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CONCEPT OF PUBLIC ADMINISTRATION IN THE CONDITIONS OF THE FORMATION OF THE PUBLIC-SERVICE STATE

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The article is devoted to the problem of forming an updated concept of public administration in the conditions of the formation of a public service state in Ukraine.

The article analyzes the main prerequisites for the formation of the updated concept of public administration, the historical aspects of the birth of the relevant ideology, the formation of a philosophical and scientific idea regarding the terminological outline of the relevant concepts dedicated to the improvement of management processes in the state.

Special attention is paid to the process of debureaucratization of management processes, strengthening of their flexibility, result-orientedness, involvement of the public in them.

It is noted that the updated concept of public administration is being formed in the conditions of the formation of a public-service state in Ukraine and the establishment of “people-centrism” as a new philosophy of administrative-legal relations and interaction between the state and its citizens.

It has been found that the establishment of “people-centeredness” as a new philosophy of administrative-legal relations and public management presupposes the predominance of the interests of man and society over the interests of the state.

Special attention is devoted to the peculiarities of the normative and legal framework of modern public administration, to the search for ways to transform modern legislation in this area. It was found that the ideas of digitalization of the process of providing administrative services, creation of a single state web portal for their provision, rationalization and minimization of the list of documents and procedures used to obtain administrative services became important ideas enshrined in the current legislation of Ukraine.

The role of the Ministry of Digital Transformation of Ukraine in the process of forming the updated concept of public administration in Ukraine is characterized.

The importance of further work on the implementation of the “Digital State” project, which is actively implemented through the convenient online system “Action”, was emphasized. Among the effective tools, the approval of which requires further support from

the state, the services for providing electronic permit documents through the “Diya” portal, the electronic court system, electronic voting, etc., are mentioned.

Keywords: public management; public management bodies; concept of public management; public service state; people-centeredness; public service activity.

Formulation of the problem. The transformation of management processes in our country takes place under the influence of the priorities of the formation of a public-service state and depends on the socially accepted concept of public management in Ukraine. Today, the formation of an updated concept of public administration in the conditions of the formation of a public service state is particularly relevant. It remains extremely important to introduce the principles of people-centeredness into public life, the “service” of the state to its citizens, the combination of centralism and decentralism in the field of public management, informatization and digitalization of management processes, the establishment of electronic communication between the state and citizens, the correlation of management decisions with the results of feedback from public bodies governance with citizens, ensuring the priority of national security in conditions of war, countering cyber threats. The organization of these processes requires the formation of a scientific basis that would allow taking into account the basic needs of society, the risks associated with its implementation.

Analysis of the study of the problem. The problems of forming an updated concept of public administration in the conditions of the formation of a public-service state in Ukraine still remain outside the attention of the scientific community. Certain aspects of public administration and the formation of a public service state were the subject of research by such scientists as V. Averyanov, V. Berezhny, O. Bosak, V. Derets, I. Lychenko, L. Prokopenko, O. Tsyganov, A. Shkolyk and other. In the future, a comprehensive study of the main goals of the formation of the updated concept of public administration in the conditions of the formation of a public-service state in Ukraine and the problems associated with their implementation remains relevant.

The aim is a scientific analysis of the main aspects of the formation of an updated concept of public administration in the conditions of the formation of a public service state in Ukraine.

Presenting main material. The formation of the concept of public administration in Ukraine is a continuation of global trends in this area. The systematic approach to the identification of public administration was first tested in 1887 by the American scientist V. Wilson, who emphasized the importance of the administrative element of state activity.

Subsequently, in foreign literature, an explanation of this term was proposed through a terminological outline of the way to obtain the resources needed to achieve the most important goal of state policy in the best way [1, p. 15], or the spheres of theory and practice regarding the internal functioning of state institutions in order to solve management issues related to control, organizational and information support, planning, personnel support, and performance evaluation [2].

Such a variety of approaches of foreign scientists regarding the explanation of the content of the category “public administration” is a reflection of different concepts of public administration that were established in the world at the end of the 20th and the beginning of the 21st centuries.

Among the most widespread, we should mention the neo-institutional theory, the concept of the “activating state”, the theory of political networks, and the concept of “management by results” [3, p. 32–35].

New concepts approved the updated philosophy of management processes in the state. Without delving into the specifics of these concepts, it should be emphasized that the emphasis of their founders was shifted to the search for new resources to solve the problem of increasing the efficiency of management institutions and coordinating their interactions, recognizing the need for public discussion, dialogue between

representatives of society and the state, the importance of the role of the state in solving the problems of their members, focusing on the final result [3, p. 32–35].

The approval of public management as a new form of management in the public sphere is due to the need to shift the emphasis from the implementation of control and supervisory functions to public service activities, to recognize the need to transform management institutions and procedures, to improve their work [4].

Gradually, such priorities were established in legislation, for example, in the Concept of administrative reform in Ukraine, approved by the Decree of the President of Ukraine dated July 22, 1998 No. 810/98.

As noted by domestic authors, there was a reorientation of the management mechanism, replacement of its component motivational basis, in particular, gradually the principle of “command and control” was replaced by “motivate and get results” [5, p. 77–78].

As rightly noted by I. Lychenko and M. Minenko, the usual methods of management also changed, they became more flexible, procedures began to become less bureaucratized, and more oriented to the result, to the stable provision of high-quality service to members of society, the provision of high-quality public services [6, p. 179].

The updated concept of public administration is being formed in the conditions of the formation of a public-service state in Ukraine and the establishment of “people-centeredness” as a new philosophy of administrative-legal relations and interaction between the state and its citizens.

In recent years, scholars have actively supported the concept of a “people-centered” orientation of administrative law, formed in opposition to the concept of serving the interests of the state apparatus, state-centrism and paternalism, traditional for the Soviet period. This doctrine, according to domestic scientists, should be based on the defining focus of administrative law and the entire state apparatus on the establishment, provision, and protection of human rights, subordinating all state institutions and management procedures to them. Guaranteeing the realization of human rights should become the main duty of the state [7, p. 239].

For the first time, V. Averyanov wrote about the idea of “people-centeredness”, insisting that it is based on the potential of state and non-state institutions for the formation and implementation of legal rights of citizens in administrative relations with them [7, p. 239].

The establishment of “people-centeredness” as a new philosophy of administrative-legal relations and public management presupposes the predominance of the interests of man and society over the interests of the state. At the same time, priority is given not so much to the application of administrative and legal means of restoring violated rights and punishing the guilty, but to the formation of preventive procedures, a mechanism for the implementation of positive management actions and the implementation of clear management procedures for the realization of human rights, appropriate conditions for meeting the needs of people through public management procedures, general functioning of public legal institutions regarding the provision of administrative and legal services [8, p. 18–24].

The establishment of people-centrism as a new ideology of administrative-management relations in the state involves not only clear regulation of legal personality and mechanisms for the implementation of the functions of subjects of public service powers, but also the establishment of a clear system of control mechanisms on the part of the public and judicial authorities.

The establishment of “people-centeredness” is closely related to the implementation of public service activities of state and non-state institutions and the state in general.

The public-service orientation of the state’s activity is based on the “new public management” doctrine, which was introduced in Europe. It became quite widespread in Great Britain, the USA, Sweden and Finland in the 80s of the last century. It was based on the principle of “service” and new priorities of relations between the state and its citizens, the principle of evaluating the effectiveness of the state depending on the satisfaction of citizens’ expectations [9, p. 33].

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The principle of serving the people involves the transformation of the post-Soviet system of public administration based on new value orientations of “serving one’s people”.

The new priorities of relations between the state and its citizens provide for the improvement of information and communication processes that arise between the subjects of public administration and the citizens of our state, the development of the sphere of public services, the updating of information support for these processes, the development of a flexible response to society’s requests, and, at the same time, the simplification administrative and management procedures, improving public access to them, debureaucratization and decentralization of management processes.

Within the framework of public service activities, public management bodies provide administrative services, in particular permit and license, registration and others, consider and resolve individual appeals of individuals and legal entities, their complaints, promote the realization and protection of their legal rights, make individual binding decisions in within the framework of matters of a public nature, etc. [7, p. 239].

Among the regulatory and legal basis of modern public administration, the Laws of Ukraine “On Administrative Services” dated September 6, 2012 N 5203-VI, “On the Permit System in the Field of Economic Activities” dated September 6, 2005 No. 2806-IV, the Decree of the President of Ukraine “On some measures to improve the access of individuals and legal entities to electronic services” of July 29, 2019 No. 558, Regulation on the Unified State Web Portal of Electronic Services, approved by the Resolution of the Cabinet of Ministers of Ukraine of December 4, 2019 No. 1137, Procedure for publishing information on the Internet on the activities of executive authorities, approved by Resolution No. 3 of the Cabinet of Ministers of Ukraine dated January 4, 2002, and the Procedure for the Integration of Information Systems of State Bodies and Local Self-Government Bodies into the Unified State Portal of Administrative Services, approved by the Order of the Ministry of Economic Development and Trade of Ukraine, the Ministry of Regional Development, of construction and housing and communal services of Ukraine September 8, 2016 No. 1501/248.

These legal acts set the course for digitalization of the process of providing administrative services, creation of a single state web portal for their provision, rationalization and minimization of the list of documents and procedures used to obtain administrative services.

An important stage in the simplification of public administration procedures was the creation of a system of Centers for the provision of administrative services operating on the principle of a “single window”.

Since 2013, they have been operating on the basis of the Law of Ukraine “On Administrative Services” dated September 6, 2012 No. 5203-VI as permanent bodies or structural subdivisions of local self-government bodies or local state administration, which are authorized by law to provide administrative services to subjects appeal.

They provide a wide range of administrative services within the framework of the implementation of the general functions of state administrations and local self-government bodies, in particular with regard to issuing passport documents, carrying out registration activities for business entities, registration actions, actions in the field of architecture and urban planning, state registration of ownership of real estate, registration of activities in the field of land management, in the social field, etc.

The process of their transformation into new formations (“Action Centers”) with the expansion of advisory services in the field of online public administration platforms is ongoing. Visitors are given access to updated services of administrative services, consultations regarding online services, in particular regarding business (Action. Business). Also, such centers have additional powers to provide free legal assistance, provide postal and banking services, pay for utility services, etc. [10].

Coordinating activities regarding the implementation of e-governance are implemented by the Ministry of Digital Transformation of Ukraine, which was established in Ukraine in 2019. This state institution is responsible for the formation and implementation of state policy regarding digitalization, digital economy, and digital innovations. The efforts of this body are also devoted to the improvement of the electronic

government system, the development of national information resources and document circulation, electronic democracy, and the formation of an information society in our country [11].

Among the important tasks of this institution, it should be noted the formation and adjustment of systems of electronic interaction of public administration bodies, a single state web portal of electronic services, an integrated system of electronic identification, an online platform for the interaction of executive authorities with citizens and institutions of civil society etc. [11].

Online petitions have become an important tool of online communication between public administration bodies and citizens, with the help of which feedback is implemented, authorities are able to identify issues important to citizens and make balanced decisions of an administrative nature, to solve an urgent problem.

In 2015, amendments were made to the Law of Ukraine “On Appeals of Citizens” in order to regulate the application of petitions in Ukraine. As a result, the tools of interaction between public administration bodies and the public were expanded, and citizens were given the right to submit electronic petitions to the President of Ukraine, the Verkhovna Rada, the Cabinet of Ministers, and local self-government bodies.

Today, electronic petitions are used at the state and local levels.

Communication can be made through the official website of the bodies concerned by the petition or the website of the public association implementing this petition.

This means of e-democracy provides for a clear recording of the start date of the survey and the list of persons who participated in it. At the same time, the content of the petitions should not refer to calls for the overthrow of the constitutional system of Ukraine, violation of the territorial integrity of our state or the implementation of terrorist acts, promote war, violence, cruelty, etc.

The state envisaged the implementation of a number of comprehensive measures related to the optimization of the procedure for providing administrative services, the implementation of the phased implementation of the electronic services system, the creation of a unified information and telecommunications infrastructure in the field of administration of important spheres of social life, and increasing the ability of members of society to receive electronic services.

Among the effective tools, the approval of which has already started, we should mention services for providing electronic permit documents through the Diya portal, electronic court systems, electronic voting etc.

The “Digital State” project is actively implemented through the convenient online system “Diya”. Already with the help of the online system “Diya” and the corresponding mobile application, electronic administrative services are available for automatic registration of the FOP and its closure, ordering an individual number plate, state registration of rights to real estate, issuing a construction passport, extracts from the EDR, about a land plot, about criminal record, place of residence, marriage and its dissolution, name change, death. We also provide a wide range of services related to declaration (declaration of the payer of a single tax, declaration of waste, on the readiness of the facility for operation based on the building passport), licensing (license for fire-fighting activities, for the production of medicines, for their import, for road transport services, for sale of medicines) etc.

Quite often, electronic platforms and applications make it possible to collect information about various types of damage caused to the state or individual citizens. Among them are information portals for collecting information about environmental crimes committed in connection with military operations (application at the link: <https://shtab.gov.ua>). With this application, citizens can report environmental damage caused by the military actions of an aggressor country.

The official web resource and mobile application of the Ministry of Environment EcoZagroza allows you to collect information about the state of natural resources, data from monitoring systems and information about radiation pollution in our state and other environmental information, and display the collected information on an interactive map of the country.

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It seems appropriate to further expand the capabilities of state online platforms for the provision of administrative services and communication of the state with citizens using electronic services, to modernize web portals for the provision of administrative services and increase their number, and at the same time to strengthen work on ensuring their security, confidentiality of work with personal data, improving the interfaces for the provision of electronic services, popularizing electronic services and expanding the information campaign regarding their popularization through the preparation of relevant video materials and informational messages.

Informatization and digitization of the sphere of provision of administrative services provides time savings, mobility and competitiveness to their consumers, reduction of costs for maintaining the apparatus of the public administration body, transparency, accessibility and effectiveness of public administration and security and protection of personal data of consumers of administrative services.

The priorities in the field of providing electronic services should be the definition of uniform standards to ensure free public access to them, the fixation of unified administrative procedures for activities in this field and assessment of its quality [12, p. 73].

In the conditions of digitization of the sphere of public service provision, the issue of ensuring information security has become extremely important.

Informatization of management processes is extremely necessary to ensure the innovative development of society, strengthening public control over management activities in the state, establishing clear mechanisms for the administration of important areas of public management, ensuring the proportionality of the quality of public services and the money paid by taxpayers to obtain them, guaranteeing the quality of public functioning – service institutions in the state.

However, as noted by domestic authors, the processes of informatization and digitalization of public management processes in the aspect of conducting military operations in Ukraine have their own characteristics [13, p. 19]. Services and platforms used by the state to provide public legal services are subject to cyber attacks, information resources of public administration bodies are under constant threat.

It is important for the state to counter cyber threats, improve the quality of the software used by the state to administer the sphere of public administration and provide administrative services in an online format, work to identify sources of threats, and strengthen legal responsibility for actions that can harm consumers of public legal services, hinder the provision of high-quality digital public and legal services, harm the activities of public administration bodies in the information space [14, p. 81].

Changes in the field of public administration during the war should not contribute to the deterioration of its quality and rejection of digitalization of management processes.

The answer to the challenges should be the further improvement of the system of providing electronic services, the optimization of the administration procedures of important spheres of managerial influence, the search for a perfect model of the combination of centralism and decentralism regarding the delimitation of the competence of management institutions, the formation of a new model of relations with the public (expanding the sphere of citizen involvement in the processes of social life, volunteering).

It is time to expand the communication links of judicial bodies and public administration bodies in the conditions of digital transformation of the state.

Already from 2023, in the Diya application, you can receive informational messages about court sessions in which a person is a party to the case, court decisions.

The concept of public administration in the conditions of the formation of a public-service state is a system of a socially accepted model of implementation in the state of the organizing and regulatory influence of state institutions on various spheres of social relations in order to organize them and achieve the strategic tasks of state bodies, ensuring the implementation and protection of rights, freedoms and legitimate interests citizens.

Conclusions. The process of informatization and digitization of the sphere of public administration has not yet been completed. The expansion of the state's practical steps towards the implementation of the

main tasks of the National Informatization Program, defined by the Law of Ukraine “On the National Informatization Program”, remains relevant. It is time to use information and communication technologies in the field of public and legal relations, to introduce new mechanisms of electronic governance and electronic democracy, and the system of state information resources. The state should continue to expand the approval of information and communication technologies, electronic public services, promote the expansion of the use of electronic document circulation mechanisms in the system of public administration, information and analytical support of state institutions.

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КОНЦЕПЦІЯ ПУБЛІЧНОГО УПРАВЛІННЯ В УМОВАХ ФОРМУВАННЯ ПУБЛІЧНО-СЕРВІСНОЇ ДЕРЖАВИ

Стаття присвячена проблемі формування оновленої концепції публічного управління в умовах формування публічно-сервісної держави в Україні.

У статті проаналізовано основні передумови формування оновленої концепції публічного управління, історичні аспекти зародження відповідної ідеології, формування філософської та наукової ідеї щодо термінологічного окреслення відповідних концепцій, присвячених удосконаленню управлінських процесів у державі.

Особливу увагу надано процесу дебюрократизації управлінських процесів, посилення їх гнучкості, орієнтованості на результат, залучення до них громадськості.

Відзначено, що оновлена концепція публічного управління формується в умовах становлення публічно-сервісної держави в Україні та утвердження “людиноцентризму” як нової філософії адміністративно-правових відносин та взаємодії держави і її громадян.

З’ясовано, що утвердження “людиноцентризму” як нової філософії адміністративно-правових відносин та публічного управління передбачає превалювання інтересів людини і суспільства над інтересами держави.

Особливу увагу присвячено особливостям нормативно-правової основи сучасного публічного управління, пошуку шляхів трансформації сучасного законодавства у цій сфері. З’ясовано, що важливими ідеями, закріпленими у чинному законодавстві України, стали ідеї діджиталізації процесу надання адміністративних послуг, створення єдиного державного веб-порталу щодо їх надання, раціоналізації й мінімізації переліку документів та процедур, які застосовуються задля отримання адміністративних послуг.

Охарактеризовано роль Міністерства цифрової трансформації України у процесі формування оновленої концепції публічного управління в Україні.

Наголошено на важливості подальшої роботи щодо впровадження проєкту “Цифрова держава”, що активно реалізується через зручну онлайн-систему “Дія”. Серед дієвих інструментів, апробація яких потребує подальшої підтримки держави, згадано послуги з надання електронних дозвільних документів через портал “Дія”, систему електронний суд, електронне голосування, тощо.

Ключові слова: публічне управління; органи публічного управління; концепція публічного управління; публічно-сервісна держава; людиноцентризм; публічно-сервісна діяльність.