

UDC 101

RUSSIAN FEDERATION STATE SECURITY AS AN OBJECT OF RESEARCH

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Security – is an important condition of any system existence. State security can be defined as security condition of political system, state agencies, state territorial integrity, as well as sovereignty from internal and external threats. The basic elements of informative side state security are considered: *subjects and objects of state security; state security threats; system, forces and supporting means of state security*. State is the basic *subject* of state security. *Objects* of state security are no more than, as basic characteristics of state. Nowadays in theoretic-juridical science accepted the unite conception, in accordance with which the state is the society political organization based on public law, possessing such characteristics, as territory, supremacy inside the country and independence in foreign affairs (sovereignty), and also management apparatus separated from the rest society. The basic objects (they are also the basic directions) of state security are considered in the article: a) state (constitutional) system; b) state agencies; c) state sovereignty; d) state territorial integrity. *State security threats* are related to the most important elements of state security informative side. Security threat is determined as direct or circumstantial possibility of endamage to constitutional laws, freedoms, worthy quality and living standard of citizens, sovereignty and territorial integrity, sustainability of Russian Federation, defense and security of state in the strategy of Russia national security till 2020. Several accepted classifications of national security threats are represented: according to state affiliation of danger source, forming the threat; according to the formation degree; depending on the character of threats, determined by their source and specificity; according to the spheres of human activity; according to the degree of subjective perception; in relation to human activity; according to the objects of national security.

The conception of *state security supporting system* is considered, the basic values are identified. Considering the existing legislation in Russian Federation the organs of legislative, executive and judicial authorities, state, social and other organizations and associations, citizens, participating in security supplying in obedience to the law, and also legislation, regulating relations in the sphere of security, force and security safeguards form the state security supporting system. As any security supplying system the system of state security has subject, realizing certain functions, and object which security should be supplied. The basic *functions* of state security supporting system, *forces* and *means* of it realization are represented. Realization of state security is realized on the basis of organs power differentiation of legislative, executive and judicial authorities in the given sphere.

One considered the basic directions of state security supplying in Russian Federation, classification of threat types and system of the country security supplying under the modern conditions that gives more structured representation about the research subject.

Key words: security, state security, state security threats, state security organs, state security functions, system, forces and means of state security.

Nowadays insufficient theoretical developing of state security questions takes the place. Along with variety of researches of national security questions, the problems of state security maintain aloofness, or they are studied rather superficial. Practically we have predominance of national security over the state one, there absence of systematized and general knowledge according to the given problematics can also be added. This process cannot be called as positive, as state security is appeared to be the most important consti-

tuent of national security. This adds topicality to the theoretical research of state security problems. Security – an important condition of any system existence. At the present time study of security problems does not lose its topicality. This is conditioned by the fact that “in state organized society any security cannot be realized out of legal system, as it cannot be outside the justice and outside legal relations” [18, p. 97].

In its turn, state represents a dynamic system, established by society for security functions realization and regulation by means of own management apparatus, which conditionally could be called “state for society”, and evolved in an individual, independent system “the unite state”, automatically realizing security functions from external and internal threats, only nominally depended from society interests, subordinated to small group “managing” this system. At that all characteristics of state are preserved, but under the influence of various external or internal factors can be changed [1].

On the basis of abovementioned, state security can be determined as security of political system, state agencies, state territorial integrity, and also its sovereignty from internal and external threats.

Iroshnikov D.V. gives the fullest idea about state security informative side as about system, including elements:

- 1) state security subjects;
- 2) state security objects;
- 3) state security threats;
- 4) state security supporting system [19, p. 65].

Let us consider the elements of state security informative side.

1. Subjects of state security

Government is considered to be the basic subject of state security. In other words, state security supplying is realized exceptionally by the government, represented by its organs. Neither the subjects, nor commercial and other non-state actors, nor separate citizens possess authority according to state security supplying.

2. State security objects.

“Object”– phenomenon, subject to which some activity is aimed to [12]. Thus, “the object of security” – phenomenon, subject which is not threatened.

State security objects are nothing else as the basic state characteristics. Nowadays the unite conception is accepted in theoretic-juridical science, in accordance with which the government is the society political organization based on public law, possessing such characteristics, as territory, supremacy inside the country and independence in external cases (sovereignty), and also management apparatus separated from the rest society [13, p. 52].

Considering the abovementioned, Iroshnikov D.V. refers to the basic objects (they are also the basic directions) of state security:

- a) political system (constitutional);
- b) state agencies;
- c) state sovereignty;
- d) state territorial integrity [19, p. 66].

Let us consider the basic directions (objects) of state security supplying:

Political system

The problem of political (constitutional) system of Russia is induced by vulnerability of Russian political system from internal and external anticonstitutional encroachments.

The internal vulnerability of political (constitutional) system is connected with low life quality and population intellectual values devaluation, public benefits unjust distribution, unpopular reformist measures of dominative authorities, mass legal nihilism of citizens.

External vulnerability (constitutional) system of Russia acquired the special significance in connection with successful using of USA and their politico-military associates of technology formation in the world strategic regions depended from political regimes with regulatory bodies controlled system. The protracted political crises, political independence deprivation and democratical institutions degeneration became the result of campaign trails and “colored” revolutions “regulated” from outside. In connection with this study of constitutional order juridical defence mechanism and its constituent – constitutional-juridical defence mechanism of political (constitutional) system of Russia – appears to be topical.

Defence objects of constitutional (political) system of Russia are characterized by diversity. One can refer to them:

- political-juridical basis of the government organization (democracy, state sovereignty, constitutional form of government and state structure, supremacy of law);

- society ideological basis (political and ideological pluralism, secular government character);

- society social basis (socio-political stability, civil world, protection and security of citizens, constitutional law and freedom);

- political system institutes and constitutional order of their organization and activity (public authorities and local government bodies, constitutional order of organization and activity of political parties, public associations, mass media).

Security subjects of constitutional (political) system of Russia – state authority federal agencies and public authorities of Russian Federation subjects, realizing measures within their competence on security of Russia constitutional order.

Threats to constitutional (political) system bases, security subjects competence of constitutional order, presence of corresponding powers and means determine activity directions of authorized subjects of constitutional order defence and interaction form between them.

State agencies

Public authority presence considers to be the basic government characteristic that in its turn provides its realization through the state agencies system [2, p. 7]. This is explained by the fact that state authority is state will, but state cannot realize its will directly [5, p. 165]. That is why the state creates the state agencies system for this. State agency is determined as a part of political machinery, induced with state-imperative authorities and realizing its competence on the government empowerment in determinate order [3, p. 139]. Consequently, state agencies security – indispensable condition of state security supplying. Thus, for instance according to national security strategy, “the basic sources of national security threats in the sphere of state and public security are: terrorist organization activity, groups and separate persons, aimed to disorganization of public authorities normal functioning (including violent acts in relation to state, political and public figures)”.

State sovereignty

State sovereignty denotes its fullpower, independence from any other power, self-dependence in solution of internal and external cases [14, p. 38]. Sovereignty is realized, first of all, in the order of functions realization by the state, however, it directly manifests in the state legal system, including sovereign rights. Mainly state authority provides actual fulfilment of state power, and consequently, state sovereignty, establishment of law order in the society, rights offering and placing of duties on civil servants, social organizations and citizens – all of this characterizes state power supremacy, its position according to any other imperative relations.

Only state power is capable to influence authoritatively, but if required also compulsion to all sides of life that gives it universal sovereign character. State power sovereignty inside the state is closely connected with its independence outside. Sovereignty of state makes it independent in international relations, where it acts as independent subject of international right. Russian external policy is proceeded from sovereign equality of all states, independent from their socially-political formation, economic development, territory dimensions, population number and other conditions [17, p. 2. p. 1]. This principle of states sovereign equality is fixed in the UN regulations and appears to be one of generally recognized principles of modern international right.

State territorial integrity.

Territory security is considered to be the essential condition of the state existence and development [8, p. 17]. As territory is considered to be the most significant element of state, necessary condition of its existence, there is no state without territorial basis [6, p. 115]. This is constitutional principle of federative organization, denoting that RF represents itself not as the sum of separate constituents, but the integral indivisible state. Its integrity is provided by power system unity, unite economical space, territorial supremacy, federal law supremacy. RF state integrity is characterized by territorial integrity and political integrity, or political (state) unity of the country.

State territorial integrity denotes inviolability of its boundaries and territory inviolability. RF constitution prescribes Russian Federation to provide integrity and inviolability of its territory [10, p. 3, pp. 4.]. Concentration of all problems solving of status determination and state boundary defence, territorial sea, midair and etc. in exceptional directing of federal authorities is appeared to be the most important guarantee of Russia territorial integrity.

To this should be added the inclusion in their conduct of war and peace, defence and security, order establishing of sale and purchase of weapon, ammunition, military hardware and other war materials, and also external policy and Russia external contacts [10] and etc. Absence of norm in Constitution of the country, foreseeing right of Federation subjects to secession – unilateral exit from it, is appeared to be the important guarantees, providing integrity of Russia as federal government; fortification of federation subjects agreement principle in Constitution under the changing of boundaries between them [10, p. 3, pp. 67]. State authority unity characterizes political integrity. Federal state integrity is impossible, if there is no political integrity (state unity) at the whole territory. Political integrity, in its turn, is provided with equality of all citizens in front of law and court [10, p. 1, pp. 19]; by fortification of unite and equal citizenship independent from its acquisition founda-

tions [10, p. 1, pp. 6]; by determination Russian language as unite state language at the whole territory of RF [10, p. 1, pp. 68] and etc.

3. Types of Russia threats and their characteristic properties.

Security threat is determined as direct or circumstantial possibility of endamage-ment to constitutional laws, freedoms, worthy quality and living standard of citizens, sovereignty and territorial integrity, sustainability of Russian Federation, defence and security of state in the strategy of Russia national security till 2020 [16]. A lot of various bases exist for scientific classification of Russian Federation security threats. A row of authors, including A.A. Prokhozhev [11], emphasize several classifications of national security threat:

- according to state affiliation of danger source, forming threat: external – the danger originates from a foreign state or its citizens and (or) persons without citizenship, being in the territory of a foreign state (for instance, illegal intersection of Russian Federation state boundary by illegal armed unit); internal – the danger originates from the side of Russian Federation or its citizens and (or) persons without citizenship, being in the territory of Russian Federation (for instance, armed rebellion);

- according to the formation degree: potential – represents danger origin, supposition formation, possibility of harm infliction (potential possibility of foreign intelligence member implementation to strategic enterprise of Russian Federation); real – represents a definitely formed phenomenon, when one or more factors or conditions are lack for harm infliction (for instance, organized criminal group).

- depending on the character of threats, determined by their source or specificity: natural – seismic (for instance, earthquakes, volcanic explosions), flood hazard (for instance, flood of cities, agricultural holdings), fire hazard (for instance, forest, prairie fires), threat of other natural hazards (for instance, tsunami, snowfall, mudflows, landslides and etc.); anthropogenic – ecological (for instance, contamination of water, soil, atmosphere air), technogenic (for instance, accident at the APS); social – war (for instance, local armed conflicts), informative (for instance, divulgence of State secret), political (for instance, unsanctioned meeting).

- according to the spheres of human activities: in economic sphere (for instance, economic crisis), in defence sphere (for instance, foreign encroachment), in social sphere (for instance, increasing of unemployed citizens), in political sphere (for instance, interethnic and interracial conflicts), in informational sphere (for instance, loss of documents, comprising state secret), in international sphere (for instance, break of diplomatic relations between the countries).

- according to the degree of subjective perception: overstated – objectively existing threats with excessive level of real danger (for instance, really existing organized criminal group counts five active members, but according to investigative information it was wrongly transmitted that the number of group members comprised fifteen people), underestimated – objectively existing threats with underestimated, up to the absolute disregard, level of real danger (for instance, a teenager spread by himself printed materials of extremist content in the Internet. At that law enforcement agencies did not have any information about his membership in the organized extremist society. At the end of judicial examination he was condemned on the enaction 282 of RF CC, but his membership in the extremist society stayed unknown for law enforcement agencies. The fact of the given socie-

ty existing and activity also stayed unknown); supposed – untrue, strained, artificially formed threats under the absence of rather real basis for this (for instance, the group was registered in the Internet, which declared deposition of active political regime as its goal. Actually, the members of the given group did not possess any means for the stated objective realization); adequate – threats, reflecting the real cases, when the real threat parameters with maximum precision coincide with their subjective perception (for instance, two persons created extremist organization for radical Islam ideas propaganda. At the end of judicial examination both were condemned on the enactment 282 of RF CC [15]); inadequate – threats, reflecting cases, when real parameters of threats do not coincide or partially coincide with their subjective perception (for instance, organs, enhancing security had intelligence information that the foreign state was preparing to armed invasion to Russian Federation for the purpose of its territory occupation. The government of Russian Federation did not undertake any measures for its prevention, in the result of which the part of Russian Federation territory was captured and the most significant strategic objects and objects of citizens environmental support system were harmed).

– in relation to human activity: objective – threats, forming independently from a person purposeful activities (for instance, flood); subjective – threats forming consciously (for instance, organized criminality) [4, p. 164].

– according to the objects of national security: person threats (for instance, murder of law enforcement official in the course of his responsibilities realization); society threats (for instance, terrorism threat); state threats (for instance, espionage).

All above mentioned types of threats influences significantly to formation, development and practical activity of state agencies system, providing state security of Russian Federation.

4. State security supporting system.

Considering the existing legislation in Russian Federation the organs of legislative, executive and judicial authorities, state, social and other organizations and associations, citizens, participating in security supplying in obedience to the law, and also legislation, regulating relations in the sphere of security, force and security safeguards form the state security supporting system. As any system of security supplying, the system of state security supplying has the subject, realizing certain functions and the object which should be supplied with security.

The state, realizing functions through the organs of legislative, executive and judicial authorities, is considered to be the basic subject of state security supporting system. Citizens, social and other organizations and unties also appear to be the security subjects, hold rights and responsibilities of participation in security accreditation in accordance with Russian Federation, republics legislation as part of Russian Federation, normative acts of public authorities and management of the regions, territories, autonomous region and autonomous districts, accepted within the limits of their competence in the given sphere.

The government – its constitutional order, sovereignty and territorial integrity is considered to be the basic object of the state security supplying system.

The basic functions of the state security supplying system are: revelation and forecasting of internal and external threats to vital interests of security objects, realizing of operational and durable measures complex to their prevention and neutralization; creation

and maintenance of ready security posture; management of security support forces in routine conditions and under emergency situations; realizing of measurement system according to normal security objects functioning restoration in the regions, harmed in the result of emergency situation emersion; participation in the events on security supplying outside the Russian Federation in accordance with international contracts and agreements, concluded or recognized by Russian Federation.

State security supplying forces include:

RF Security council, FSS organs of Russia; foreign intelligence organs; federal bodies of state security guards service; courier communications federal organs; MES of Russia; MIA of Russia; MFA of Russia; defense Ministry of RF; Justice department of RF; Presidential property management department of RF; Federal service for financial monitoring. Citizens, public associations and other non-state organizations, which contribute to state organs in national security supplying, are also included into the security system structure [7, p.169-170].

Technologies, and also technical, program, linguistic, juridical, organizational means, including telecommunication channels, used in the national security supplying system for collection, formation, processing, transfer or reception of information about national security condition and measures for its fortification act as means of state security supplying. State security is provided by all available means in the country – political, economic, juridical, war, organizational and resource – on the basis of consistent realization of the country security policy.

State security supplying is realized on the basis of organs authority differentiation of legislative, executive and judicial power in the given sphere.

Thus, one considered the basic directions of state security supplying in Russian Federation, classification of threat types and security supplying system of the country on modern conditions that gives structured representation about the research subject. Considered questions produce basic principles to state security determination where the main emphasis is made on the concept of state security.

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