



Working together
www.rcis.ro

Revista de Cercetare si Interventie Sociala

ISSN: 1583-3410 (print), ISSN: 1584-5397 (electronic)

CHALLENGES IN ACHIEVING EQUILIBRIUM BETWEEN STATE ACCOUNTABILITY AND THE PROTECTION OF PUBLIC INTERESTS

*Andrii KUBKO, Nataliia BEREZOVSKA, Vladyslav IOANNO,
Dymytrii GRYSYSHEN, Yevhen ROMANCHENKO*

Revista de cercetare și intervenție socială, 2025, vol. 88, pp. 85-104

<https://doi.org/10.33788/rcis.88.6>

Published by:
Expert Projects Publishing House



On behalf of:
„Alexandru Ioan Cuza” University,
Department of Sociology and Social Work
and
HoltIS Association

Challenges in Achieving Equilibrium between State Accountability and the Protection of Public Interests

Andrii KUBKO¹, Nataliia BEREZOVSKA², Vladyslav IOANNO³,
Dymytrii GRYSYSHEN⁴, Yevhen ROMANCHENKO⁵

Abstract

The topic's relevance is driven by the need to balance state responsibility and ensure state interests in the context of globalisation, economic instability and digitalisation. The importance of this issue is reinforced by the current challenges affecting the functioning of state institutions and public control. The purpose of the study is to examine the legal and institutional mechanisms that help to achieve a balance between the state's responsibility and ensuring its interests. The research methodology includes analysis and synthesis of scientific literature, as well as a comparative method and systematic approach. The study has identified key challenges in ensuring social justice and transparency of public administration, in particular, the insufficient effectiveness of existing legal mechanisms. In addition, the importance of information security and financial stability as the basis for effective public administration is emphasised. The study's practical significance lies in the possibility of using its results to improve state responsibility's legal and institutional mechanisms, which will help improve the interaction between the

¹ Counsel, Kyiv, UKRAINE. <https://orcid.org/0000-0002-2870-8567>; E-mail: andrii.kubko@salkom.ua

² Department of National Security, Public Management and Administration, Zhytomyr Polytechnic State University, Zhytomyr, UKRAINE. E-mail: b.s.a.2018@ukr.net; ORCID: . <https://orcid.org/0009-0004-4215-6609>

³ Entrepreneur in the Field of Marketing and IT, Odesa, UKRAINE. E-mail: mail@ioanno.com; ORCID: <https://orcid.org/0009-0000-9612-323X>

⁴ Zhytomyr Polytechnic State University, Zhytomyr, UKRAINE. E-mail: gritsishen.do@gmail.com; ORCID: <https://orcid.org/0000-0002-1559-2403>

⁵ Department of Law and Law Enforcement, Zhytomyr Polytechnic State University, Zhytomyr, UKRAINE. E-mail: kppd_ryeyu@edu.ua; ORCID: <https://orcid.org/0000-0003-3507-8820>;

state and society. The proposed recommendations serve as a basis for developing policies to increase state institutions' transparency and accountability.

Keywords: state responsibility; state interests; balance; regulations; control mechanisms; social justice; public administration; political challenges; ensuring interests.

Introduction

In the face of global challenges, such as economic instability and social and political transformations, there is a growing need to balance public interests and the state's responsibility to society. One of modern public administration's main challenges is ensuring social justice and the effective functioning of legal mechanisms that guarantee fulfilling the state's obligations. The importance of this issue is driven by the need to find new approaches to regulating state and social relations in the context of dynamic changes in the global environment. An analysis of modern scientific works shows that researchers pay great attention to the issues of interaction between the state and society. Namely, Sirenko (2023) deals with the role of the constitutional framework as the means of protecting citizens' rights and freedoms; Dubrova (2023) outlines how to defend constitutional rights and freedoms in Ukraine. Other works are also worth mentioning: Hlobenko (2023) discusses the issues of the state's informational security, and Ilienkov (2023) — the prosecutor as the protector of the state's interests. However, given the number of works, there are several remaining questions about the nature of the mechanisms for achieving the balance between the state's interests and the state's responsibility, especially concerning globalisation and social change (Bondarenko et al., 2022).

Although there is quite a large amount of literature on using legal and institutional tools to balance the state's interest and its duty towards its citizens, there is still a noticeable lack of coverage on how best this can be achieved. Special attention is required to assess new opportunities, including digitalisation of management activities, shifts in priorities of social needs, and development of measures for increasing public governance.

The purpose of the article. The article will analyse the consolidation of state duties and interests in modern conditions associated with globalisation, economic fluctuations and shifts in societal priorities. Particular emphasis will be placed on assessing the legal and institutional tools applied to that aim and potential strategies for improving these practices.

Literature review

This literature review concerns the existing literature that deals with different dimensions of international security, state sovereignty and globalisation. A comprehensive and critical examination of the processes of globalisation and the

political and social implications of globalisation and anti-globalisation movements is presented in the book by Held and McGrew (2007). Another crucial aspect that the authors focus on is the effect of globalisation on the sovereignty of states and the predictability of state relations. Examining the activities of state security forces and their constitutionality, efficiency and political issues, this article by Rauf (2024). This is a relevant issue in African countries where security is still essential.

In turn, Menshawy (2020) analyses unilateral acts and *jus cogens* norms, focusing on the practice of the International Law Commission and underscores the significance of *jus cogens* for managing international relations today. The study is crucial for comprehending how the protection of HR works and what contributions states make to preserving the international legal framework. Proukaki (2009) looks at enforcement issues within international law and treats two ideas: that of disinterested states and the 'international community'. Her study pointed out some of the challenges underlying the implementation of international law. Yang and Li (2024) consider the relationship between sovereignty and private security companies, which is crucial in contemporary security discourse. The authors demonstrate how private agents ensure state security, which raises doubts regarding the efficiency and accountability of such arrangements. The Blinken report (2023) deals with a military coup in Myanmar, denounces human rights abuses and calls for democratic transition and assistance in the region.

Hayes and Weber (2021) look at globalisation and deglobalisation in terms of human security in the scenario of Myanmar to explore how global processes affect local political conflicts. In his article, Holm (2019) analyses the relationship between NGOs and the state regarding a specific field of activity, reproductive health in Myanmar, where international and local actors' cooperation is of great value. Last of all, Xinhuanet (2021) provides information on China's stance on the ongoing political crisis in Myanmar and appeals for no violence, urging the two factions to settle the burning issues through negotiations; all these shows that China wishes to see stability in the region without desiring to meddle with the internal affairs of such countries.

The influence of constitutional basis and legal acts is revealed as a fundamental prerequisite for the legal regulation of international legislative documents dealing with democratic governance, human rights, and information security. This explains why the constitutions of Norway of 1814, France of 1958, the United States of 1787, and Germany of 1949 all highlight fundamental laws as the most essential parts, which define the state institutions and the rights of the citizens (Constitution of Norway, 1814; Constitution of the Fifth Republic, 1958; Constitution of the United States of America, 1787). Basic Law for the Federal Republic of Germany (2022) some charters like the employment and human rights at work, legal instrument such as the Canadian Charter of Rights and freedoms (1982), Declaration of the Rights of Man and the Citizen (1789) highlight on protection of rights at national and international levels. Moreover, the UK and Norwegian legislations have an EQUUS mechanism that ensures equality and Social Justice in the Equality Act of

2010 and the Human Rights Act of 1998 in the UK and Norway. Organisational information security and privacy are also considered in legislation. This can be embraced by the Canadian Access to Information Act (1983), the German Federal Data Protection Act (2017), and the Japanese Act on the Protection of Personal Information (2003). Data on legal systems can be received from global ratings, including the Corruption Perceptions Index (Transparency International, 2023), the Democracy Index (Economist Intelligence Unit, 2023) and the Rule of Law Index (World Justice Project, 2023).

Given this, constitutional and legal safeguards are essential in protecting citizen rights and fostering the stability of the state, as shown by the analysis of the articles. Sirenko (2023) examines the relationship between the Constitution and current legislation, while Dubrova (2023) analyses the mechanisms for protecting constitutional rights and freedoms in Ukraine. Hlobenko (2023) focuses on information security issues, and Ilienkov (2023) examines the prosecutor's role in protecting the state's interests. Kolodii et al. (2019) discuss financial stability, and Kubko (2020) examines the public interest in the legal system. Barber (2018) explores the principles of constitutionalism, while Granat (2024) discusses the Constitution's responsibility for the state's future. Shchokin et al. (2023) and Radchenko et al. (2023) examine cooperation between the civilian and military sectors and information security issues.

Methodology

The following methods were used in the study: analysis and synthesis of scientific literature to study existing approaches to balancing the responsibility of the state and ensuring its interests; comparative method to analyse legal and institutional mechanisms in different countries; a systematic approach to identify the relationship between state interests and social priorities; and forecasting method to identify possible areas for optimising existing governance mechanisms in the context of current challenges.

Results

The balance of state interests and responsibilities is to create a harmonious interaction between the state and society. The state needs to safeguard citizen's rights and the emergence of its civil liability to perform its obligations regarding protecting the public interest. On the same note, state institutions should also be transparent and responsible for the power they wield, minimising hitches in authority misuse. Lack of responsibility from states results in low credibility from the public and can foster political instability. The balanced system ensures citizens enjoy their rights and freedoms and protects state unity.

Evaluating legal acts and documents defining the relations between the state and society in pursuit of public interests is a crucial stage of legislation performance and identifying the state's obligations. Now, let us consider the experience around the world. The countries' legislation regulating the interaction between the state and society to ensure the public interest is reflected in the list of the leading legal acts and additional documents mentioned in Table 1.

In most countries, a combination of constitutional acts and additional legal documents regulates the interaction between the state and society. Freedom of information laws ensure transparency in public administration and public access to government documents. Data protection laws have become vital in the digital age to protect citizens' privacy and ensure the security of their personal information. Civil society plays a vital role in monitoring the observance of human rights, primarily through tools of social inclusion and participation in public policy-making.

Figure 1 shows several key areas where the main issues related to the state's responsibility in ensuring public interest and social justice can be identified.

Discrepancy between declarations and actual actions of the state	<ul style="list-style-type: none"> • State institutions often declare that they are committed to ensuring social justice and protecting the public interest, but in practice these commitments are not always fully implemented. Reasons may include a lack of resources, corruption or political interests that conflict with the public interest.
Lack of transparency and accountability of state bodies	<ul style="list-style-type: none"> • Although many countries have adopted freedom of information laws, access to public data and transparency of public institutions remain problematic. This limits the ability of citizens to monitor the actions of the authorities and influence decision-making, which undermines trust in state institutions.
Unequal distribution of resources and access to services	<ul style="list-style-type: none"> • In many countries, there are significant differences in access to public resources, social services and benefits depending on the socio-economic status of citizens, geographical location and other factors. This leads to social inequality and lack of equity in society.
Corruption and abuse of power	<ul style="list-style-type: none"> • The lack of effective control over the actions of civil servants and officials often fosters corruption, which reduces the efficiency of public administration and leads to misuse of public resources. It also makes it difficult to ensure the public interest and protect the rights of citizens.
Conflict between state interests and human rights	<ul style="list-style-type: none"> • In some cases, state interests, such as national security or economic stability, may conflict with the rights and freedoms of citizens. For example, increased surveillance of citizens in a state of emergency or in the fight against terrorism may violate the right to privacy and freedom of expression.
Insufficient social inclusion	<ul style="list-style-type: none"> • In many countries, vulnerable groups such as people with disabilities, ethnic minorities or women often face discrimination or restrictions in accessing social benefits and government programmes. This indicates a lack of state attention to ensuring equality and justice for all segments of the population.

Figure 1. Problems Related to the State's Responsibility for Ensuring the Public Interest and Social Justice

Source: compiled by the author based on Sirenko (2023), Dubrova (2023), Hlobenko (2023), Kolodii et al. (2019), Kubko (2020)

Table 1. The Main Legal Acts and Additional Documents Regulating the Interaction between the State and Society in Ensuring the Public Interest Worldwide

Country	The main legal act	Additional documents	Key points	Interaction between the state and society	Peculiarities of ensuring state interests
USA	US Constitution (1787)	1. Bill of Rights (1791) 2. Freedom of Information Act (1966)	Guarantees the rights and freedoms of citizens, separation of powers, and government transparency.	The Bill of Rights ensures fundamental freedoms, and the Freedom of Information Act gives the right to access government information.	Priority of freedom, justice and transparency in the interaction between the state and society.
United Kingdom	Magna Carta (1215), Human Rights Act (1998)	1. Freedom of Information Act (2000) 2. Equality Act (2010)	Human rights protection, access to information, equality.	The Freedom of Information Act guarantees the openness of government information, and the Equality Act combats discrimination.	Strong emphasis on human rights and transparency in the work of government agencies.
Germany	Basic Law of the Federal Republic of Germany (1949)	1. Freedom of Information Act (2005) 2. Data Protection Act (2017)	The principles of the welfare state are human rights protection and economic freedom.	The Freedom of Information Act provides access to government documents, while the Data Protection Act protects citizens' personal information.	A robust social protection system and transparent public administration.

France	Constitution of the Fifth Republic (1958)	1. Declaration of the Rights of Man and the Citizen (1789) 2. Law on the Digital Republic (2016)	Republican principles, human rights, transparency of digital data.	The Declaration of Human Rights ensures fundamental freedoms, and the Digital Republic Act promotes transparency and inclusiveness in the digital sphere.	The state guarantees human rights and social inclusion through digital tools.
Sweden	Act on the Form of Government (1974)	1. Freedom of the Press Act (1949) 2. Access to Information Act (1766)	People's sovereignty, freedom of the press, access to information.	The Act on Freedom of the Press and Access to Information ensures the openness of state institutions.	High level of transparency and citizen participation in public administration.
Canada	Constitutional Act (1982), Charter of Rights and Freedoms	1. Law on Official Information (1983) 2. Law on Protection of Private Information (1985)	Human rights, government transparency, protection of personal information.	The Law on Official Information provides citizens with access to government documents, and the Law on Information Protection guarantees the security of personal data.	Transparency of governance and citizens' rights to personal information are a priority.

Japan	Constitution of Japan (1947)	1. The Law on Administrative Procedure (1993) 2. The Law on Personal Information Protection (2003)	Transparency of administrative procedures and protection of personal data.	The Law on Administrative Procedure ensures transparent relations between the state and citizens, and the Data Protection Law guarantees the confidentiality of personal information.	The state actively interacts with citizens through transparent procedures and rights protection.
Norway	Constitution of Norway (1814)	1. Freedom of Information Act (2006) 2. Human Rights Act (1999)	Freedom of information, protection of human rights.	The Freedom of Information Act provides access to government documents, while the Human Rights Act guarantees compliance with international standards.	Government transparency and respect for human rights through citizen oversight.

Source: compiled by the author based on the following legal acts: *Constitution of Japan (1947)*, *Constitution of Norway (1814)*, *Constitution of the Fifth Republic (1958)*, *Constitution of the United States of America (1787)*, *Access to Information Act (1983)*, *Administrative Procedure Act (1993)*, *Basic Law for the Federal Republic of Germany (2022)*, *Canadian Charter of Rights and Freedoms (1982)*, *Declaration of the Rights of Man and the Citizen (1789)*, *Digital Republic Law (2016)*, *Equality Act (2010)*, *Federal Data Protection Act (2017)*, *Freedom of Information Act (1766, 1949, 1966, 2000, 2005, 2006)*, *Human Rights Act (1998, 1999)*, *Instrument of Government (1974)*, *Magna Carta (1215)*, *Privacy Act (1985)*, *United States Bill of Rights (1791)*, *Act on the Protection of Personal Information (2003)*

The main problems of state responsibility are the inability to fully ensure social justice, transparency and accountability, as well as shortcomings in the equal distribution of resources and protection of citizens' rights.

A central issue of good governance is ensuring state accountability and the realisation of public interests. In many countries, international indices such as the Corruption Perceptions Index (Transparency International, 2023), the Democracy Index (Economist Intelligence Unit, 2023) and the Rule of Law Index (World Justice Project, 2023) are important indicators of these processes, which allow assessing the effectiveness of state mechanisms at the international level. Table 2 compares critical indices for several countries.

Table 2. Comparative Analysis of Indices for Assessing State Responsibility

Country	Corruption Perceptions Index (Transparency International, 2023)	Democracy Index (Economist Intelligence Unit, 2023)	Rule of Law Index (World Justice Project, 2023)
USA	69/100	7.85/10	0.72/1
United Kingdom	73/100	8.54/10	0.79/1
Germany	80/100	8.68/10	0.83/1
France	69/100	7.99/10	0.75/1
Sweden	85/100	9.39/10	0.89/1
Canada	81/100	9.22/10	0.83/1
Japan	73/100	7.99/10	0.80/1
Norway	85/100	9.75/10	0.91/1

Source: compiled by the author based on the Corruption Perceptions Index (Transparency International, 2023), Democracy Index (Economist Intelligence Unit, 2023), Rule of Law Index (World Justice Project, 2023), US Constitution (1787), UK Constitution (1998), German Constitution (1949), Constitution of France (1958), Constitution of Sweden (1974), Constitution of Canada (1982), Constitution of Norway (1814), United States Freedom of Information Act (1966), Equality Act (2010), German Data Protection Act (2017), Norwegian Human Rights Act (1999).

The Corruption Perceptions Index measures the level of corruption in the public sector (0 – high level of corruption, 100 – very low level). The Democracy Index assesses the state of democracy in countries worldwide (0 – authoritarian regime, 10 – full democracy). The Rule of Law Index reflects the level of compliance with the principles of the rule of law (0 – no rule of law, 1 – full compliance). Assessing the effectiveness of governance through the corruption, democracy and rule of

law indices allows us to compare how countries balance state responsibility and the realisation of public interests. The comparative analysis is presented below:

Corruption Perceptions Index (Transparency International, 2023). Sweden and Norway have the highest scores of 85/100, indicating deficient levels of corruption. The lowest scores are in the United States and France at 69/100, indicating significant problems with corruption. The spread of this indicator reaches 16 points, which illustrates a significant divergence in the efficiency of measures against corruption between these countries.

Democracy Index (Economist Intelligence Unit, 2023). Norway has scored the highest point of 9.75, which, as per the bar scale, means full democracy where people or citizens actively participate in politics and have many rights and freedoms. The lowest is 7.85/10 in the United States, while the level of ease in democratic processes, manners and ways of political participation and trust in the related institutions is low. The range of scores with the lowest value is 1.9 points, which suggests that while the levels of democracy are not dramatically different, they are different.

Rule of Law Index (World Justice Project, 2023). The highest is Norway, 0.91/1, which indicates that the country respects the rule of law, human rights, and justice. The lowest one is 0.72/1 in the USA, which points to legal LAW/Rule of Law and Access to Justice issues. The difference between the maximum and minimum of this index is 0.19 points. Therefore, according to most countries, the highest result is observed, but there are differences in the rule of law.

The best performers are the Scandinavian countries – Sweden and Norway – improving in all the indices. It indicates the high level of openness of state structures, the absence of corruption and the high degree of protection of human rights. They are ahead of the United States and France and score higher in all but the corruption and rule of law indexes. This may exacerbate the states' demands for state institutions' justice failure in these countries and the perception of state liability. Germany and Canada rank from moderately good to very good across all of these indicators owing to the sound political and legal environment these countries provide for, the efficiency of mechanisms combating corruption, and the encouragement of democratic structures.

The highest ratings belong to the countries of the Scandinavian region, which are close in the model of governance to the country under consideration as a member of the Union, namely Norway and Sweden, and they have the highest rates of transparency, rule of law and democracy. This suggests well-working mechanisms for controlling state actions and high institutional trust. The United States and France have less perfect results, which means there is a need to develop systems of accountability and anti-corruption. When it comes to the rule of law, all the countries in the table get satisfactory scores, which means that the fight against corruption and access to justice remains the area of necessary enhancements to increase public administration's efficiency.

The data presented in Table 3 assesses the effectiveness of the existing mechanisms of control and responsibility of the state in protecting the public interest based on critical criteria and indices:

Table 3. Effectiveness of the Existing Mechanisms of Control and Responsibility of the State in the Field of Protection of State Interests Based on Key Criteria and Indices

Criterion	USA (2023)	United Kingdom (2023)	Germany (2023)	France (2023)	Sweden (2023)	Canada (2023)	Japan (2023)	Norway (2023)
Corruption Perceptions Index	69/100 (average)	73/100 (average)	80/100 (high)	69/100 (average)	85/100 (very high)	81/100 (very high)	73/100 (average)	85/100 (very high)
Democracy Index	7.85/10 (average)	8.54/10 (high)	8.68/10 (high)	7.99/10 (average)	9.39/10 (very high)	9.22/10 (very high)	7.99/10 (average)	9.75/10 (very high)
Rule of law index	0.72/1 (average)	0.79/1 (high)	0.83/1 (high)	0.75/1 (average)	0.89/1 (very high)	0.83/1 (high)	0.80/1 (high)	0.91/1 (very high)
Transparency and accountability	Medium transparency	High transparency	High transparency	Medium transparency	Very high transparency	High transparency	Medium transparency	Very high transparency
Anti-corruption mechanisms	Limited to	Moderately effective	Effective	Limited to	Very effective	Very effective	Moderately effective	Very effective
Access to justice	Relatively difficult access	Relatively easy access	Easy access	Relatively difficult access	Easy access	Easy access	Easy access	Easy access
Civic participation	Moderate participation	High participation	High participation	Moderate participation	Very high participation	High participation	Moderate participation	Very high participation
International commitments	Partially fulfils	Performs	Performs	Partially fulfils	Performs	Performs	Performs	Performs

Sources: Transparency International (2023), Economist Intelligence Unit (2023), World Justice Project (2023)

– This table also depicts that countries like Norway and Sweden are the most successful in all respects. In contrast, the US and France have many problems with anti-corruption, access to justice, legal aid, and transparency of public bodies.

– An assessment of the effectiveness of existing mechanisms of control and responsibility of the state in protecting the public interest should take into account several key aspects that affect their efficiency.

1. *Transparency and accountability of the government.* However, the most abundant instrument regarding citizens' control over the government is freedom of information legislation that enables people to obtain government records. For example, the United States Freedom of Information Act of 1966 and the United Kingdom Freedom of Information Act of 2000 work towards strengthening the transparency of governmental agencies. However, timely and complete access to information is not guaranteed because of bureaucracy hindrances; this lessens the efficiency of the mechanism.
2. *Judicial control and constitutional oversight.* The role of judicial agencies is critical in preserving public interests and holding the states accountable. Most nations have constitutional and other general jurisdiction courts that can examine government agencies' decisions to determine their legal propriety. For instance, in Germany, the Federal Constitutional Court effectively discharges the role of constitutionalising rights and the public's interest. However, in some cases, they have been frustrated due to high court fees or lengthy court processes.
3. *Anti-corruption institutions.* Anti-corruption bodies are an essential link to the officials' activities control system. Thus, efficient mechanisms resist the abuse of power in countries that have already managed to build a relevant infrastructure, such as Sweden or Singapore. However, that may not necessarily be the case in some countries with high levels of corruption, especially some of the transition economies where these institutions may be relatively weak or dominated by political elites.
4. *Public control and citizen participation.* There are specific expectations placed upon civil society when it comes to controlling the state's actions through its involvement in decision-making and monitoring their execution. However, in developed democracies, civil society organisations can exert pressure on policy-making and government decisions. In countries like Canada, ordinary citizens must participate in political processes and engage CSOs in policy formulation and other consultation processes to enhance public accountability. Nevertheless, in countries with restricted freedom of speech or authoritarian governments, the latter mechanisms are weak, if they exist at all.
5. *International mechanisms.* Governments are also responsible for international organisations and treaties, which require states to adhere to certain distances and legal orders for humanitarian protection and guarantee

public interest. For instance, the European Court of Human Rights is an efficient tool for overseeing actions of member states about human rights in Europe. It enables persons to seek redress from their governments for their decisions at the international level. In the meantime, despite the obligatory execution of international court decisions as permanently binding from the side of the states, these mechanisms do not have an ultimate effectiveness.

6. *Effectiveness of the internal audit system.* Internal public audit systems that regulate the distribution and utilisation of public resources are one of the state's accountability tools. The efficiency of such systems is highly sensitive to the extent of the audit bodies' independence and the openness of their operation. There is also evidence that internal state audits are working very effectively in some countries like Norway; thus, the option helps identify irregularities or deficiencies in the timely management of public resources.

Overall, transparency and credibility of state control/oversight accountability enhance their effectiveness where governance, democracy and openness exist. In countries with independent institutions and a highly developed legal system, those mechanisms are legitimate and valuable, as they protect the public and citizens' work. However, in countries with a low legal culture or high corruption levels, such mechanisms are frequently relatively negligible and need further development.

Our current hypothetical Table 4 aims to evaluate the Degree of Mechanisms of Control and Responsibility in place for the State to safeguard its interests. The assessment mechanism is built on the quantitative and qualitative approach and comprises legal analysis, comparative analysis of indices concerning international indices measures, and case-to-case analysis. The final evaluation of the efficiency of the mechanisms depends on the degree of efficiency of the laws that regulate these spheres and on the practical application of the laws, and to a greater extent, it depends on the citizen's activity regarding the control over the state's actions.

Table 4. *Effectiveness of the Existing Mechanisms of Control and Responsibility of the State in the Field of Protection of the State's Interests*

Criterion	Description	Level of efficiency	Explanation
Transparency	Openness of state bodies and access to public information	Medium	Freedom of information laws are in place, but access to data may be restricted by bureaucracy or corruption.

Criterion	Description	Level of efficiency	Explanation
Accountability	Quality of institutions that control public bodies, accountability mechanisms	Low-Medium	Laws are in place, but the punishment mechanisms do not always work correctly due to political influence or corruption.
Access to justice	The ability of citizens to go to court and get a fair decision	Medium-High	The judiciary is often independent, but the cost of justice and the time it takes to decide cases can be issues.
Anti-corruption mechanisms	Effectiveness of anti-corruption bodies and number of successful cases	Medium	Anti-corruption bodies are in place, but corruption remains high in many countries.
Civic participation	Civil society activity in decision-making and control over the state	High-Medium	In developed democracies, civic participation is high, but in authoritarian states, it is limited.
Social justice	Level of access to social benefits and protection of rights for all segments of the population	Low-Medium	Social inequality remains a problem due to the uneven distribution of resources and limited access to services.
Fulfilment of international obligations	Compliance with international standards and enforcement of international court decisions	Medium-High	Most countries comply with international agreements, but enforcement of international court decisions is not always guaranteed.
Internal state audit	Efficiency of internal control and audit systems in the management of public resources	Medium	Audit bodies function, but a lack of independence or political pressure often limits their work.

Sources: compiled by the author based on the Constitution of Ukraine (1996), the Law of Ukraine "On Local Self-Government in Ukraine" (1997), the Law of Ukraine "On National Security of Ukraine" (2018), the Law of Ukraine "On Ensuring the Rights and Freedoms of Internally Displaced Persons" (2014), the Law of Ukraine "On Social Dialogue in Ukraine" (2010), Concept for the Development of Civil Society for 2021-2026 (2021), Sustainable Development Strategy "Ukraine-2030" (2019), US Constitution (1787), US Freedom of Information Act (1966), German Basic Law (1949),

German Personal Data Protection Act (2017), Japanese Constitution (1947), Japanese Administrative Procedure Act (1993)

Explanation of performance levels:

- High – the mechanism works effectively, ensuring transparency, accountability, and social justice.
- Medium – the mechanism is partially operational, with shortcomings that reduce its effectiveness.
- Low – the mechanism does not work effectively, and there are significant problems with its implementation or implementation.

Most control and accountability mechanisms have been estimated to be partially efficient in the given state. However, corruption, restricted access to justice, low social justice, and minimal accountability must be enhanced to adequately preserve citizens' rights and the public interest. Here, recommendations about the balance of the state's burden and the pursuit of state interests in the contemporary environment will be presented.

- The intensification of anti-corruption measures is needed to protect the autonomy of anti-corruption institutions and enhance accountability in public financial administration. These findings are expounded as follows: It will reduce corruption while increasing the public's confidence in state organisations.
- Improving access to justice. Thus, further simplifying access to the judicial system and decreasing court fees and terms for considering cases is required. This will reduce citizens' rights abuses and ensure the state's accountability.
- Promote openness of government decisions. It is recommended that government decisions, reports, and budget expenditures be published for public review so that the government, acting as the public's servant, must submit to society.
- Initiating the choice and implementation of changes by involved citizens. Greater use of online communication with the public and public hearings will help in the active engagement of the citizens and the authorities. This will enable society's interests to be considered, increasing the legitimacy of decisions made.

Discussion

A comparison between the outcomes of the study of the balance between the allocated role and the welfare of the state and its interests that have been presented reveals particular distinctions in the theoretical perception of various authors. On the one hand, Sirenko's (2023) work supports the play of constitutional norms as the fundamental foundation of the state and citizens' rights. On the other

hand, Dubrova (2023) deals with the insufficient effectiveness of the tools for guaranteeing constitutional rights within Ukraine, giving rise to issues in the state responsibility of practical application. According to Dubrova, it is essential to note that not all legal instruments operate as efficiently due to problems in accessing justice, and cases take significant amounts of time to be examined. However, in contrast, Hlobenko's (2023) work on information security problems contributes to the state's responsibility for globalisation and digitalisation. Thus, while information security is initially a state concern, society tends to ignore such problems, which adds difficulty.

Some sources have highlighted the role of international responses to political crises, especially the Myanmar case. Articles by Xinhuanet (2021) and Blinken (2023) show two different approaches: China pleads for stability and non-interference, whilst America demands change, demands a democratic government and condemns the rights abuses. These two attitudes express visions that can be seen in debates about international responsibility for international interference with the internal affairs of sovereign states. Yang and Li (2024) raise another essential topic: the privatisation of the security companies within the state security concerns or issues that question such actors' efficiency and accountability. In this regard, globalisation and security privatisation may shift the traditional concept of state monopoly of violence and sovereignty protection more dramatically than many scholars have previously assumed.

A Graduate thesis by Hayes and Weber (2021) explains that globalisation and deglobalisation processes affect human security, especially in Myanmar, demonstrating the correlation between the global processes and local political shocks. This shows a conflict between national and international security and stability measures. Transparency to combat corruption, as emphasised in Transparency International (2023) and the World Justice Project (2023), is a core tenet of good governance and the rule of law. A comparison of the findings of our study with the findings of Ilienkov (2023), who discusses the prosecutor as the guardian of public interests, revealed that state institutions are often confronted with contradictions between the exercise of their functions and the protection of citizens' rights. The following also supports the fact that it is time to enhance the lines of public control and increase the degree of transparency for the actions of state authorities. Synchronously, Kolodii et al. (2019) postulated about the financial solvency for the public interest, which equally agrees that financial support is needed to facilitate public accountability. For that, optimism was expressed; however, in contrast to such a positive perspective, several concerns have been identified about this theory based on its views on the provision of resources and distribution of them moderately, which impacts social justice.

In the end, the results support the hypothesis about the necessity of the additional improvement of the legal and institutional framework conditions. The conformity with other authors' findings shows a tendency towards increasing its focus on protecting citizens' interests by strengthening state institutions. However,

the existing contradictions between theoretical and practical aspects need further study to investigate new ways to address the issue of the state's commitments equilibrium. When discussing further research, it is crucial to consider the potential of using new technologies and digital tools to raise the level of transparency of the state and enhance the legal possibilities of the citizens' protection of their rights and access to justice.

Conclusion

The study revealed significant challenges in balancing public responsibility and ensuring the public interest in the context of globalisation and digitalisation, which underscores the need to increase transparency and accountability of public authorities. Legal and institutional mechanisms in Ukraine need to be improved, especially in terms of public oversight and access to justice. The uneven distribution of resources negatively affects social justice, which requires a review of public policy. The study's novelty lies in emphasising the lack of attention to information security mechanisms in digitalisation. The study's main limitations are the lack of in-depth analysis of digital tools, which opens up prospects for further research. The recommendations can become the basis for reforming state institutions to improve the efficiency of public administration.

References

- Access to Information Act. (1983). *Justice Laws Website*, Government of Canada. Available at: <https://laws-lois.justice.gc.ca/eng/acts/A-1/> (date of access: 14.10.2024).
- Act on the Protection of Personal Information. (2003). *Bank of Japan Act*, Government of Japan. Available at: <https://www.japaneselawtranslation.go.jp/en/laws/view/92> (date of access: 14.10.2024).
- Administrative Procedure Act. (1993). *Bank of Japan Act*, Government of Japan. Available at: <https://www.japaneselawtranslation.go.jp/en/laws/view/12> (date of access: 14.10.2024).
- Barber, N. (2018). *The principles of constitutionalism*. Oxford University Press.
- Basic Law for the Federal Republic of Germany (1949). *Federal Ministry of Justice*. Available at: https://www.gesetze-im-internet.de/englisch_gg/ (date of access: 14.10.2024).
- Blinken, A. J. (2023). Marking two years since the military coup in Burma. *U.S. Department of State*. Available at: <https://www.state.gov/marking-two-years-since-the-military-coup-in-burma/> (date of access: 14.10.2024).
- Bondarenko, S., Bratko, A., & Antonov, V. (2022). Improving the State system of strategic planning of national security in the context of informatization of society. *Journal of Information Technology Management*, 14, 1–24; <https://doi.org/10.22059/jitm.2022.88861>

- Canadian Charter of Rights and Freedoms. (1982). *Justice Laws Website*, Government of Canada. Available at: <https://laws-lois.justice.gc.ca/eng/const/page-15.html> (date of access: 14.10.2024).
- Concept for the Development of Civil Society for 2021-2026 (2021). *Verkhovna Rada of Ukraine. Legislation of Ukraine*. Available at: <https://zakon.rada.gov.ua/laws/show/487/2021#n23> (date of access: 14.10.2024).
- Constitution of Japan. (1947). *Prime Minister of Japan and His Cabinet*. Available at: https://japan.kantei.go.jp/constitution_and_government_of_japan/constitution_e.html (date of access: 28.10.2024).
- Constitution of Norway (1814). *The Royal House of Norway*. Available at: <https://www.stortinget.no/en/In-English/About-the-Storting/The-Constitution/> (date of access: 28.10.2024).
- Constitution of the Fifth Republic. *Constitutional Council of France*. Available at: <https://www.conseil-constitutionnel.fr/en/constitution-of-4-october-1958> (date of access: 28.10.2024).
- Constitution of the United States of America (1787). *U.S. National Archives and Records Administration*. Available at: <https://www.archives.gov/founding-docs/constitution> (date of access: 28.10.2024).
- Constitution of Ukraine (1996). *Verkhovna Rada of Ukraine. Legislation of Ukraine*. Available at: <https://zakon.rada.gov.ua/laws/show/en/254%D0%BA/96-%D0%B2%D1%80#Text> (date of access: 14.10.2024).
- Declaration of the Rights of Man and the Citizen (1789). *National Assembly of France*. Available at: <https://www.conseil-constitutionnel.fr/en/declaration-of-the-rights-of-man-and-of-the-citizen-of-1789> (date of access: 28.10.2024).
- Digital Republic Law. (2016). *Legifrance*. Available at: <https://www.legifrance.gouv.fr/jorf/id/jorf/text/000033202746/> (date of access: 28.10.2024).
- Dubrova, A. (2023). Institutional and Legal Mechanism for Ensuring Constitutional Human Rights and Freedoms in Ukraine. *Scientific papers of the International Academy of Sciences of Ukraine. Political science and public administration*, 3(63), 25–29; [https://doi.org/10.32689/2523-4625-2022-3\(63\)-4](https://doi.org/10.32689/2523-4625-2022-3(63)-4)
- Economist Intelligence Unit (2023). *Democracy Index 2023*. Available at: <https://www.eiu.com/n/campaigns/democracy-index-2023/> (date of access: 28.10.2024).
- Equality Act. (2010). *Legislation.gov.uk*. Available at: <https://www.legislation.gov.uk/ukpga/2010/15/contents> (date of access: 28.10.2024).
- Federal Data Protection Act. (2017). *Bundesministerium der Justiz*. Available at: https://www.gesetze-im-internet.de/englisch_bdsch/index.html (date of access: 28.10.2024).
- Freedom of Information Act. (1966). *U.S. Government*. Available at: <https://www.foia.gov/> (date of access: 28.10.2024).
- Freedom of Information Act. (2005). *Bundesministerium der Justiz*. Available at: https://www.gesetze-im-internet.de/englisch_ifg/index.html (date of access: 28.10.2024).
- Freedom of Information Act. (1766). *The Swedish Parliament*. Available at: <https://www.riksdagen.se/en/how-the-riksdag-works/democracy/the-freedom-of-the-press-act/> (date of access: 28.10.2024).
- Freedom of Information Act. (1949). *The Swedish Parliament*. Available at: <https://www.riksdagen.se/en/how-the-riksdag-works/democracy/the-freedom-of-the-press-act/> (date of access: 28.10.2024).

- Freedom of Information Act. (2000). *Legislation.gov.uk*. Available at: <https://www.legislation.gov.uk/ukpga/2000/36/contents> (date of access: 28.10.2024).
- Freedom of Information Act. (2006). *Government of Norway* Available at: <https://lovdata.no/dokument/NLE/lov/2006-05-19-16> (date of access: 28.10.2024).
- Granat, M. (2024). The responsibility of constitutionalism for the future of the state and society (Selected issues). In: R. Arnold & T. Fickentscher (Eds.), *The responsibility of a constitution for the future. IACL 2022*. Springer; https://doi.org/10.1007/978-3-031-65296-7_4
- Hayes, J., & Weber, K. (2021). Globalisation, deglobalisation, and human security: The case of Myanmar. *International Affairs*, 97(5), 1469–1488; <https://doi.org/10.1093/ia/iab110>
- Held, D., & McGrew, A. (2007). *Globalisation/Anti-Globalisation: Beyond the Great Divide*. Polity Press.
- Hlobenko, S. (2023). Information Space of the State and Problems of Ensuring Its Protection in Ukraine. *Scientific visnyk: State Administration*, 1(13), 195–210; [https://doi.org/10.33269/2618-0065-2023-1\(13\)-195-210](https://doi.org/10.33269/2618-0065-2023-1(13)-195-210)
- Holm, E. (2019). *The NGO-state relationship and SRHR in Myanmar*. Department of Government, Uppsala University. Available at: <https://www.diva-portal.org/smash/get/diva2:1299328/fulltext01.pdf> (date of access: 28.10.2024).
- Human Rights Act. (1998). *Legislation.gov.uk*. Available at: <https://www.legislation.gov.uk/ukpga/1998/42/contents> (date of access: 28.10.2024).
- Human Rights Act. (1999). *Government of Norway*. Available at: <https://lovdata.no/dokument/NLE/lov/1999-05-21-30> (date of access: 28.10.2024).
- Ilienkov, O. (2023). Representation of State Interests by the Prosecutor in Court: Identification of Normative Features. *Visnyk Kryminolohichnoi asotsiatsii Ukrainy*, 28(1), 325–336; <https://doi.org/10.32631/vca.2023.1.30>
- Instrument of Government. (1974). *The Swedish Parliament*. Available at: <https://www.riksdagen.se/en/how-the-riksdag-works/democracy/the-instrument-of-government/> (date of access: 28.10.2024).
- Kolodii, S., Hariaha, L., & Kochuma, I. (2019). Conceptual Approaches to Ensuring the Balance of Financial Resources of the State. *Socio-Economic Relations in the Digital Society*, 2(35–36), 12–21; [https://doi.org/10.18371/2221-755x2-3\(35-36\)2019193918](https://doi.org/10.18371/2221-755x2-3(35-36)2019193918)
- Kubko, A. (2020). State Interests in the Legal System of Ukraine: Concept, Features, Purpose. *Law of Ukraine*, 234; <https://doi.org/10.33498/louu-2020-06-234>
- Law of Ukraine “On National Security of Ukraine”. (2018). Available at: <https://zakon.rada.gov.ua/laws/show/2469-19#Text> (date of access: 14.10.2024).
- Law of Ukraine “On Social Dialogue in Ukraine”. (2010). *Verkhovna Rada of Ukraine. Legislation of Ukraine*. Available at: <https://zakon.rada.gov.ua/laws/show/2862-17#Text> (date of access: 14.10.2024).
- Law of Ukraine. On Ensuring the Rights and Freedoms of Internally Displaced Persons. (2014). *Verkhovna Rada of Ukraine. Legislation of Ukraine*. Available at: <https://zakon.rada.gov.ua/laws/show/1706-18#Text> (date of access: 14.10.2024).
- Law of Ukraine. On Local Self-Government in Ukraine. (1997). *Verkhovna Rada of Ukraine. Legislation of Ukraine*. Available at: <https://zakon.rada.gov.ua/laws/show/280/97-%D0%B2%D1%80#Text> (date of access: 14.10.2024).

- Magna Carta (1215). *The British Library*. Available at: <https://www.bl.uk/magna-carta> (date of access: 28.10.2024).
- Menshaw, I. (2020). Unilateral acts and peremptory norms (Jus Cogens) in the work of the International Law Commission. *Review of Economics and Political Science*, 4(3), 182–196; <https://doi.org/10.1108/REPS-11-2018-0030>
- Privacy Act. (1985). *Government of Canada*. Available at: <https://laws-lois.justice.gc.ca/eng/acts/P-21/> (date of access: 28.10.2024).
- Proukaki, E. K. (2009). *The problem of enforcement in international law: Countermeasures, the non-injured state and the idea of international community* (1st ed.). Routledge; <https://doi.org/10.4324/9780203865569>
- Radchenko, O., Bielai, S., Kovach, V., Hrabar, N., & Yevtushenko, I. (2023). Formation of information security systems of the state: Current status, trends, and problems. In: Radchenko, O., Kovach, V., Semenets-Orlova, I., & Zaporozhets, A. (Eds.), *National security drivers of Ukraine. Contributions to Political Science*. Springer; https://doi.org/10.1007/978-3-031-33724-6_6
- Rauf, F. (2024). *The constitutionality and effectiveness of state security outfits in Nigeria*. [Preprint]; <https://doi.org/10.13140/RG.2.2.15660.88967>.
- Shchokin, R., Soloviov, O., & Tantsiura, I. (2023). Strengthening cooperation between the civilian and military sectors in the context of state security: Benefits and challenges. *Revista de Cercetare si Interventie Sociala*, 83, 155–170; <https://doi.org/10.33788/rcis.83.11>
- Sirenko, V. F. (2023). Constitution and Current Legislation: Problems of Correlation. *Journal of the Kyiv University of Law*, 4, 64–77; <https://doi.org/10.36695/2219-5521.4.2023.13>
- Sustainable Development Strategy “Ukraine-2030”. (2019). *Verkhovna Rada of Ukraine. Legislation of Ukraine*. Available at: <https://zakon.rada.gov.ua/laws/show/722/2019#Text> (date of access: 14.10.2024).
- Transparency International (2023). *Corruption Perceptions Index 2023*. Available at: <https://www.transparency.org/en/cpi/2023> (date of access: 28.10.2024).
- United States Bill of Rights. (1791). *U.S. National Archives and Records Administration*. Available at: <https://www.archives.gov/founding-docs/bill-of-rights> (date of access: 28.10.2024).
- World Justice Project (2023). *Rule of Law Index 2023*. Available at: <https://worldjusticeproject.org/rule-of-law-index/> (date of access: 28.10.2024).
- Xinhuanet. (2021). Ministry of Foreign Affairs: China hopes that all parties in Myanmar will properly handle differences and maintain political and social stability. *Xinhuanet*. Available at: http://www.xinhuanet.com/2021-02/01/c_1127050935.htm (date of access: 28.10.2024).
- Yang, M., & Li, Y. (2024). State security agent: A study on the interaction between state sovereignty and private security companies. In: Hamdan, M. Azhari, M., Ahmad, N. & Ali, E. (Eds.), *Global trends in governance and policy paradigms*, pp. 1–20. IGI Global; <https://doi.org/10.4018/978-8-3693-1742-6.ch019>.