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ETYMOLOGICAL AND LEGAL ESSENCE OF THE CONCEPTS: NATIONAL SECURITY, STATE SECURITY, MILITARY SECURITY

The relevance of the topic is due to the fact that at the end of September 2003, Russia launched a hybrid war through a provocation against Ukraine, by making unfounded and unjustified claims to the island of Tuzla, which, in our opinion, was one of the first special operations of the Russian special services against Ukraine, which is relatively well known today. Let us briefly recall the course of events: On 29 September 2003, the construction of a dam across the Kerch Strait to the Ukrainian island of Tuzla began from the territory of Russia, without any agreement with the Ukrainian side. The official purpose of the construction was to connect the Russian side of the strait near the village of Taman in the Temryutsky district of Krasnodar Territory with Tuzla. We believe that the real purpose of the work was fundamentally different. It was on the example of the conflict around Tuzla that Russia tested the reaction of the Ukrainian state, her society and the international community, as well as worked out mechanisms of information support, which became a skill and thorough preparation for Russia. The active phase of the Russian-Ukrainian conflict over Tuzla lasted from late September to late October 2003. During this phase, the Russian side worked out all the classic stages of an information special operation: concealment, ignoring, denial, using

smoke screens and fictitious pretexts, shifting responsibility to local authorities in the regions, using Aesop's language, etc.

It is worth noting that the Russian special operation around Tuzla was planned at the highest political level, as even a side-by-side study of information exclusively from open sources leaves no doubt about the planning and execution of the operation. In this sense, the very first article about the conflict published in a federal-level publication is indicative – the article “Russia will grow a spit of Tuzla”, published in Komsomolskaya Pravda on 1 October 2003. First and foremost, the title of the article itself, which uses the verb “grows”, attracts attention. It makes the title of the article neutral, blurs the reader's focus, and makes Russia seem like it is not an active player – the “growth” is happening somehow by itself, without any activity on the part of Russia. However, we will later see hundreds of thousands of such headlines, which Russia will use to mask its attack on Ukraine in February-March 2014, the annexation of the Autonomous Republic of Crimea, the annexation of Donetsk and Luhansk regions of Ukraine in April 2014, and the large-scale invasion of Ukraine by Russian regular troops on 24 February 2022.

Analysis of recent research and publications.

The theoretical basis for studying the essence of the concepts of national security, state security

and military security was developed by such scholars as: O. Vovk [13], S. Gordienko [6], V. Zelenetskyi [18], S. Kuznichenko [19], I. Koziakov [12], A. Kumeiko [17], H. Kuts [10], V. A. Lipkan [20], V. Y. Nastiuk [14], O. Parkhomenko-Kutsevil [9], M. I. Panov [21], V. G. Pylypchuk [16], V. P. Tykhyi [21], O. A. Chuvakov [11], A. O. Yanchuk [15], etc. However, there were no studies on the disclosure of the tasks and functions of the National Guard of Ukraine as a subject of ensuring state security under martial law, which determined the need and relevance of this scientific article.

The purpose of the article is to study the concepts of national security, state security and military security. In order to achieve this goal, it is necessary to solve the following tasks: analysis of regulatory legal acts, generalisation of scientific thought and characterisation of the etymological origin of the national security concept, state security concept and military security concept.

Presentation of the research material and its main results. When considering the etymological and legal essence of the terms national security, state security and military security, it is advisable to first of all refer to the etymological definition of nation and security.

Thus, a large explanatory dictionary of the modern Ukrainian language defines the concept of security as a state when nothing threatens someone or something [3].

The concept of “security”, as emphasised by T. V. Tykhyi, fixes the dominant way of existence of an object as a state in which someone or something is not in danger. Based on this mode of existence of an object, we refer to this state as dangerous or safe. When recognising the concept of “security”, we correlate an object, take into account its existence in relation to danger, without taking into account its manifestation in other relations. Reflecting a specific dominant way of being of an object in certain conditions, the concept of “security” characterises it through one of its general and essential properties [28].

It is important to note that the concept of “security” in the social sense means a balanced

state of the social system functioning (human, state, world community), anthropogenic, natural systems, etc., in which a person, thanks to knowledge about the environment and trends in its development, is able to timely identify and minimise the negative impact of existing and potential threats or avoid them, which, in turn, enables him or her to preserve the system of his or her values and ensure their further development [27].

V. A. Lipkan points out the multifaceted nature of the “security” phenomenon, as it characterises the specific state of protection of any state and its ability to withstand changes in the conditions of functioning, both foreseeable and spontaneous. Security is the protection and assurance of vital interests of an object from external and internal threats guaranteed by constitutional, legislative and practical measures. At the same time, V. Lipkan outlines the following basic features of this concept: 1) security is the state of an object; 2) security is the ability of an object, phenomenon or process to preserve its essence in the face of targeted, destructive, either internal or external impact, in other words, security is similar to homeostasis; 3) security is a property of a system built on the principles of structural stability, self-organisation, and integrity. Each of these properties is system-forming, i.e., the destruction of any of them leads to the system’s collapse; 4) security is a guarantee, a necessary condition for the activities of an individual, society, and the state, which allows them to preserve and increase spiritual and material values; security is the absence of dangers and threats to an object. The essence of security is the constant existence of a threat and the permanent need to control it [20, p. 57-61].

It is worth noting that a large explanatory dictionary of the modern Ukrainian language defines the concept of nation as a specific historical form of people community united by a common language and territory, deep internal economic ties, certain cultural and character traits [3].

It is undisputed that the concept of “nation” comes from the Latin “nasci” – to be born,

from which the noun “natio” is formed – breed, genus, race.

Thus, according to the Ukrainian ethnographer A. Ponomarev, “nation is a special state of development of an ethnic group associated with the creation of its statehood, national consciousness, national-state symbols and attributes, national culture” [25, p.76].

Stepyko M. T. notes that a nation in the modern view as a civil and political community is a fairly large association of people that has generally reached the state of political life and has the will to sovereign existence and development, i.e. is a subject in relation to itself, other nations and peoples [26, p.24].

A multilingual legal reference dictionary defines the concept of nation as a community of people, regardless of their ethnic origin, united by political interests, awareness of their commonality in a certain territory with a certain state organisation, common citizenship, legal rights and obligations, culture and traditions [22].

In scientific works, the concept of a nation is often considered as an object of national security. In our opinion, security as a concept is used to describe a wide range of phenomena related to social, environmental, technological, economic, organisational factors and is one of the basic human needs [24, p.376].

It is important to note that the current legislation in the Law of Ukraine “On National Security of Ukraine” provides the following definitions of terms:

military security – protection of state sovereignty, territorial integrity, democratic constitutional order and other vital national interests from military threats;

state security – protection of state sovereignty, territorial integrity, democratic constitutional order and other vital national interests from real and potential non-military threats;

national security of Ukraine – protection of state sovereignty, territorial integrity, democratic constitutional order and other national interests of Ukraine from real and potential threats [4].

In scientific works, there are different understandings of the interpretation of the terms national security, state security, military security, so we consider it expedient to analyse scientific views in order to develop our own scientific opinion on the interpretation of the above concepts.

The notion of national security, in addition to the outlined issues of the state security discourse, also covers a range of problems related to the successful existence and development of society, and the protection of its values. First of all, we are talking about such values as quality of life, social solidarity, human rights, culture, customs, national identity, etc. Compared to the concept of state security, the definition of national security is broader, covering the needs and values of various social groups.

It is the realisation of such values that is the goal of democratic states. After all, the classical definition of state security can be applied to every state, regardless of the political regime inherent in a particular political system. The definition of national security is clearly correlated with exactly democratic political systems, as it covers the security of civil society structures (which in principle cannot exist in a totalitarian political regime) [10, p.145].

Accordingly, the concept of national security cannot be narrowed down to the concept of state security or equated with it. The national security of Ukraine is ensured by the activities of social institutions aimed at creating and improving the conditions and determinants of effective life of the nation. That is, social institutions form the system of ensuring the national security of Ukraine.

O. Chuvakov points out that the concept of state security is subordinated to the definition of national security “ due to the emergence of the concept of “national security”, the term “state security” has acquired a narrower meaning and means the creation of conditions that would ensure the inviolability of the existing constitutional order, sovereignty and territorial integrity of the state” [11, p.193].

W. Kittler, analysing security issues in the context of democratic discourse, rather peculiarly equates the concepts of national security and state security. He notes that national security is, in fact, state security (of a democratic state) [23, p.25]. In our opinion, such approaches to understanding the correlation between the concepts of national security and state security are isolated and fragmentary.

H. Kuts notes that the concept of national security also covers a range of problems related to the successful existence and development of society, and the protection of its values. First of all, we are talking about such values as quality of life, social solidarity, human rights, culture, customs, national identity, etc. Compared to the concept of state security, the definition of national security is broader, covering the needs and values of various social groups. The very realisation of such values is the goal of the democratic states' activities. After all, the classical definition of state security can be applied to every state, regardless of the political regime inherent in a particular political system. The definition of national security clearly correlates with democratic political systems, as it covers the security of civil society structures (which in principle cannot exist in a totalitarian political regime) [10, p.151].

C. Gordienko believes that the concept of "state security" is quite complex, multidimensional, integrated from many concepts and, accordingly, covers the security of not only the state, but also the individual and society as a whole [6].

We believe that the definition of "state security" has many common conceptual features with the concept of national security. However, there are important nuances that point to the difference in the specific features of these concepts.

In order to crystallise the understanding of the conceptual features of the above definitions, it is also worth citing the definition of "military security" (Article 1, paragraph 2), which means "the protection of state sovereignty, territorial integrity and democratic constitutional order and other vital national interests from military threats" [4].

In our opinion, it is reasonable to agree with scholars who believe that, given the above definitions, the category of "military security" can be considered a parity confrontant to the concept of "state security". These ideologemes are mutually exclusive and are used in different conditions of socio-political existence. In the context of state security, the focus is on protection "against real and potential non-military threats", while in the context of military security, the focus is on protection "against military threats" [10].

Scholars also point to the subordination of the concept of state security to the definition of national security, namely: "in connection with the emergence of the concept of "national security", the term "state security" has acquired a narrower meaning and means the creation of conditions that would ensure the inviolability of the existing constitutional order, sovereignty and territorial integrity of the state" [11].

We believe that we should agree with the scholars who note that the common doctrinal definition of "state security" is that it is a component (type) of the category "national security" and correlates with it as a separate and general one [12]. For example, O. Vovk writes that state security is an integral part of national security, a condition of protection of state power, sovereignty, territorial integrity, public harmony, which is ensured by the activities of state bodies both in law and in reality [13, p. 47].

V. Nastiuk considers state security to be a system of general and special measures that ensure the reliable and stable existence of the state as a political organisation of the whole society, as well as its protection from real and potential threats (risks) of external and internal nature that can harm its normal functioning [14, p. 56]. According to A. Yanchuk, state security is a form (type) of ensuring national security, which is implemented by state institutions using intelligence, counterintelligence and operational-search activities in order to protect and defend state sovereignty, independence, constitutional order, territorial integrity, economic, scientific, technical and defence potential of Ukraine, its

public administration and national interests from external and internal threats from special services of foreign states, organised criminal groups, individuals and counteracting criminal corruption offences that pose a threat to the national security of Ukraine [15, p. 351].

V. Pylypchuk substantiates that state security is the protection of state sovereignty, constitutional order, territorial integrity, economic, scientific, technical and defence potential of Ukraine from external and internal threats, intelligence, terrorist and other illegal encroachments of foreign special agencies, as well as organised criminal organisations, individual groups and individuals on the vital interests of Ukraine [16].

Korzh I.F. defines that state security is a balanced state of functioning of the state as a political institution of power, which is achieved by forecasting, preventing, identifying and minimising the negative impact of existing and possible threats to the main features of the state (primarily, state power institutions, territorial integrity, sovereignty, monetary and tax systems) and allows the state to effectively implement its social purpose to ensure the further development of the individual (citizen), society and the state [27, p.]

It is also advisable to analyse the views of scholars on the understanding of the concept of military security. B. P. Chobitok believes that military security is a subtype of national security, its integral element. Ensuring it is directly related to the need to continuously obtain reliable, timely, objective and complete information not only about threats and their degree of danger, but also about the possibilities of influencing them in order to eliminate, neutralise (minimise) and reduce them. At the same time, an important component of the system of military security compliance is legal support, i.e. a set of legal norms regulating activities in the sphere of the state's military security, state institutions, public and other organisations created on their basis, as well as a set of measures for the formation and implementation of the state's military policy in general [8, p.290].

O. Parkhomenko-Kutsevil defines military security as an integral part of national security and gives the following definition: military security is a complex category that characterises the state of social relations of a given social and military-political system, its components, which ensures effective counteraction to the impact of external and internal military threats (armed violence), thereby creating conditions for the stable dynamic development of a given society in the military sphere [9, p.369].

It is advisable to agree with those scholars who believe that the concept of "military security", being derived from the category of "security", reflects the specific side of the latter, associated with the use of force by both the aggressor (real or potential) and its victim [7].

Military security is one of the national security types, which is distinguished by the existence of military dangers and threats to Ukraine. Military security in the current environment is the result of a targeted state policy aimed at maintaining the army and defence industry at a level that meets the real needs of defence. It is achieved through unified political and diplomatic efforts aimed at reducing the level of military confrontation, creating zones free of mass destruction weapons, regional security systems, and active collective actions aimed at stopping or preventing possible conflicts. A sufficient level of military potential is one of the main guarantees of high international status, as well as the stability of its position in relations with NATO member states and leading countries of the world [29, p. 7-8].

Military security is the protection of vital interests of a person and a citizen, society and the state from factors that create military threats to the realisation of these interests and when the probability of war is minimised. Its acceptable level can be guaranteed under conditions when there are no motivations to use military force or when there is no need to restore the balance of power [30, p. 530].

It should be noted that military security can act as an element of public consciousness, goal-setting, social attitudes, values, national interest,

etc. We believe that military security is one of the necessary conditions for the sustainable dynamic development of the entire social system. Thus, as a component of national security, military security is a complex category that characterises the state of social relations of a given social, military and political system and its components, which ensures effective counteraction to the impact of external and internal military threats (armed violence), and thus creates conditions for the stable dynamic development of this sector in the military sphere.

We agree with scholars who believe that military security has two aspects: external and internal. The internal aspect of military security usually manifests itself in an unstable socio-political situation in the country and is primarily related to the problems of protecting the existing constitutional order, aggravation of contradictions between different social groups, terrorism and extremism, etc. The external aspect of military security is related to the status of relations between subjects of international law and is characterised by the state's ability to counteract attempts by individual states or groups of states to use military force as a tool for resolving emerging contradictions in various spheres. This implies the need to have modern

weapons, effective armed forces, the formation of a system of collective or common security, and membership in certain military and political alliances. Both aspects of military security are closely intertwined in modern conditions, so to guarantee Ukraine's military security, it is necessary to create and operate a unified system by design and plan. It should be based on the military organisation of the state [31, p. 56-57].

As a conclusion, it should be noted that after studying the essence of the concepts of national security, state security, military security, it is advisable to state the following:

firstly, national security is a generalised concept that combines state, military, economic, environmental, information and social security;

secondly, the terms military security, state security and national security are united by a generic object to which we refer – the protection of state sovereignty, territorial integrity, democratic constitutional order and other vital national interests;

thirdly, the terms military security, state security and national security clearly define the list of threats with which they are interconnected, namely, real and potential non-military and military threats.

Summary

In the article, the authors explore the essence of the concepts of security, nation, national security, state security and military security. The authors summarize the views of scholars and determine that the concepts under consideration are aimed at protecting the sovereignty, territorial integrity and inviolability, defence of Ukraine (which is entrusted to the Armed Forces of Ukraine); ensuring state security and protection of the state border of Ukraine (which is entrusted to the relevant military formations and law enforcement agencies of the state); ensuring economic and information security; ensuring environmental safety and maintaining ecological balance on the territory of Ukraine, overcoming the consequences of the Chernobyl catastrophe – global catastrophe, preserving the gene pool of the Ukrainian people; ensuring national interests and security through Ukraine's foreign policy, which includes maintaining peaceful and mutually beneficial cooperation with members of the international community in accordance with the generally accepted principles and norms of international law.

The authors come to the following conclusions, namely: national security is a generalised concept that combines state, military, economic, environmental, information and social security; the terms national security, state security and military security are united by a generic object to which we refer – the protection of state sovereignty, territorial integrity, democratic constitutional order and other vital national interests; the terms national security, state security and military security clearly define the list of threats with which they are interconnected, namely: real and potential non-military and military threats.

Key words: security, state, etymology, law, nation, military security.

Батюк О.В., Манько А.В. Етимологічна та правова сутність понять: національна безпека, державної безпека, воєнна безпека

Анотація

У положеннях наукової статті, автори досліджують сутність поняття безпека, нація, національна безпека, державна безпека та воєнна безпека. Автори узагальнюють погляди науковців та визначають, що розглянуті поняття мають за мету захист суверенітету, територіальної цілісності і недоторканності, оборону України (що покладається на Збройні Сили України); забезпечення державної безпеки і захист державного кордону України (що покладається на відповідні військові формування та правоохоронні органи держави); забезпечення економічної та інформаційної безпеки; забезпечення екологічної безпеки і підтримання екологічної рівноваги на території України, подолання наслідків Чорнобильської катастрофи – катастрофи планетарного масштабу, збереження генофонду Українського народу; забезпечення національних інтересів і безпеки посередництвом зовнішньополітичної діяльності України, що передбачає підтримання мирного і взаємовигідного співробітництва з членами міжнародного співтовариства за загальновизнаними принципами і нормами міжнародного права.

Автори приходять до наступних висновків, а саме: національна безпека є узагальненим поняттям яке поєднує у собі державну, воєнну, економічну, екологічну, інформаційну, соціальну безпеку; терміни національна безпека, державна безпека та воєнна безпека об'єднанні родовим об'єктом до якого відносимо – захищеність державного суверенітету, територіальної цілісності, демократичного конституційного ладу та інших життєво важливих національних інтересів; терміни національна безпека, державна безпека та воєнна безпека чітко визначають перелік загроз якими вони взаємопов'язані, а саме: реальні і потенційні загрози невоєнного та воєнного характеру.

Ключові слова: безпека, держава, етимологія, право, нація, воєнна безпека.

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