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## Public Administration as a Form of Realization of Public Authority

### Публічне адміністрування як форма реалізації публічної влади

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#### Abstract

The purpose of the article is to determine the content and features of public administration as one of the forms of realization of public authority. The subject of the research is social relations that arise, develop and terminate during public administration as one of the forms of realization of public authority.

The following methods of scientific cognition were used during the writing of the article: dialectical, formal-legal and analytical.

The article is devoted to the definition and analysis of the features of public administration as a form of realization of public authority. The level of impact of effective administration by spheres of public life on quality of functioning of the country as a whole is established during the research. The analysis of historical stages of development of the field of public administration is carried out. A well-known thesis in the scientific community that public administration should be defined as an integral part of both political science and management (management science) is analyzed in great detail. The importance to study the key issues related to public administration was emphasized. A comparative analysis of existing systems of public administration as a basis for the functioning of state power and local self-government is carried out. According to the

#### Анотація

Метою статті є визначення змісту та особливостей публічного адміністрування як однієї з форм реалізації публічної влади. Предмет дослідження становлять суспільні відносини, що виникають, розвиваються та припиняються під час публічного адміністрування як однієї з форм реалізації публічної влади.

Під час написання статті використано наступні методи наукового пізнання: діалектичний, формально-юридичний та аналітичний.

Статтю присвячено визначенню та аналізу особливостей публічного адміністрування як форми реалізації публічної влади. У ході дослідження встановлюється рівень впливу ефективного адміністрування сферами суспільного життя на якість функціонування країни в цілому. Здійснюється аналіз історичних етапів розвитку галузі публічного управління. Деталізованому аналізу піддано загальновідомий в науковому середовищі тезис про те, що публічне адміністрування варто визначати в якості невід'ємної складової як політичної науки (політології), так і менеджменту (науки про управління). Наголошено на важливості вивчення ключових питань, які мають відношення до публічного адміністрування. Проведено порівняльний аналіз існуючих систем публічного

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results of the research, the important factors that impact the effectiveness of public administration are identified in the conclusions. The need to take into account the European experience of public administration and administration of State authority was also emphasized.

**Key words:** public administration, effective functioning, public governance, State authority, realization of public authority, political system, state bodies, international experience.

## Introduction

The study of current trends in the development of public administration by the state and local affairs is rather popular direction of the analysis of modern scientific community. It is marked by the fact that this direction is a direct consequence of the fact that the subtleties and specific features of public administration considered in this article are a peculiar way to understand the essence of the administrative sphere in general.

Experts from the administrative sphere, as well as other fields related to public administration, note that the system of public administration is characterized by constant dynamics and improvement of processes of functioning. That's why absolute cognition of the administrative sphere is not possible, and researchers in this field can only analyze its basic regularities and trends in order to record and study its further changes timely. In terms of development of public legal relations it will allow to offer new methods and forms of public administration.

Moreover, depending on how well the governing bodies (politicians and other managers) will carry out their direct responsibilities for public administration, the level of their ability in the sphere of realization of public authority will become known. After all, at present, when any public activity, including administration, is under intense scrutiny of society, the realization of inefficient administration can cause significant harm to a particular political or social class or even the whole state. That is why, in our opinion, the leadership of the country will be able to exercise fully its public authority only if an effective administrative strategy and means of its implementation are chosen.

The above factors emphasize the real importance of the issue raised in the article, and hence the

адміністрування як основи функціонування державної влади та місцевого самоврядування. За результатами проведеного дослідження у висновках виокремлені важливі чинники, які впливають на ефективність публічного адміністрування. Також наголошено на необхідності врахування європейського досвіду публічного адміністрування та управління державною владою.

**Ключові слова:** публічне адміністрування, ефективне функціонування, публічне управління, державна влада, реалізація публічної влади, політична система, державні органи, міжнародний досвід.

need to rethink the established approaches to public administration as a form of public authority.

Thus, *the purpose of the article* is to determine the content and peculiarities of public administration as one of the forms of realization of public authority.

## Theoretical framework

It should be emphasized that the search for a concept of public administration universal in its effectiveness is a key to a successful model of public administration. That is why numerous experts from those scientific fields that are in some way connected to the administrative sphere have joined the study of this issue.

It should be emphasized, that numerous scientific papers and publications are the final results of the research activity of scientists who have considered topical forms of realization of public authority. Scientists have studied the historical trends of formation and evolutionary improvement of forms of public administration, as well as identified current methods and forms of implementation of public authority and more in their research.

There is general agreement that the most authoritative among such scientific works are the publications of such scientists as Bakumenko V. D., Nadolishnoho P. I. (2009), Baranov P., Mamamychev A., Danilyan O., Oleynikov N., Perevalova L. (2019), Kolesnikova K. O. (2013), Koliushko I., Tymoschuk V. (2006), Kolodii A. F., Bunyk M. Z., Petrovskyi P. M. (2011), Lazor O. Y., Lazor O. D. (2015), Martynenko V. M. (2010), Meltiukhova N. M.

(2010), Naumov S. Y. (2011), Zagorskyi V. S., Lipentsev A. V. (2008), Zavarzina G., Dankova T., Demidkina E., Grigorenko O. (2020). At the same time, constant changes in the political and social life of the country require constant revision of the forms and methods of public administration, which is one of the forms of realization of public authority, which, unfortunately, is currently going through difficult times. After all, there has been a negative trend recently, the essence of which is that government positions are occupied by incompetent individuals, which can lead to the destruction of certain institutions that ensure the viability of the state.

### Methodology

Methods and techniques of scientific knowledge, which are currently used in research, are the methodological basis of the article. In order to achieve the goal of the article author's work combined general scientific and special methods. All methods are used in interconnection and complementarity.

Thus, the essence of the concept of "public administration" was revealed with the help of the dialectical method. The use of this scientific method is important because, first of all, modern research is based on a clear understanding of the conceptual apparatus.

In turn, the formal-legal method was used in the study of scientific sources on the issue of public administration. It is through the analysis of various scientific points of view regarding the understanding of public administration and public management, the authors were able to rethink the issue raised in the article.

The analytical method is used in the analysis and substantiation of some theoretical author's positions, for example, that in identifying the factors that impact the effectiveness of public administration.

Scientific works of specialists in the field of public administration, administrative law and other branches of legal sciences were the scientific and theoretical basis of the article.

### Results and discussion

At the beginning of the 21st century, special scientific works devoted to the study of innovative processes in the terminology of public administration appeared. It was due to the expression of special interest in the field of

public administration because of the realization of its importance for the functioning of modern society (Zavarzina, Dankova, Demidkina, & Grigorenko, 2020, p. 339).

In modern research practice, we have, strange as it may seem, a very significant gap, and sometimes a contradiction between the conceptual field of the concept "power" and the theories of state power. Thus, almost all the sciences concern the phenomenon of power, one way or another connected with society, and fundamentally investigates state power in its political and legal dimension, as a rule, within the framework of legal discourse. In the political science system of knowledge mainly studies the essential foundations, systemic signs, and so on, and above all, political power. And quite rarely there is a comprehensive consideration of state power. In the overwhelming majority of studies, state power is considered as one of the types of political power, without due consideration of the essence of this phenomenon itself (Baranov, Mamamychev, Danilyan, Oleynikov & Perevalova, 2019).

The term "public administration" came from the law and practice of foreign countries. According to the UN glossary, public administration has a lot of definitions. According to some authors, public administration is a centralized organization of implementation of government policies and programs, as well as coordination of personnel management. Other experts in the field of public administration consider that public administration is connected with the implementation of laws and other norms adopted by the legislative bodies of the state. Others argue that public administration is used in management, political and legal theory and is a procedure in the implementation of the legislative, executive and judicial branches of government in order to implement state regulation and provide services to the public (Kolesnikova, 2013, p. 42).

In the United Nations dictionary, the term "*administration*" is interpreted as (UN Public Administration Glossary; Lazor, 2015):

- 1) the management and direction of the affairs of governments and institutions;
- 2) a collective term for all policy making officials of a government;
- 3) the execution and implementation of public policy;
- 4) the time in office of a chief executive such as a president, governor, or mayor;

- 5) the supervision of the estate of a dead person to pay taxes and assign assets to heirs

In the scientific literature, the concept of "public administration" is interpreted in two meanings – broad and narrow. Thus, in a broad meaning, public administration is understood as the whole system of administrative institutions with a hierarchy of power, through which the responsibility for the implementation of state decisions provides from the top down. Thus, public administration is a coordinated group action on public affairs, which: related to the three branches of government (legislative, executive and judicial; are important in the development of public policy; are part of the political process; significantly different from private sector administration; connected with numerous private groups and individuals working in different companies and communities). In a narrow meaning, public administration is related to the executive branch and is seen as: the professional activity of civil servants, which includes all activities aimed at the implementation of government decisions; studying, development and implementation of government policy (Meltiukhova, 2010, p. 4).

The public administration is understood as “the political and administrative activities of a special, professionally prepared group of people that is realized on the basis of legislative and regulatory documents and aimed at ensuring the constitutional rights and duties of citizens and providing them with public services” (Naumov, 2011).

As V. Martynenko (2010, p. 20-21) noted, public administration is a form of implementation of public management, which representative bodies of democratic government carry out through their executive structures. Thus, the use of "public" means something which belongs to the executive branch, local government and so on. In this regard, it can be argued that public administration is an integral part of public management, the goal of which is the development of the State in all its spheres. In our opinion, this area of state activity should be carried out exclusively with the use of effective new methods and technologies of management. That is why we support the claims of those scholars who note that public administration is a set of state and non-state structures and authorized persons who carry out public governance and administration. Public administration includes executive bodies, administrative apparatus and executive bodies of local self-government (Kolodii, Bunyk,

Petrovskiy, 2011; 1 Bakumenko, Nadolishnoho, 2009).

At present, the efficiency of the state's executive institutions has always been an indicator of its viability. The ability of government officials to guide human action is based on the quality of their interaction with them. In order to do this, it is necessary that the population of a state be interested in electing the appropriate authorities as their leaders, as well as implementing their orders. The basis of this "interest" is a mutually beneficial relationship between the actual population of the state, which has the right to choose authority for themselves, and political elites who compete with each other for the right to be elected by the population (Zagorskiy, Lipentsev, 2008).

The high level of competition between political circles for the right to be representatives of the ruling elite is considered a rather positive component for both the government and the state system as a whole. This statement is based on the fact that multilevel and continuous competition between governance actors allows the system to improve constantly. This process is due to the active improvement of the subjects of their activity by increasing their own efficiency in work.

In addition to the institution of competition, different modern means of management play an important role in maintaining the effectiveness of the management system. These include the issuance of certain orders and instructions by authorized entities, the provision of administrative services to individuals and legal entities, the implementation of control and supervision activities, the appointment of industry inspections, dealing with complaints, etc.

It is worth noting that the basis for the functioning of any management policy or strategy is certain regulations governing relations in this area. They can perform a number of functions, namely to establish permanent and temporary legal norms, as well as to regulate the application of these norms, i.e. to ensure their practical implementation. To the direct functionality of regulations should be added their role in the conclusion and further regulation of administrative treaties. After all, as it is now known, no treaty can be concluded if the content of this treaty (at least one of its clauses) contradicts the current legislation of Ukraine (Koliushko, Tymoschuk, 2006).

The role of the public administration system in the implementation of legally significant actions (for example, registration) should also be highlighted. Such processes are carried out exclusively in full compliance with the requirements of current legislation and bylaws (orders, instructions, resolutions), which are actually the basis of public administration.

In the form of specific examples of legal acts on the basis of which the sphere of public administration operates in Ukraine, the provisions of Articles 85, 106 and 117 of the Constitution of Ukraine (28 June 1996), as well as the Laws of Ukraine "On the Cabinet of Ministers of Ukraine" (27 February 2014), "On Central Bodies of Executive Power" (17 March 2011) and "On Local Self-Government" (21 May 1997), etc. can be cited. In addition to these "primary" legal acts, there are a number of bylaws issued by central executive bodies. In particular, these are various resolutions and orders of the Cabinet of Ministers of Ukraine, orders of central executive bodies and local self-government. It should be emphasized that in accordance with the requirements of Art. 49 of the Law of Ukraine "On the Cabinet of Ministers of Ukraine" resolutions and orders of the Cabinet of Ministers of Ukraine are binding. At the same time, the main condition for the strict implementation of such acts is that they must be issued solely on the basis of and pursuant to the Constitution and laws of Ukraine, acts of the President of Ukraine, resolutions of the Verkhovna Rada of Ukraine adopted in accordance with the Constitution and laws of Ukraine.

It should be noted that the quality of governance is just the criterion by which all countries of the world can be divided into politically and economically developed and underdeveloped. According to the researchers, the ability of public authorities to effectively and efficiently manage the institution or organization entrusted to them is one of the key indicators of the effectiveness of the entire state system of the country. Other indicators usually include an unprejudiced law enforcement and judicial system, as well as flexible and clear legislation. After all, it is undeniable that the level of security in society, protection of the rights and legitimate interests of the population depend to some extent on the effectiveness and efficiency of modernization of mechanisms of public administration and management of these state bodies.

In order to make the state policy, which is pursued by the authorities, effective and look like

a single, integral mechanism, it must be based on a clear and scientifically sound strategy. This strategy, firstly, should not extend beyond the current legislation, and therefore its key components should arise from the currently existing legal acts. Secondly, the practical implementation of this strategy should be based on the use of the most modern means of management. It should also be added that the means used to implement such strategies must not only be modern, but also must have a kind of authority, i.e. a high level of effectiveness confirmed in practice. In democratic and economically developed Western countries, the existence of a clear strategic plan of action in a particular area is one of the mandatory requirements for candidates for a leadership position.

In the context of the above, it should be noted that the above requirement for candidates for the leadership position is specific for both the public and private sectors. The development and further demonstration of management strategy by governing bodies (politicians and other leaders) are also necessary so that the controlling entities, including the population of the state, can clearly and transparently monitor the steps of their elected officials or appointees. That is, taking the example from public administration, we note that the ability of citizens to openly monitor the actions of government officials, as well as analyze and discuss their activities (both concrete steps and in general), is an important component in ensuring the effective functioning of the government. After all, this allows the society to identify in time managers who demonstrate insufficient performance in their positions, and therefore should be replaced as soon as possible by more professional staff.

It is generally emphasized that the understanding of the governing bodies of their responsibility for their actions is a strong incentive for them to act exclusively within the current legislation. It follows that the so-called "institution of responsibility" is extremely important in the context of proper accountability of leaders, i.e. guarantees that they will try to do everything to ensure that their direct activity is effective and does not contradict current legislation.

Therefore, it can be stated that with the simultaneous impact of such factors as the availability of flexible and modern legal framework, good performance of management of executive bodies and a transparent system that allows monitoring the actions of government officials and making them responsible, the

country will be able to achieve successful development. A similar situation is in a number of economically developed liberal democracies around the world.

From documented historical sources it is known that attempts to improve the system of public administration, i.e. to make it more productive, have taken place in various countries for many centuries. It is logical that such ideas primarily covered the political elite of those countries that had both significant territorial size and large population.

Instead, the political and administrative elite of small states has been able to exist and function successfully in an almost unchanged state for a long time. Of course, as always, there were some exceptions, however, a lot of small state entities did not have an urgent need to improve their own management system constantly. A completely different situation took place in the existence of great States, especially in the so-called "empires".

In this context, it is important to emphasize that the history of the establishment (emergence) of the state, in fact, as well as the history of formation and consolidation of its state system, is of great importance for the analysis and study of its governance system. For example, if we consider the countries that were formed as a merger of a number of previously independent state entities into a single whole, we can immediately identify several of their characteristics that are inherent in the vast majority of them. These include, first of all, their federal state system (each administrative unit has a high level of independence), and the traditions of public administration in such states differ depending on the region. That is, the forms of implementation of public authority in a number of administrative-territorial units of one state may have different nature and essence.

The situation in unitary countries is quite different. Especially in those which are descendants of former empires, i.e. countries that were formed not as a result of voluntary and equal unification of a group of independent states, but as a result of the seizure and absorption of one state by another. In unitary and centralized countries, the model of governance is mostly the same for all corners of the state, regardless of the historical development and traditions of its individual regions. Researchers in this sphere note that in the current context, despite the system of government, most countries have a number of common trends in the field of public

administration (Public Administration Review, 1996).

Such commonality between the governing systems of countries is clearer observed in developed democracies. In particular, among the features that are similar for their management systems, there are tendencies to decentralize the management vertical, the transfer of management authorities to local communities. For example, this consists in allowing local communities to adopt their own budgets, regulate their expenditures and regulate all relations related to their "local" competence. There is also more independence for middle management to be able to make its own decisions.

Thus, public management and administration are types of management activity that have both common and different characteristics. The main difference is that public management is implemented by public figures, making authoritative political decisions, administration is the activity of professional managers (officials, public servants) aimed at preparing and implementing these decisions, and monitors their implementation (Lazor, 2015, p. 119).

### Conclusions

Thus, public administration, as a form of realization of public authority, is the main component in the implementation of management policy. Among other things, it should be emphasized that the effectiveness of public administration in a particular country depends on the impact of several important factors.

The most important elements of effective public administration are:

- 1) flexible and unambiguous legislation;
- 2) clear accountability of managing entities to the non-involved bodies of control and supervision, combined with an effective institution of responsibility;
- 3) active implementation of the latest strategies and means in everyday activity, the effectiveness of which has been confirmed at the international level.

The opportunity to exchange international experience among countries in the implementation of management (administrative) activity is equally important. This is especially necessary for developing countries, and therefore can benefit from the achievements of globalization.

In addition, implementation of positive international management experience is an important factor in the development of public authority in Ukraine, which must be professional, authoritative and stable. Therefore, modernization of mechanisms for transformation of public administration and governance in general should be closely linked to European practice.

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