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CONCEPT AND ESSENCE OF NATIONAL SECURITY

Introduction. A national security, which aims a defense of human and citizen, providing of vital activity's appropriate conditions and society's stable development, sovereignty and territorial integrity, comes out as an important factor of stable functioning of any state. Complication of determination of national security's concept is conditioned with its complex character because it presents the certain legal status of state which is focused on defense of national interests and providing of security in different spheres (economical, foreign policy, military etc.).

Review of recent publications. Questions of national security had repeatedly coveredaged in the legal literature, particularly in works of Ya.O. Lantinov, N.P. Matyukhina, O.O. Puchkov, H.V. Yusktiv, O.V. Glazov, G.P. Sitnik, V.O. Antonov, O.S. Vlasyuk and others. But carried out researches do not exhaust the all issue of determination of concept and essence of national security.

Objectives of the paper. To substantiate essential characteristics and determinate the concept of national security on basis of critical analysis of offered in the literature approaches.

Results of the research. The plurality of definitions of national security conditions an opportunity of highlighting of certain approaches, main of which, on the mind of O.V. Glazov, are its understanding as: 1) a defense of society's values; 2) a defense of national interests; 3) an interconnection and an interdependence of national values and interests [1: 43-44].

Within the bounds of the first approach exactly society is recognized as the main object of defense within the bounds of national security. Yu.L. Kalgushkin particularly determinates a national security as a level of defense of state population, its main interests, rights and freedoms, and also strategically important spheres of society's activity (system elements of national security), which is provided with public administration of such elements, which is accomplished with legislatively determined measures and means [2: 81]. Essentially, it is emphasized a tendency of national security on deciding of the following priority tasks: a defense of spiritual and material society's values, providing of stable development of national economic and

civil society with aim to increase living standards and improve quality of people's life. At the same time, such an approach is focused only on one of the aspects of national security and actually equals its public security and order, which are established on domestic level chiefly. However, such narrowing the content of national security does not suit its role and, therefore, provokes certain remarks. In this sense, widening of circle of objects of defense at the expense of not only the certain human, but also a state presents much expedient. Moreover, it is necessary to consider that exactly a state comes out as a subject authorized to create and provide necessary conditions and guarantees of appropriate functioning and development of society and person as its part. In compliance with it, the policy in sphere of national security must raise on a defense of rights and interests of human (priority object of defense), society and state (equivalent objects of defense).

Z.D. Chuiko particularly follows the second approach and determines a national security as a dynamic political and legal regime, the aim of which is a status of protection of national interests from different kinds of threats, which is achieved through single-minded activity of state power authorities and institutions of civil society with aim of guaranteeing of human rights and fundamental freedoms, their progressive development and stability of constitutional order [3: 139]. A similar approach is observed also on legislative level. For example, Law of Ukraine "About National Security of Ukraine" determines the last concept as a defense of state sovereignty, territorial integrity, democratic constitutional order and other national interests of Ukraine from real and potential threats. Furthermore, this Law delineates concepts of national and state security, pointing that the last concept concerns only non-military aspects [4]. Certainly, providing of national interests is a certain guide for foreign policy activity of any state, and an indicator of effective policy in sphere of national security. However, such an approach has also essential inaccuracies: firstly, a national security presents a legal status of state, but not a political and legal regime because it focuses attention exactly on relatively stable and long in time consequence of events and actions which are accomplished by authorized subjects in compliance with established with law order, but not on methods and ways of accomplishing of state power in researched sphere; and secondly, a national security is called to not only defend national interests, but also assist their realization, oppose to real and potential threats. The legislative construction on the whole needs an essential rework in context of rejection from statistician approach and recognition as the main object of national security exactly rights and freedoms of human and citizen as the highest social value, what will become logical continuation of operation of paragraph 3 of Constitution of Ukraine.

G.P. Sytnyk focuses on extrapolation of national values on actual historical conditions of nation's (society's) development, as a result of which appropriative national interests are formed. Moreover, it is emphasized that on basis of national interests national goals are established, that is a certain display of tasks of national security's policy [5: 116]. On the one hand, such an approach determines tendencies of forming of national interests as objects of defense with mechanism of national security because an interconnection (interdependence) among them and national

values really exists. On the other hand, such an approach provokes remarks because it concentrates attention mostly on correlation of national values and national interests, but it do not represent an essence of national security completely. It worth to mention that understanding of national security as a certain guarantee of effective functioning of state and society on basis of recognition and defense of national values through forming and providing of realization of appropriate national interests as its main tasks presents much expedient and substantiate.

Thus, the analysis highlights main characteristics of national security. They are a legal status, a representation of national interests of human, society, state. It guarantees effective functioning and development of state, society and their constituent elements.

Conclusion. A national security is a defense of state sovereignty, territorial integrity, democratic constitutional order and other national interests, particularly rights and freedoms of human and citizen, from real and potential threats with domestic and foreign character, and also opposition to these threats on basis of recognition and taking into account of national values. It seems that the proposed approach covers all essential characteristics of this relatively stable and long in time legal status of defense of national interests and opposition to their threats and can be laid in basis of further research of these questions, and also development and realization of national security's policy on practice.

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MAIN TENDENCIES AND PROBLEMS OF LAW ENFORCEMENT REFORM

Introduction. For the 28 years of the independent Ukraine, each new interior minister, having taken up the office, began to “reform” the law enforcement system, resulting in no changes. The orders for reorganization were issued, a lot of people were dismissed for minor misconducts, job titles and names of agencies were changed.

The impetus for the real change in the law enforcement system was the second Maidan. In July 2015, Ukrainian Minister of Internal Affairs Arsen Avakov launched the new patrol police force in the country’s capital, Kyiv.

Review of recent publications. Scientific development of problems of reforming the bodies of the internal affairs of Ukraine is considered by the works of M.I. Anufriev, O.M. Bandurk, O.V. Jafarova, A.T. Komzyuk, O.P. Ugrovetsky, M. Yu. Frolov and other scientists. In their research major changes in law enforcement and staffing identified.

Objectives of the paper. To compare the system of "old" and "new" police, to determine its advantages and disadvantages; to study the problems of police reform and the ineffectiveness of these changes, to analyze the main directions of reform of