

ASSESSING THE NECESSITY OF A TRANSPARENT LEGAL SYSTEM IN THE CONTEXT OF A SUSTAINABLE STATE

Vainius Smalskys
Mykolas Romeris University
Ateities St. 20, Vilnius, Lithuania

Viktorija Girinskienė
State Studies Foundation
A. Goštauto St. 12-100, Vilnius, Lithuania

DOI: 10.13165/VPA-24-23-4-10

Annotation. This article underlines how a transparent and unambiguously understood legal system is an integral part of a sustainable state. The analysis begins with the central thesis that unambiguous legislation not only contributes to the smooth enforcement of the law, but also strengthens citizens' confidence in rule of law institutions. The article discusses a few key aspects, including the importance of clarity in the language of legislation and specific drafting principles that show how clarity contributes to the achievement of the sustainable development goals. It also emphasizes that clarity should not only be seen as a technical aspect of legislation, but also as a strategic aspect of governance, promoting legal awareness and empowering the public to actively participate in public governance. It is also stressed that clearly formulated legislation is essential for effective, accountable, and transparent governance, and that legislation must be equally understood by all sections of society. Finally, the article touches on the concept of a sustainable state, with a transparent and efficient legal system that can respond quickly to social, economic, and environmental challenges, ensuring the full well-being and stability of its citizens. The themes of the article cover several key areas: the principle of legal certainty, the protection of citizens' rights and freedoms, economic development, the transparency of the legislative process, and the uniformity of the interpretation and application of law.

Keywords: unambiguous laws; public policy; lawmaking; legal certainty; corruption; legal uncertainty; sustainable state; case law and interpretation of law.

Reikšminiai žodžiai: vienareikšmiškai suprantami įstatymai; viešoji politika; teisėkūra; teisinis tikrumas; korupcija; teisinis neapibrėžtumas; tvari valstybė; teismų praktika ir teisės aiškinimas.

Introduction

Clearly understood laws are the foundation of a sustainable state, ensuring legal clarity, stability, and public confidence in the legal system. The **research problem** in this article is the lack of clarity and transparency in legal systems, which can lead to legal uncertainty, corruption, and a decrease in public trust in governmental and legal institutions. This issue hinders the sustainable development of the state, as an ambiguous legal framework weakens the rule of law, obstructs economic growth, and diminishes citizens' confidence in justice. The **research aim** is to analyze the role of a transparent and unambiguous legal system in promoting the sustainability of the state. Specifically, this article seeks to explore how clearly formulated laws, and legislative processes contribute to legal stability, public trust, and the achievement of the sustainable development goals. The research hypothesizes that a transparent and clearly understood legal system enhances state sustainability by reducing uncertainty, preventing corruption, and building public trust. It also suggests that clear laws improve economic development and social welfare by promoting consistent law enforcement and public participation. This research is important because it highlights how a transparent and unambiguous legal system is fundamental to building a sustainable state. By analyzing the impact of clear legislation on public trust, governance, and economic growth, the study emphasizes that a well-structured legal framework promotes not only legal certainty, but also social welfare and economic stability. This research is vital for policymakers aiming to improve legal transparency and build public confidence in governance.

The **methodology** involves a comparative analysis of transparent legal systems, focusing on Lithuania and Singapore. Primary data were sourced from legal documents, governmental transparency reports, and international indexes such as the Corruption Perceptions Index and the Rule of Law Index (European Court of Auditors 2024, 11). Secondary data were obtained from scholarly literature, legal case reviews, and policy briefs. The study involves the use of a comparative framework to analyze key indicators of legal transparency, such as the clarity of legislative language, public consultation processes, and the uniformity of legal interpretations. Lithuania's legal framework is compared with that of Singapore, a country known for its effective and transparent legal system. A case study of Lithuania is also conducted, focusing on recent legislative reforms and their impacts on transparency and legal certainty. This research emphasizes the importance of legal transparency in building a sustainable state. Lithuania has made progress in legislative reforms, but challenges remain in ensuring the consistent application and interpretation of laws, as highlighted in *Gražulevičiūtė v. Lithuania* (2022). Singapore's legal system serves as a benchmark, demonstrating how clear frameworks and strong governance can enhance public trust and reduce corruption. However, adopting reforms is not enough – public consultation, regulatory impact assessments (RIA), and clear legal language are essential. Legal theorists such as Kelsen, Hart, and Raz (Bix 2018) emphasize the importance of legal clarity in avoiding ambiguity. The Organization for Economic Co-operation and Development (OECD 2019)

and European Commission (2010) studies stress that RIA should guide policymakers in improving legal frameworks. Researchers such as Nakrošis (2017) highlight the need for improving public trust to support broader goals of sustainability, justice, and economic growth.

The importance of having clearly understandable laws

A democratic state governed by the rule of law ensures that the government is elected and accountable to society, with key features such as: 1) clear legal norms and constitutional values, creating a stable, fair system; 2) guaranteed civil rights and liberties; 3) the separation of powers between the executive, legislature, and judiciary; and 4) free media and civil society involvement. Clear laws prevent corruption, strengthen public trust, and promote economic growth. Effective governance requires openness, transparency, and accountability, with continuous legislative review to adapt to societal needs. In Lithuania, laws are adopted by the Seimas or by referendum, with oversight from the State Audit Office. “Trust in the state is based on effective and transparent public governance, where public authorities not only make clear laws but also implement them properly, ensuring accountability and the rule of law” (Nakrošis 2017, 142). Uniformity in the interpretation and application of the law ensures that laws are applied consistently and fairly (Strata 2021; LLRI 2022). Clear and predictable laws protect citizens from the misapplication of the law and promote trust in public institutions. The more citizens support politicians and other leaders in government, the greater their trust in government (Murauskas 2011). The OECD and the European Commission emphasize that impact assessments should be the rule rather than the exception and should be carried out in a responsible and thorough manner, as the misapplication of legislation can have several negative consequences for a country (Bartkus 2021). However, “impact assessments in Lithuania are not sufficiently consistent” (Strata 2021, 24).

For the public to be able to understand legislation, there must be: 1) clear language and structure; 2) a public consultation before new legislation is adopted; 3) public education and information about existing legislation; 4) the application of modern legal technology to make legislation accessible and understandable; and 5) the promotion of a legal culture in society (Figure 1).

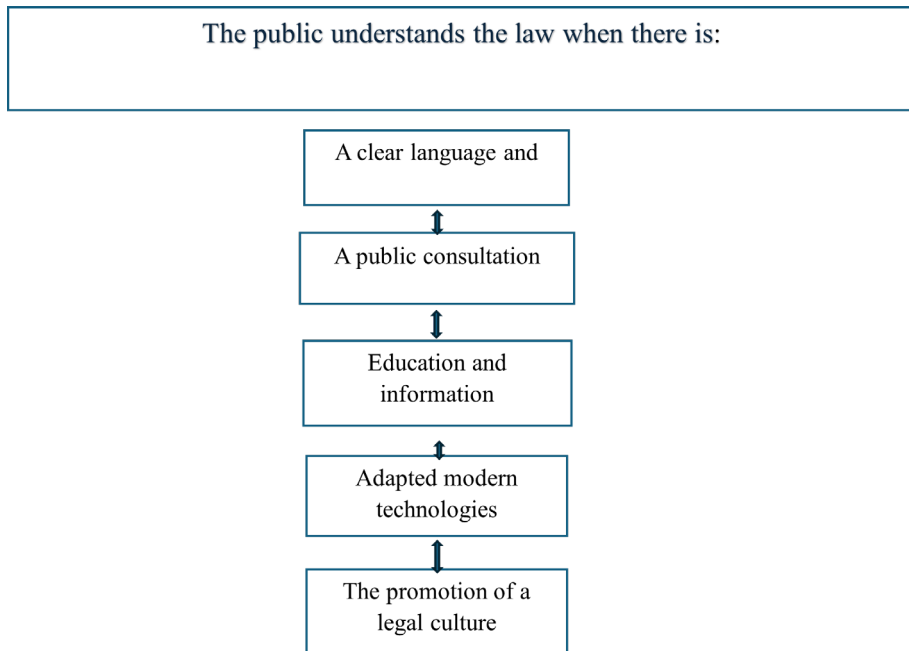


Figure 1. The conditions under which a legislative act is intelligible to the public.

Artificial intelligence in law is used for the complex analysis of legal documents, the prediction of case outcomes, and legal research tasks. This includes text analysis and decision support. Legal service management platforms help legal institutions manage cases, client information, time management and finances, allowing lawyers to manage their workload more efficiently and communicate better with their clients. Blockchain technology is used in law to secure contracts and verify identities. It also helps to create “smart contracts,” which are automatically enforced when the terms of the contract are met. These technologies are modernizing the delivery of legal services, making them more efficient and accessible to the public (Davies 2019; LLRI 2022). Virtual courtrooms and online legal advice have become particularly important during the COVID-19 pandemic, increasing the demand for remote legal services. Data analytics and legal indicators make it possible to analyze large amounts of data, reveal trends, predict outcomes, and optimize legal processes, providing lawyers with new tools and opportunities. Public consultation helps to involve the public and various interest groups, giving them the opportunity to provide feedback and suggestions. The fact that Lithuania is characterized by a very high number of new laws or amendments means that legislative assessments, which are crucial in the processes of drafting and implementing legislation, are not always carried out (Valstybės kontrolė 2024). Legislative evaluations can be *ex ante* (before adoption) or *ex post* (after adoption). *Ex ante*

evaluation helps to identify potential problems and solutions to a law before it enters into force, while ex post evaluation analyses the effectiveness of a law in practice, allowing for the identification of shortcomings and the improvement of laws. Both evaluation methods ensure the quality and effectiveness of legislation (OECD 2019). RIA is an essential part of the legislative process and is used to ensure that new legislation and policy interventions are effective, targeted, and responsive to public needs. In 2015, the OECD carried out an analysis of Lithuania's RIA and made several recommendations regarding areas of the process which could be improved:

1. A formal procedure. Often, RIA becomes a formal process used only to justify decisions that have already been taken.
2. Disregard for the principle of proportionality.
3. Lack of publicity and involvement. The results of the RIA are rarely discussed in public without sufficient stakeholder involvement.
4. Allocation of responsibilities.

Legal certainty is a fundamental principle of the rule of law, ensuring fairness, clarity, and stability. This principle implies that legislation must be understandable, accessible, and predictable, allowing each person to know their rights and obligations and to anticipate the actions of public authorities (Raipa 2002).

“The rule of law requires the state to provide a regime (the behavior of state institutions) that is rationally justified in the context of the concept of the common good” (Murauskas 2011, 174). Clear laws reduce legal uncertainty, as the latter can lead to chaos and injustice if left unchecked. In 2021, the European Court of Human Rights (ECtHR) found a violation of the principle of legal certainty in the case of *Gražulevičiūtė v. Lithuania*, where divergent judicial opinions violated the requirement to resolve a dispute once and for all. In a democratic society, legal certainty is an essential element to ensure citizens' rights and freedoms, legal certainty, equality before the law, and the effective functioning of law enforcement agencies (Singapore Law Watch, n.d.; SG Courts 2022). Lithuanian citizens have access to a variety of ways of engaging in public decision-making, such as elections, referendums, and assemblies, as provided for in the Constitution of the Republic of Lithuania. The country is recognized for its clear legal system, efficient judiciary, and low levels of corruption. Singapore's legal system is well structured, based on English law, and includes strong governance, effective public administration, economic policies, and a commitment to education and innovation. These factors make it easy for citizens and businesses to protect their interests, contributing to the country's prosperity and economic growth (Daunys 2021).

Principles without which a sustainable state cannot exist

The concept of a sustainable state is based on several core values and principles that

contribute to long-term social, economic, and environmental well-being. “The quality of regulation is an essential prerequisite for the rule of law and sustainable governance. Transparent and clear laws help to avoid ambiguity and corruption, thereby strengthening public trust in government” (OECD 2019). The principles of a sustainable state help to shape responsible and sustainable social, economic, and environmental policies.

Table 1. Key principles without which a sustainable state cannot exist

Sustainability	The ability to meet people’s current needs without compromising the ability of future generations to meet their own needs. This means using resources efficiently and responsibly.
Environmental protection	The use of resources must be carried out in such a way as to avoid long-term environmental damage. This includes reducing pollution, preserving biodiversity, and protecting natural habitats.
Social justice	The rights and opportunities of all members of society should be guaranteed equally. This includes equal opportunities, non-discrimination, and the protection of fundamental human rights.
Economic efficiency	Economic activity must be organised in such a way as to use resources efficiently, reducing waste and increasing productivity while promoting innovation and technological progress.
Fairness	Governance processes must be open, transparent, and accountable to the public. This means that public authorities must act openly, ensuring public participation in decision-making and access to information.
Balancing of interests	Decision-making should consider the interests of different groups in society to ensure fair and inclusive implementation.
Planning for sustainable development	Long-term strategy and planning to ensure that a country’s economic development does not outstrip the capacity of its environment and social resources. This includes building sustainable infrastructure, using renewable energy, and planning sustainable cities.
Adaptability & flexibility	The ability to respond quickly to environmental, economic, and social changes, adapting to changing conditions and challenges such as climate change and economic fluctuations.
Partnership and cooperation	Involving a wide range of stakeholders, including the private and public sectors, NGOs, and international organisations in pursuit of common sustainability goals.
The rule of law	A clear and fair legal system guaranteeing the rule of law, where decisions are made based on the law and not based on personal or group interests.

The main aspects of a sustainable state are (Figure 1):

1. Economic sustainability. Economic growth and development in a responsible way, without destroying the environment and social fabric. This includes the wise use of resources and investment in renewable energy, innovation, education, and poverty reduction.
2. Social sustainability. Ensuring equal opportunities, rights, and access to resources, education, healthcare, and living conditions, all while promoting social cohesion and reducing inequalities.
3. Environmental sustainability. Protecting natural resources and ecosystems for future generations. This includes reducing pollution, preserving biodiversity, and using resources responsibly.
4. Institutional sustainability. Clearly understood laws are essential for defining the principles of the civil service, defining the status of civil servants, ensuring accountability and ethics, and setting the framework for the management of the civil service. These laws are essential for ensuring legal certainty, stability, and transparency in the functioning of the State.

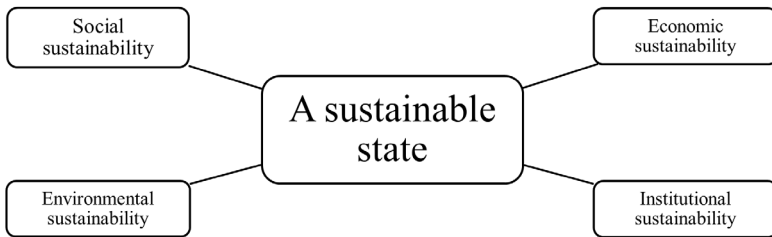


Figure 1. Aspects of sustainability

A sustainable internal financial market is essential for building a sustainable state, so Lithuania needs to identify sustainable businesses and promote their financing through public and private sources. Political will and stability are essential for a sustainable state. Political will means a government's willingness to act and solve problems, while stability allows for coherent policies. Different legal systems, such as those of Romano-Germanic or English law, affect the clarity of the law, but it is important that a legal system is adapted to its country's circumstances. Political will influences a sustainable state through legislation, investment, and international cooperation. Political stability is important regarding consistent policy implementation, investor confidence, and social cohesion. Building a sustainable state requires a combination of political will and stability to address ecological, economic, and social challenges (European Commission 2010).

Challenges in designing and applying unambiguous laws

Legal uncertainty and corruption risks stem from ambiguous laws, which lead to divergent interpretations, incorrect court decisions, and an increase in legal disputes, especially in complex fields like technology and finance. Unclear laws create opportunities for corruption and malfunction, as differing interpretations allow room for manipulation. On the other hand, clear and well-structured laws supported by effective control mechanisms significantly reduce these risks, promoting legal stability, fairness, and accountability (UN-ESCO 2019). Therefore, to create clear and comprehensible laws, it is important to address linguistic and structural problems and ensure transparency in the legislative process (Bix 2023). Ensuring the rule of law requires clear legal norms, equality before the law, the separation of powers, participation in decision-making, and transparency in legislative processes. Public consultation is essential when identifying shortcomings in laws, ensuring they meet public needs and are not distorted by secret negotiations or lobbying. Examples from Lithuania, such as the Law on National Minorities and the ECtHR case of *Tarvydas v. Lithuania* (2021), highlight the importance of clarity in maintaining confidence in the judiciary. Additionally, the Law on the Prevention of Corruption provides a framework for tackling corruption in both the public and private sectors. A precedent was set in Lithuania in 2023, when the Supreme Court recognized the legal basis and binding nature of virtual contracts concluded on a blockchain platform, promoting the modernization of the law (Chene 2016; Lithuanian Supreme Court 2023). Compliance with legal deadlines and processes is crucial to ensuring the effective protection of rights, as emphasized by the Constitutional Court of Lithuania (2020). Failing to follow established procedures can result in legal consequences. In sum, clear laws are essential for legal certainty, justice, and public welfare. The Constitutional Court's decision is final and not subject to appeal. In other EU countries, such as Sweden, there is a rigorous process of assessment and evaluation before a new law is adopted. Very often, the executive appoints an expert committee of inquiry whose terms of reference are determined by the executive itself. When this committee reports, its recommendations are sent to stakeholders for comment. There must then be a consensus within the government that a new law is needed. Many other countries that have recently joined the EU or are at an advanced stage can also provide examples of good practice in various areas. For example: Lithuania and Estonia are generally regarded as particularly competent in the integration process; Cyprus is one of the many countries where a form of accelerated legislative process is used, with laws implementing EU directives being subject to a simplified procedure; Macedonia has set up a National Council for European Integration, which brings together members of parliament, ministers, business, and civil society; and Georgia's Committee on European Integration has secured invitations to important meetings of the Conference of Parliamentary Committees of the European Union (RADA for EUROPE 2018).

Problems of law enforcement in the context of public policy

Implementing laws in the context of public policy is a complex process that is influenced by many factors. Public policy seeks to regulate public interest in a wide range of areas such as social protection, health, and education. Effectively implemented policies help to combat poverty, provide quality public services, and ensure public welfare. “Effective implementation depends not only on the quality of the legislative framework, but also on the transparency of the public consultation process, which ensures that the decisions taken are in line with the public’s needs and interests” (Kavoliūnaitė-Ragauskienė 2012, 35). Key public policies include: economic policy – budgeting, tax policy, inflation control, reducing unemployment; health policy – ensuring quality of health care, disease prevention, health insurance; education policy – curricula, the funding of educational institutions, teacher qualifications; social protection policy – social welfare, poverty reduction, labor market regulation; environmental policy – sustainable development, pollution reduction, waste management; energy policy – energy efficiency, the development of renewable energy; transport policy – the development of transport infrastructure, the improvement of public transport; foreign policy – relations with other countries, international cooperation; migration policy – immigration and emigration regulation, the integration of refugees; and technology and innovation – research, technological development, and the digitalization of society. The main challenges in implementing public policy are legal uncertainty, the influence of interest groups, a lack of funding, and a lack of coordination between institutions (PVI 2016). The aim of public policy is to ensure the well-being, transparency, and efficiency of society, focusing on its long-term impact on development and stability. Proper education shapes the appropriate behavior and values of individuals, inspires collective action, and influences political agendas (UNESCO 2020). Educational policy, family policy, and legal policy have a major impact on the structure of society, the economy, and social well-being. A range of legal reforms and policies are needed to ensure that good laws are properly implemented. Good laws have yet to be properly implemented, and improving the clarity of the law is an important part of a state’s legal policy to ensure the more efficient and fairer application of the law in the country (Gudavičius 2017).

Conclusions

1. The importance of legal transparency. This study underlines that clearly understandable legal rules are a necessary foundation for a sustainable state. Such rules ensure legal certainty, reduce corruption, and increase confidence in public authorities.
2. Legal reforms and a lack of transparency. Despite the ongoing legislative reform in Lithuania, there are still difficulties in ensuring the uniform application and

interpretation of the law. This is reflected, for example, in *Gražulevičiūtė v. Lithuania* (2021) where a lack of legal certainty caused problems.

3. The relevance of international experience. Benchmarking with Singapore has shown that clear legal frameworks and strong governance can promote public trust and reduce corruption. The example of Singapore shows how technology and innovation can help modernize the legal system.
4. Legal impact assessment. This study underlines that RIA are an essential tool for assessing the impact of legislation on society, the economy, and the environment. However, this practice is not sufficiently consistent in Lithuania and often becomes a mere formality.
5. The impact of legal certainty and transparency on the economy. Clearly formulated laws promote economic growth, investment, and social welfare by ensuring legal stability and confidence in public institutions.

References:

6. Bartkus, J. 2021. “Poveikio vertinimas turėtų būti ne teisės aktų leidėjo teisė, o įpareigojantis įprotis” [Impact assessment should be a binding habit rather than a right of the legislator]. LLRI, December 8, 2021. <https://www.llri.lt/naujienos/38606/lrinka>.
7. Bix, B. H. 2018. “Kelsen, Hart, and legal normativity.” *Revus* 34. <https://doi.org/10.4000/revus.3984>.
8. Bix, B. H. 2023. “Alf Ross on the Nature of Law.” *Ratio Juris* 36 (1): 61–71. <https://doi.org/10.1111/raju.12370>.
9. Chene, M. 2016. “Participatory lawmaking, public consultations and petitions.” Anti-Corruption Helpdesk, Transparency International. https://knowledgehub.transparency.org/assets/uploads/helpdesk/Participatory_law_making,_public_consultations_and_petitions_2016.pdf.
10. Constitutional Court of the Republic of Lithuania. 2020. Sprendimas dėl atsakymo nagrinėti prašymą Nr. 1a-166/2020. (2020 m. gruodžio 11 d. Nr. KT212-A-S195/2020) [Decision rejecting application No. 1a-166/2020]. December 11, 2020.
11. Daunys, E. 2021. “Nemotyvuoti teismų sprendimai sėja abejones, ar bylos sprendžiamos teisingai” [Unreasoned court decisions sow doubts about the fairness of cases]. Magnusson, December 15, 2021. <https://www.magnussonlaw.com/lt/2021/12/15/edmundas-daunys-nemotyvuoti-teismu-sprendimai-seja-abejones-ar-bylos-sprendziamos-teisingai/>.

12. Davies, A. 2019. “The effect of new technology on the legal sector.” *Legal Futures*, October 8, 2019. <https://www.legalfutures.co.uk/blog/the-effect-of-new-technology-on-the-legal-sector>.
13. European Commission. 2010. “EUROPE 2020: A strategy for smart, sustainable and inclusive growth. EK (2010). Brussels, 3.3.2010, COM (2010) 2020 final. <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52010DC2020>.
14. European Court of Auditors. 2024. *The Rule of Law in the EU: An improved framework to protect the EU’s financial interests, but risks remain*. <https://www.eca.europa.eu/en/publications/sr-2024-03>.
15. Gražulevičiūtė v. Lithuania, Judgment of 14 December 2021, Application No. 53176/17. ECLI: CE:ECHR:2021:1214JUD005317617. <https://hudoc.echr.coe.int/eng?i=001-213901>.
16. Gudavičius, S. 2017. “EBPO: gerus įstatymus dar reikia tinkamai įgyvendinti” [OECD: good laws still need to be properly implemented]. *Verslo žinios*, December 27, 2017. <https://www.vz.lt/verslo-aplinka/2017/12/27/ebpo-gerus-istatymus-dar-reikia-tinkamai-igyvendinti>.
17. Kavoliūnaitė-Ragauskienė, E. 2012. “Viešosios šeimos politikos kūrimo ir įgyvendinimo problemos Lietuvoje” [Problems of development and implementation of public family policy in Lithuania]. *Teisės problemos* 75 (1): 5–65.
18. Lithuanian Supreme Court. 2023. *Lietuvos Aukščiausiojo Teismo praktikos apžvalga* [Review of the practice of the Supreme Court of Lithuania]. March 2023. https://www.lat.lt/data/public/uploads/2023/04/lat_aktuali_praktika_kovas_2023.pdf.
19. LLRI [Lietuvos laisvosios rinkos institutas]. 2022. *Teisėkūros kokybės link. Ciklinės teisėkūros modelio diegimas* [Towards Legislative Quality. Implementing the Cyclical Legislative Model]. <https://www.llri.lt/naujienos/ekonomine-politika/teisekura/leidinys-teisekuros-kokybes-link-ciklines-teisekuros-modelio-diegimas/lrinka>.
20. Murauskas, D. 2011. “Teisinės valstybės principas. Sampratos paieškos doktrinoje” [The Principle of the State under the Rule of Law: Search for the Conception in the Doctrine]. *Teisė* 78: 168–181. <https://www.journals.vu.lt/teise/article/view/182/144>
21. Nakrošis, V. 2017. “Pasitikėjimas Lietuvos valstybės ir savivaldybių institucijomis ir įstaigomis: makrolygmens analizė” [Trust in Lithuanian State and Municipal Institutions and Bodies: A Macro-level Analysis]. In *Pasitikėjimas valstybe: prielaidos, iššūkiai, sprendimai* [Trusting the State: Preconditions, Challenges, Solutions], R. Bakutis, D. Dranseika, L. Gudžinskas, V. Kuokštis, K. Malūkaitė, V. Nakrošis, 95–144. Vilnius: Vilniaus universiteto leidykla.
22. OECD. 2015. *Reviews of Regulatory Reform. Regulatory Policy in Lithuania*. Paris: OECD Publishing. https://www.oecd-ilibrary.org/governance/regulatory-policy-in-lithuania_9789264239340-en
23. OECD. 2019. *Better Regulation Practices across the European Union*. Paris: OECD Publishing. <https://doi.org/10.1787/9789264311732-en>.

24. PVI [Pilietinės visuomenės institutas]. 2015. *Valdžios ir nevyriausybinio sektorių bendradarbiavimo viešosios politikos sprendimų priėmimo procese stiprinimas* [Strengthening Cooperation between Government and Non-Governmental Sectors in Public Policy Decision-Making]. https://www.civitas.lt/wp-content/uploads/2015/08/VRM-tyrimo-ataskaita_final.pdf.
25. RADA for EUROPE. 2018. *End to End Legislative Process: Some International Examples of Good Practice*. UNDP. <https://www.undp.org/ukraine/publications/end-end-legislative-process-some-international-examples-good-practice>.
26. Raipa, A. 2002. “Viešoji politika ir viešasis administravimas: raida, struktūra ir sąveika” [Public Policy and Public Administration: Development, Structure and Reciprocity]. *Viešoji politika ir administravimas*, No. 1: 11–20.
27. Strata. 2021. *Numatomo teisinio reguliavimo poveikio vertinimo praktikos Lietuvoje vertinimas* [An Assessment of the Practice of Impact Assessment in Lithuania]. <https://strata.gov.lt/wp-content/uploads/2024/01/20211004-PV-praktikos-Lietuvoje-vertinimas-1.pdf>.
28. Singapore Law Watch. n.d. “Ch. 01 The Singapore Legal System.” Accessed on May 13, 2024. <https://www.singaporelawwatch.sg/About-Singapore-Law/Overview/ch-01-the-singapore-legal-system>.
29. SG Courts. 2022. “New Legislation to enhance Intellectual Property Dispute Resolution.” SG Courts, April 5, 2022. <https://www.judiciary.gov.sg/news-and-resources/news/news-details/new-legislation-to-enhance-intellectual-property-dispute-resolution>.
30. Tarvydas v. Lithuania, Judgement of 23 November 2021, Application No. 36098/19. ECLI: CE: ECHR:2021:1123JUD003609819. <https://hudoc.echr.coe.int/eng?i=001-213372>.
31. UNESCO. 2019. “How education can strengthen the rule of law.” February 17, 2019. <https://www.unesco.org/en/articles/how-education-can-strengthen-rule-law>.
32. UNESCO. 2020. *Global Education Monitoring Report 2020. Inclusion and education: all means all*. Paris: UNESCO. <https://doi.org/10.54676/JJNK6989>.
33. Valstybės kontrolė. 2024. *Teisinio reguliavimo poveikio vertinimo sistema* [Regulatory impact assessment framework]. <https://www.valstybeskontrolė.lt/LT/Product/24233>.

Vainius Smalskys, Viktorija Girinskienė

SKAIDRIOS TEISINĖS SISTEMOS BŪTINYBĖS VERTINIMAS TVARIOS VALSTYBĖS KONTEKSTE

Anotacija. Aiškus ir vienareikšmiškai suprantamas teisėkūros procesas skatina piliečių pasitikėjimą teisingumo sistema ir valstybės institucijomis, mažina korupciją ir didina teisinio saugumo jausmą. Be to, vienareikšmiškai suprantami įstatymai padeda sumažinti teisinių ginčų skaičių, nes kyla mažiau neaiškumų dėl įstatymų aiškinimo. Tvari valstybė, kurioje skaidriai ir efektyviai veikia teisinė sistema, sugeba greitai reaguoti į socialinius, ekonominius ir aplinkosaugos iššūkius, užtikrinti visapusę savo piliečių gerovę ir stabilumą. Ši tema apima kelias pagrindines sritis: teisinio tikrumo principą, piliečių teisių ir laisvių apsaugą, ekonomikos plėtrą, teisėkūros proceso skaidrumą ir teisės aiškinimo bei taikymo vienodumą. Vienareikšmiškai suprantamų įstatymų egzistavimas šalyje yra sudėtingas procesas, kurį veikia daug veiksnių. Įstatymai yra svarbiausias bet kurios valstybės veikimo pagrindas. Jais nustatomos taisyklės, pagal kurias gyvena ir veikia visuomenė, jie taip pat užtikrina, kad ši veikla būtų skaidri, teisinga ir nuosekli. Šio straipsnio tikslas – paaiškinti, kodėl vienareikšmiškai suprantami įstatymai yra tvarios valstybės pamatas.

Dr. Vainius Smalskys, professor at the Faculty of Public Management and Business at the Institute of Public Administration at Mykolas Romeris University, Vilnius, Lithuania.
E-mail: vainius.smalskys@gmail.com

Viktorija Girinskienė, head of the Scholarship and Financial Support Division at the State Studies Foundation, Vilnius, Lithuania.
E-mail: viktorija.girinskiene@vsf.lt

Vainius Smalskys, mokslų daktaras, Mykolo Romerio universiteto Viešojo valdymo ir verslo fakulteto Viešojo administravimo instituto profesorius, Vilnius, Lietuva.
E. paštas vainius.smalskys@gmail.com

Viktorija Girinskienė, Valstybinio studijų fondo Stipendijų ir finansinės paramos skyriaus vedėja, Vilnius, Lietuva.
E. paštas viktorija.girinskiene@vsf.lt

