономірним наслідком загрозливої ситуації майже в усіх сферах державного і суспільного життя. При цьому виявляється національна специфіка щодо джерел та проявів загроз.

Аналіз джерел показує, що існують різні визначення поняття загрози національним інтересам, а поняття “загроза” є поширеним та широко використовується при аналізі явищ, дій, бездіяльності, подій, які здатні завдати шкоди окремій особі, суспільству чи країні. Слід наголосити, що загрози, з різним ступенем ймовірності, можуть виникати за певних обставин, які не завжди легко передбачити.

Перспективи. Вибір шляхів, засобів і способів забезпечення національної безпеки зумовлюється необхідністю своєчасного вжиття заходів, адекватних характеру і масштабам небезпек для державності. Тому вважаємо, що є необхідність аналізу та використання міжнародного досвіду у забезпеченні державної політики національної безпеки, з урахуванням їхніх специфічних умов та нових викликів. Важливим залишається розробка та впровадження ефективних заходів, спрямованих на реальне вирішення основних проблем забезпечення національної безпеки нашої країни.

Ключові слова: національна безпека, загрози, публічне управління.

Problem statement. The basic priority of life activity is the preservation of the qualitative certainty of statehood and the functioning that corresponds to its nature, and national security reflects the degree of protection of the material and spiritual values of man, society and state institutions from dangers or their absence and the related basic priorities for ensuring the positive dynamics of statehood development. Therefore, the choice of specific ways, means, and methods of ensuring national security is determined by the need to take timely measures, adequate to the nature and scale of threats to statehood.

Analysis of recent research and publications. Certain aspects of ensuring national security as an important component of public administration were studied by such scholars as S. Barabash and T. Lutsenko [11], S. Ryabov [10], G. Sytnyk [3,8], V. Tsvetkov [9] and others.

Formulation of the article's objectives. The purpose of this article is to analyze the provision of national security in Ukraine, which is regulated by the regulatory framework, and to substantiate the feasibility of improving state policy in the field of national security, taking into account the martial law in Ukraine.

Presentation of the main material. In Ukraine, according to the Law [1] “national security” is a set of

legislative and organizational measures aimed at the constant protection of the vital interests of a person and a citizen, society and the state, which ensures the sustainable development of society, timely identification, prevention and neutralization of real and potential threats to national interests in the areas of law enforcement, the fight against corruption, border activities and defense, migration policy, healthcare, education and science, scientific, technical and innovation policy, cultural development of the population, ensuring freedom of speech and information security, social policy and pension provision, housing and communal services, financial services market, protection of property rights, stock markets and securities circulation, tax-budgetary and customs policy, trade and entrepreneurial activity, the market of banking services, investment policy, audit activity, monetary and currency policy, information protection, licensing, industry and agriculture, transport and communication, information technologies, energy and energy conservation, the functioning of natural monopolies, the use of subsoil, land and water resources, minerals, protection of ecology and the environment, and other areas of public administration in the event of negative trends that create potential or real threats to national interests.

The Law of Ukraine "On National Security of Ukraine" of 2018 provides the following definition of national security: "...it is the protection of state sovereignty, territorial integrity, democratic constitutional order and other national interests of Ukraine from real and potential threats" [2].

It should also be noted that national security is not only an assessment of certain security of the specified system against potential and real threats. It also reflects, in particular, the results of the influence of development trends and conditions of life of society, its institutions, which are determined by the relevant guidelines (political, legal and others), which ensure the preservation of the qualitative certainty of the social system and the free functioning that corresponds to its nature.

The national security of Ukraine is ensured by carrying out a balanced state policy in accordance with the doctrines, concepts, strategies and programs adopted in the established order in the political, economic, social, military, environmental, scientific and technological, information and other spheres. The choice of specific means and ways of ensuring Ukraine's national security is determined by the need to take timely measures, adequate in nature and scale of threats to national interests.

Powers of national security subjects. According to the Constitution of Ukraine and the laws of Ukraine:

1. The President of Ukraine, as the head of state, guarantor of state sovereignty, territorial integrity of Ukraine, observance of the Constitution of Ukraine, human and civil rights and freedoms, Supreme Commander-in-Chief of the Armed Forces of Ukraine and Chairman of the National Security and Defense Council of Ukraine, exercises general leadership in the areas of national security and defense of Ukraine;

2. The Verkhovna Rada of Ukraine, within the powers defined by the Constitution of Ukraine, determines the principles of domestic and foreign policy, the foundations of national security, forms the legislative framework in this area, approves decisions on the introduction of a state of emergency and martial law, mobilization, determination of the general structure, number, and functions of the Armed Forces of Ukraine and other military formations created in accordance with the laws of Ukraine;

3. The National Security and Defense Council of Ukraine coordinates and controls the activities of executive bodies in the areas of national security and defense; taking into account changes in the geopolitical situation, submits proposals to the President of Ukraine on clarifying the National Security Strategy of Ukraine and the Military Doctrine of Ukraine;

4. The Cabinet of Ministers of Ukraine, as the highest body in the system of executive bodies, ensures the state sovereignty and economic independence of Ukraine, takes measures to ensure the rights and freedoms of man and citizen, defense capability, na-

tional security of Ukraine, public order and the fight against crime;

5. The National Bank of Ukraine, in accordance with the basic principles of monetary and credit policy determines and implements monetary and credit policy in the interests of the national security of Ukraine;

6. Ministries, other central bodies of executive power, Service Security of Ukraine and the Foreign Intelligence Service of Ukraine, within the limits of their powers, ensure the fulfillment of the tasks stipulated by the Constitution of Ukraine and the laws of Ukraine, acts of the President of Ukraine, the Cabinet of Ministers of Ukraine, implement concepts and programs in the field of national security, maintain readiness for the use of force and means of ensuring national security;

7. Local state administrations and local self-government bodies ensure the resolution of issues in the field of national security, assigned by law to their competence;

8. The military organization of the state ensures the defense of Ukraine, the protection of its sovereignty, territorial integrity and inviolability of borders; counteracts external threats of a military nature;

9. Law enforcement agencies fight crime and counter terrorism, ensure the protection and rescue of the population in the event of man-made and natural emergencies;

10. Courts of general jurisdiction conduct proceedings in cases of crimes that harm the national security of Ukraine;

11. The Prosecutor's Office of Ukraine exercises powers in the field of national security of Ukraine in accordance with the Constitution of Ukraine and the Law of Ukraine "On the Prosecutor's Office of Ukraine" [4];

12. Citizens of Ukraine, through participation in elections, referendums and other forms of direct democracy, as well as through the state authorities and local self-government bodies they elect, implement national interests, voluntarily and in accordance with their constitutional duties, carry out measures specified by the legislation of Ukraine to ensure its national security; both directly and through associations of citizens, draw the attention of public and state institutions to dangerous phenomena and processes in various spheres of life of the country; in a legal manner and by legal means, protect their own rights and interests, as well as their own security.

Public administration in the field of national security as a system and a specific type of state administrative activity is an integral part of public administration, covering the social, economic, humanitarian and political spheres of life of society and the state.

There are at least two different approaches to understanding the content of public administration [9]. In the first of them, the so-called American one, focused on all processes and functions of management

in the spectrum of state powers, public administration is viewed as a field that encompasses many disciplines and includes the legislative, executive and judicial branches of government, and in the second, the so-called European one, public administration is viewed as a sub-branch of law. In other words, the first approach involves combining political, legal and administrative functions, and the second involves separating them, that is, defining public administration as all non-legislative and non-judicial activities of the state or as subordinate executive and administrative activities of state bodies.

The main goal of state management activity in the field of national security is forecasting, timely detection, prevention and neutralization of threats to the sustainable development of people, society and the state (primarily to their vital interests).

It should be noted that since in the classical sense, public management is a search for the best way to use resources to achieve priority goals of state policy [7], the logical question arises of identifying the main criteria for assessing the effectiveness of state management activities in the field of national security.

It should be noted that modern internal threats in Ukraine are more dangerous, as they are more difficult to recognize. They can appear unexpectedly as a result of some uncertain economic, social, environmental and other processes, as a result of underestimation or overestimation of certain factors as natural and therefore no less dangerous, consequences of defects in social, political, administrative structures, etc.

Internal threats make Ukraine more vulnerable to external threats and they are the main object of public administration. Analysis of the state of national security of Ukraine in recent years [8] shows that internal threats posed the greatest danger to the development of the state. They were simultaneously associated with several national interests and had a tendency to grow.

Many of them are quite dangerous and relatively long-lasting. Their total potential is concentrated mainly in the economic, socio-political, international, military, informational and environmental spheres. This also includes the sphere of regional relations.

According to the degree of their negative impact on national security [3], they can be classified as follows:

1. A potential challenge is a situation where there is a possibility of the occurrence of conditions under which the potential for countering the realization of national interests may be formed. In this case, the main function of state authorities is to assess the risks of damage in a particular area of national security in the event of conditions under which the potential for counteraction to the realization of national interests may be formed and to implement preventive measures to block the occurrence of these conditions. In other words, this is a situation when a certain potential for counteraction to the realization of national interests may accumulate;

2. A real challenge is a situation when the formation of prerequisites (accumulation of potential) for counteraction to the realization of national interests has been completed, but there is still no counteraction to the achievement of national goals in the form of official statements, political, economic or other actions. Under these conditions, the main function of state authorities is:

- timely identification of the situation and the main subjects (objects) that can realize the specified potential, that is, counteract the realization of national interests;
- clarification of possible losses in a particular area of national security (which are assessed as a low risk for ensuring national security);
- implementation of a number of adequate preventive measures (to block its transformation into a potential threat). That is, this is a situation when the potential has been accumulated, sufficient to counteract the implementation of national interests, but there are no official statements from certain entities or other actions directed against their implementation;

3. Potential threat — a situation where there is an obvious opposition to the achievement of national goals, an obvious intention to cause harm (damage) to national security in the form of official political, economic or other actions without the use of armed struggle, when we can already talk about causing certain harm (damage) to national security. However, its scale does not under any circumstances affect vital national interests (sovereignty, territorial integrity, etc.). The losses (damage) are mainly local in nature, that is, they are a set of conditions that certainly require a response (specific measures) to prevent their negative impact on national security. In the event of a potential threat, state authorities must resort to measures to directly counter the threat in order to prevent its transformation into a real threat. These measures should be adequate to the level of the threat, but in any case, the use of armed force in the combination of means and methods used to protect national interests should be excluded;

4. A real threat is a situation where there is not only an obvious opposition to the achievement of national goals, but also an obvious intention to cause harm (damage) to vital national interests in the form of official or unofficial political, economic and other actions, but without the use of armed means. At the same time, the threat of an armed attack is quite high. We can already talk about causing significant harm (damage) to national security, the scale of which affects vital national interests, but, as a rule, is local in nature. That is, this is a set of conditions that definitely require an immediate response (specific measures) to prevent their further negative impact on national security. In the event of a real threat, state authorities must take active and decisive measures to directly counter the threat in order to prevent it from develop-

ing into a real danger. These measures must be comprehensive, involve all means and methods available to the authorities, but be adequate to the level of the threat and, as a rule, exclude the need to use armed force to protect vital interests.

In the event of a real threat, the harm (losses) to vital national interests does not reach the level where, for example, the integrity of the social, economic or political system is violated or the ability to perform vital functions is lost. Thus, in a situation of a real threat, there is opposition to the implementation of vital national interests, but it is selective and without the use of armed force. At the same time, the threat of using armed means of struggle is quite high (weapons can be used at any moment). There is damage to the implementation of vital interests, but its scale is local;

5. Real danger is a situation where conditions have arisen under which the immediate danger of causing damage (harm) to vital national interests and national values is a reality. In view of this, the state must use all means at its disposal to protect these interests, in particular, means of armed struggle. The integrity of the social system and the state is violated and the possibility of their performance of certain vital functions (partially or completely) is lost.

At the same time, the proposed classification not only identifies any phenomenon (event, process, situation) as a potential or real challenge, a potential or real threat or real danger to national interests and, accordingly, plans and implements a set of measures to form and ensure the effective functioning of the national security system, but can also be used in modeling the process of ensuring national security. It is also important in defining and clarifying the set of national goals and allows us to abandon the traditional attribution to basic regulatory documents in the field of ensuring national security of a rather hypothetical list of potential and real threats to national security, without drawing a clear line between them.

Ensuring national security is one of the main components of public management and administration. The structure of ensuring national security is formed by a set of interconnected and interdependent sub-

jects of ensuring national security (state officials, state authorities and local self-government bodies, state institutions and institutions, forces and means of the security sector, civil society institutions, individual citizens) and mechanisms (institutional, organizational, legal and others) that ensure their coordinated activities on the basis of current legislation [6].

The main goal of ensuring national security is the transformation of national security policy into purposeful coordinated activities of state authorities, public administration, local self-government, and components of the security sector, aimed at realizing national interests, society, and the state.

It is worth noting that even in developed democratic countries, where a significant role in the development and implementation of state and administrative decisions in the security sphere is played by civil society institutions, non-governmental structures that emphasize their main tasks in the sphere of national security, and the media, the main subject in ensuring national security remains state authorities. This is due to the fact that it is the bodies of the legislative, executive and judicial branches of government, using the resources at their disposal, that exercise a legally authoritative influence on public relations that arise in connection with the implementation of national interests.

Conclusions. So, the social phenomenon denoted by the concept of national security is a specific property of the being (existence) of statehood, which reflects the quantitative and qualitative dynamics of its development and at the same time is an integral criterion of its protection from dangers. The choice of ways, means and methods of ensuring national security is determined by the need for timely adoption of measures adequate to the nature and scale of dangers to statehood.

Therefore, we believe that there is a need to analyze and use international experience in ensuring the national security state policy, taking into account their specific conditions and new challenges. It remains important to develop and implement effective measures aimed at real solutions to the main problems of ensuring the national security of our country.

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