

## CHAPTER 1

### MODERN TRENDS IN PUBLIC ADMINISTRATION

#### INTERRELATIONS OF COMPETENCES AND FUNCTIONS IN THE PUBLIC SERVICE: THEORETICAL AND METHODOLOGICAL ASPECTS

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**Abstract.** The article analyzed the theoretical and methodological aspects of the interrelationship between the concepts of competencies and functions in the public service. The object of this study is the functions of public administration. The subject of scientific research is the interrelationship between the concepts of competencies and functions in the public service, their interrelationship in the theoretical and methodological aspect of the functioning of the public service. The purpose of this work is to clarify the concepts of competencies and functions in the public service, to classify public administration functions according to different criteries, to generalize the concept of public service competence in the field of public administration, to identify their interrelationships and to develop a methodological basis for the theory of public administration in this context. The article uses the method of generalization to clarify the concepts of competencies and functions of the public service, the method of analysis to identify criteria for classifying the functions of the public service. Synthesis method for the formation of approaches to identifying the interrelationship of competencies and functions in the areas of public administration and public service. The functional-structural methodology was used to identify the links between the functions of public administration and the competencies of subjects of the public service. The concepts of the public service, the subject of the public service, the concept of the competence of the public service in the field of public administration have been analyzed and clarified, their interrelations have been identified. The classification of public administration functions according to certain criteria has been carried out. Interrelations between the concepts of competencies and functions in the field of public administration, in particular, in the public service, are revealed. The ways of development and the possibility of involving methodological, theoretical, organizational-legal, structural-functional and other foundations of public administration based on the problem of the relationship of competencies and functions in the public service are proposed.

**Keywords:** public administration, public service, functions of public service, competence, subject of public service.

**JEL Classification:** H80, H83

**Formulas:** 0; **fig.:** 0; **tabl.:** 0; **bibl.:** 31

**Introduction.** When considering the concept of the function of the public service, it is first of all advisable to focus on the issue of defining the subjects of the public service. After all, it is the activities of the individual components of the public service system - the subjects of the public service - that are aimed at the implementation of public authority and the performance of public functions. The subjects of the implementation of the public service, and hence the performance of the functions of the public service, in different scientific approaches, different concepts are defined. In addition, the practice of serving makes its own adjustments to the definition, changes the status and competence of the subjects.

The previously unresolved part of the general problem in the context of this issue remains the methodological problems of the functioning of competencies and functions in the public service, the differentiation between the concepts of competencies and functions, their interrelationships, and the possibility of application in the practice of public service.

**Literature review.** The problems of the formation and functioning of the functions of the public service, the competencies of the subjects of the public service, including the competence of various institutions in the field of public administration, are disclosed in the works of modern researchers of domestic science - V. Averyanov, E. Afonin, S. Vyrovoy, I. Gritsak, V. Malinovsky, O. Obolensky, G. Sytnik and others; foreign science – V. Parsons, G. Kolbech, A. Smith, J. Mill, V. Dunn, L. Pal, P. Brown and others. The remaining warehouse competencies of the subjects of public administration were taken up by representatives of various foreign scientific schools, and G. Breban, J. Wedel, D. Garner, J. Grimaud, K. Davis, J. Eberbach, K. Eckstein, J. Elder, N. Owen, S. Solon, R. Schaffhauser, J. Chevalier and others. The concept of “competence” was paid attention to by a number of scientists, including V. B. Averyanov, S. S. Alekseeva, I. L. Bachilo, I. A. Gritsyak, V. K. Mamutov, Yu. .O. Tikhomirov and K. F. Sheremeta. A number of normative legal acts relating to the issues of this study are analyzed. In particular, a unified legal definition of the concept of public service in Ukraine is taken as a basis in accordance with the Code of Administrative Procedure of Ukraine (p. 17, art.3) appointed as "public service - duty in state political settlements, with state collegiate bodies, professional duty of judges, prosecutors, military service, alternative (non-military) service, other state service, patronage service in state bodies, service in government bodies of the Autonomous Republic of Crimea, bodies of self-regulation, local governments” [1].

**Aims.** The object of this study is the functions of public administration. The subject of scientific research is the interrelationship between the concepts of competencies and functions in the public service, their interrelationship in the theoretical and methodological aspect of the functioning of the public service. The purpose of this work is to clarify the concepts of competencies and functions in the public service, to classify public administration functions according to different criteries, to generalize the concept of public service competence in the field of public administration, to identify their interrelationships and to develop a methodological basis for the theory of public administration in this context.

**Methods.** The article uses the method of generalization to clarify the concepts of competencies and functions of the public service, the method of analysis to identify criteria for classifying the functions of the public service. Synthesis method for the formation of approaches to identifying the interrelationship of competencies and functions in the areas of public administration and public service. The functional-structural methodology was used to identify the links between the functions of public administration and the competencies of subjects of the public service.

**Results.** The concept of competence refers directly to the participants in the passage of public service, in our case, the subjects of public service. Today, the practice of serving in other states, scientific approaches, the practice of developing civil society point to other, broader definitions of subjects of public service as public institutions, their system.

Much attention is paid to research activities of public administration as a system of public institutions, including executive authorities, local governments, other institutions and organizations that perform public management functions in order to satisfy the public interest, act in accordance with the adopted legislation.

The term "administration", which comes from the Latin "ministrare" ("to serve"), indicates the subordination of political power and serving the public interest as the main task in the activities of public administration [2]. In general, the concept of "public administration" in the administrative law of Western countries is defined as "the organization and activities of authorities and institutions subordinate to political power, ensuring the implementation of the law, acting in the public interest and endowed with the prerogatives of public authority" [3]. Such an understanding of the nature of the administrative and administrative activities of public authorities, local self-government and other public institutions makes it possible to clearly distinguish between politics and administration. Therefore, discussions in literary sources translated into Ukrainian become understandable, in which there is often an incorrect translation of the term "public administration" as "state management" [4, 5].

In general, we can assume that any institution, regardless of the form of ownership and subordination, endowed with public functions, will belong to public administration authorities. It is worth noting that public functions are characteristic not only for subjects of public administration, but also for other subjects, namely: state and communal (municipal) organizations, institutions, enterprises. The specifics of the mode of operation, tasks, financing and other elements of activity are quite different in the private and public sectors, therefore, according to some researchers, depending on the volume of public functions, the concept of public service may expand [6]. Much attention should be paid to the denationalization of some public functions, which accordingly requires the assignment to the subjects of a certain legal status that determines the powers, funding, distribution of tasks, etc. For example, public service in Germany is the activity of a legal entity of public law in the service. In addition to officials, the category of employees includes judges, professional military, contracted military and employees with employees who are in the service of a legal entity of public law. Since officials in Germany are also police officers and teachers, the proportion of officials is much larger than just civil servants and

employees. There is a definition according to which public service in Germany is a professional activity consisting of the performance by certain subjects of public law functions in federal state authorities, land authorities, communities and other subjects of public law [7]. Therefore, in the context of the organization of the public service, it is necessary today to clearly define the essence of public functions with their subsequent distribution among the subjects of the public administration process.

If we consider the state and local self-governing authorities as components of the public service, then we should also consider the functions of state and self-governing authorities as components of the functions of the public service. Consequently, the functions of public authorities are the main directions of their activities, in which their essence and purpose in the state mechanism are revealed [17-24]. Each institution, in accordance with its competence, performs its inherent functions. Due to the indefinite conceptual load of the public service system in domestic science, we use the concept of “subject of public service” as any public institution that performs the functions of public service [8].

The main feature of the functions of the public service is the satisfaction of the public interest through the provision of public services; performance of functions of public authority; performance of functions and tasks of public institutions.

Taking into account the experience of the development of different states, the following main features of the functions of the public service can be distinguished:

- are determined by the activities of public institutions (state - decide the functions of the state; local governments - ensure the performance of the functions of the community; enterprises, institutions, organizations - within the limits of the vested functions of the public service);
- the main characteristic of the public service is its service nature;
- aimed at satisfying the public interest, that is, the interest of the social community; determined by the needs of society;
- are determined by the competence of the institution that performs this function;
- cover the main spheres of public life: administrative-political, social-humanitarian, economic;
- as a rule, they are continuous in their implementation, permanent and operational nature of the activity [9].

The classification of functions can be carried out according to various criteria. First of all, it is advisable to pay attention to the forms of activity of public institutions. Of course, often one and the same institution has several forms of activity at the same time. For example, ministries are endowed with organizational, executive, control and other functions at the same time; almost all public service entities have an information function in the context of ensuring transparency and openness in their activities, a control function, organizational, etc.

Therefore, according to the forms of activity, functions can be divided into:

- organizational;
- permissive and administrative;
- technology-supporting (transport services, urban planning services, water supply, education, health care, etc.);

- authority;
- information;
- control;
- norm-setting;
- representative, etc.

According to this criterion, it is advisable to classify the subjects of public service.

According to the subjects of implementation, there are:

- functions of the civil service and their officials;
- functions of local self-government and its officials;
- functions of state companies, institutions and organizations and their officials;
- functions of other institutions, organizations, enterprises authorized to perform the functions of the public service and their officials.

According to the legal forms of service, the following main functions are distinguished:

- law-making function, since among the subjects of law-making there are the people of Ukraine, the Cabinet of Ministers of Ukraine, ministries, departments, local authorities and administrations;

- law enforcement function. Almost every subject of public service is endowed with such a function, since their main task is the protection of public relations, the protection of the rights and freedoms of a citizen. In addition, there are a number of subjects for which this function is the main one - internal affairs authorities, the prosecutor's office, environmental protection authorities, customs authorities, etc.;

- control function. Today, world practice distinguishes several subspecies of this function: financial control, public control, control and supervisory activities, etc.;

- founding function. The main task of this function is the staffing of the service, which takes place by appointment or by an elective method;

- law enforcement function. It consists in the continuity of the implementation of legal prescriptions. Such a process is possible only when some participants are endowed with subjective rights, and other subjects with subjective duties [10].

In the context of the implementation of the main objective functions of the public service, it is advisable to define: political, economic, social, cultural, environmental, humanitarian.

The functions of the public service, as already mentioned when considering the main features of functions, are determined by the competence of the subject of service [11]. Competence is one of the criteria that defines the boundaries of the functions of the public service and is of a restrictive nature. Since the public service is a system of subjects performing public functions, the competence of the public service should generalize the competences of all subjects. The term "competence" (Latin *competere* - compliance, consistency, from - mutually strive, respond, approach) is interpreted as a set of rights and obligations established in an official - legal or non-legal - form, that is, the powers of any authority or position, a person that determines the possibilities this authority or position, the person to make binding

decisions, organize and control their implementation, take measures of responsibility, if necessary, etc. [12,13].

In contrast to the functions outlined quite generally, the competence of the subject of public service is determined by clear formulations, the exact direction of public administration, specific tasks determined by the goals of the subject [14]. The competence of public service entities is always more clearly fixed in the legal field than the functions partially defined by legal norms. Competence determines the scope and content of the subject's activity; carries out the differentiation of functions with other subjects; establishes a certain distribution of functions implemented by the public service as a whole. Competence is established higher by the subject of public service by subjects according to the hierarchical principle or by the will of the people according to the elective principle [15].

Lawyers define competence as a set of subjects of jurisdiction and powers of the subject enshrined in legal acts. The functions of the subject of public service are manifested precisely because of the totality of all elements of competence.

**Discussion.** The main components of the competence of subjects of public service are defined as powers, subject matter (subject competence), legal responsibility, territorial jurisdiction. Let's analyze the content essence of the main components of the competence of subjects of public service. Thus, the powers of the subjects of the public service are normatively fixed rights and obligations and aimed at the performance of public functions [25-29]. They define the possibilities and necessity in relation to public functions; type and degree of proper activity of the subject of public service. The subject of reference is the main direction of activity, which is manifested in the functions and functional purpose of the subject of public service. The legal responsibility of subjects of public service is a normatively fixed element of the legal status of a subject of public service and their officials, aimed at the effective execution of powers [30-31]. The issue of territorial jurisdiction concerns the normatively fixed possibility of the activity of a subject of the public service, which ensures the delimitation of the competence of subjects of the public service that perform homogeneous functions or have the same powers. As for the definition of territorial jurisdiction, in the structure of the competence of public service entities, various interpretations are possible in terms of its content and functional load. After all, jurisdiction is a legal indication of the circle of public law relations, the full subject of which is a specific subject. The territorial indicator is used as one of the means (along with the subjects of jurisdiction) to determine the scope of public relations, the authorized subject of which is a specific authority and the delimitation of the competence of authorities that perform homogeneous functions, have an equal legal status or identical powers in legal relations that are homogeneous in content. Jurisprudence defines the establishment of jurisdiction as the delimitation of competence between authorities (officials). Each authority or official has the right to consider and decide only those issues that are within its jurisdiction. Establishing jurisdiction is a method for determining competence.

There are many studies aimed at studying the interrelationships between the functions and competence of government entities, state authorities, local governments

and other public service entities. These relationships are studied both between subjects and at the level of each individual subject [16]. After analyzing the main elements of competence, it can be argued that the functions are directions for the implementation of the competence of a subject of public service.

**Conclusions.** So, having systematized the competences of all subjects of the public service, it can be argued that the competence of the public service as a whole is the competence of public service authorities, the competence of local governments, the competence of state enterprises, institutions, organizations, the competence of other persons in labor relations with legal entities. persons of public law. With this approach, a situation is common where a large number of subjects have almost the same powers, but the competence of each of them is determined individually, which is characterized by differences in jurisdiction. Consequently, the competence of the public service can be considered a set of tasks, functions, public entities, rights and obligations of officials in public service established by regulatory legal acts. The competence of the subject of public service determines the exact limits of its activities and thus coordinates it with the activities of other entities.

One of the main requirements for a clear distribution of functions to ensure the organization of work is the issue of legal regulation of the formation and development of the public service. In this context, there are interconnections between the concepts of functions and competencies of the public service, which can be summarized in the following conditions for the effective implementation of the functions of the public service:

- the presence of the status of a public institution, fixing at the legislative level the performance of these functions, the mechanism for their implementation;
- fulfillment of a clear task of the public service system;
- introduction of a unified register of public services and the provision of public services to the population in accordance with it;
- serving on the basis of responsibility, accountability, honesty, service to the people of Ukraine, etc. In this context, it is advisable to clearly define the competence of the subject of public service with the establishment of its powers, legal responsibility and the possibility of control over its activities.

The content of competence, in comparison with functions, is more dynamic, more often subject to change. The main activities of public service entities are derived from the main functions of the public service, or, in other words, the functions of the public service are distributed among all entities depending on the place of each of them in the public service system. The jurisdictions of many entities overlap, which is quite acceptable and logical, but their powers are exclusively individual, even if the function of several entities is common to all.

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#### **References:**

1. Code of administrative proceedings. Information of the Verkhovna Rada of Ukraine. - 2005. - N 35-36, N 37. - Article 446.
2. Izdebski N., Kulesza M. Administracja publiczna. Zagadnienia ogolne — Warszawa: LIBER, 1999. - S. 17-23.

3. Administrative law of foreign countries: Textbook / Ed. A.N. Kozyryna and M.A. Shtatynoi. — M.: Spark, 2003. — P. 32.
4. Right G. Public administration. — K.: Osnovy, 1994. — 191 p.
5. Tymoshchuk V.P. Administrative procedure and administrative services. Foreign experience and proposals for Ukraine. — K.: Fakt, 2003. — 496 p.
6. Averyanov V. Current tasks of creating new legislation on public service in Ukraine // Legal Journal. — 2005. — No. 8 [Electronic resource]. — Access mode: <http://www.justinian.com.ua/article.php>.
7. Galligan D., Polyansky V.V., Starylov Y.N. Administrative law: history of development and basic modern concepts. — M.: Jurist, 2002. — 410 p. [Electronic resource]. — Access mode: [http://www.pravo.vuzlib.net/book\\_z1794\\_page\\_1.html](http://www.pravo.vuzlib.net/book_z1794_page_1.html).
8. Karpa M., Akimov O. (2021). Competence Approach to development of Modern Public Administration: Theory and practice of development. International Conference on Economics, Law and Education Research (ELER 2021). 40-45. doi: <https://doi.org/10.2991/aebmr.k.210320.008>
9. Karpa, M. (2020). Competence boundaries of public service institutions in Ukraine. Public Administration and Management: modern educational discussions : Collective monograph. Riga, Latvia: "Baltija Publishing", 2020. 300p. pp. 168-182. URL: <https://doi.org/10.30525/978-9934-26-022-3-10>.
10. Karpa, M. (2021). Features of the introduction of the system in accordance with the state policy. Karpa, M., Akimov, O., and Akimova, L. Public Administration and Law Review, (3), 11–17. <https://doi.org/10.36690/2674-5216-2021-3-11>
11. Karpa, M. (2017). Status of civil servant: functional, organizational and competence-based aspects. *Derzhavne budivnytstvo: zb. nauk. pr. DRIPA NAPA*. № 1. URL: [http://nbuv.gov.ua/UJRN/DeBu\\_2017\\_1\\_15](http://nbuv.gov.ua/UJRN/DeBu_2017_1_15)
12. General theory of law and state / Edited by prof. V.V. Lazareva. - M: Yuryst, 1996. - 472 p.
13. Public administration: theory and practice / According to general ed. Prof. V.B. Averyanova. — K.: Yurinkom Inter, 1998. — 432 p.
14. Yarmysh O.N., Seryogin V.O. State construction and local self-government in Ukraine: Textbook. - Kharkiv: Department of the National University of Internal Affairs. cases, 2002. — 653 p.
15. Karpa, M. (2021). Detection of Fake News Problems and Ther Evaluation Through Artificial Intelligence / The Inportance of New Technologies and Entrepreneurship in Business Development: The Context of Economic Diversity in Developing Countries pp 94-101. Sandeep Kumar Gupta, Alereeni Bahaaeddin, Umrao Lokendra Singh, Gupta Milind. - [https://link.springer.com/chapter/10.1007/978-3-030-69221-6\\_8](https://link.springer.com/chapter/10.1007/978-3-030-69221-6_8).
16. Karpa, M. (2020). Effectiveness vs Efficiency for Organizational Development: A Study / Gupta S.K., Karpa M.I., Derhaliuk M.O., Tymkova V.A., Kumar R. / Journal of Talent Development and Excellence, Vol.12, No.3s, 2020, pp.2478 – 2486.
17. Pustova, N. and Akimov, O. (2021), Child labor and public administration policy against its use, *Investytsiyi: praktyka ta dosvid*, vol. 20, pp. 81-86. DOI: 10.32702/2306-6814.2021.20.81.
18. Akimov, O. (2020), Systemogenesis of personal competences in psychogenic measurement, *Investytsiyi: praktyka ta dosvid*, vol. 5-6, pp. 81-88. DOI: 10.32702/2306-6814.2020.5-6.81.
19. Akimov, O. (2020), Substantiation of the paradigm of the systemogenesis of public administration, *Investytsiyi: praktyka ta dosvid*, vol. 4, pp. 86-92. DOI: 10.32702/2306-6814.2020.4.86.
20. Akimov, O. (2020), Tendencies of development of public-service activity as the bases of the paradigm of the systemogenesis of public administration, *Investytsiyi: praktyka ta dosvid*, vol. 3, pp. 135-142. DOI: 10.32702/2306-6814.2020.3.135.
21. Akimov, O. (2019), System-genesis approach to the implementation of public administration in Ukraine: problems of formation, *Investytsiyi: praktyka ta dosvid*, vol. 21, pp. 90-95. DOI: 10.32702/2306-6814.2019.21.90.
22. Akimov, O. (2019), The robustness of the system of professional activity of public employees: systemogenescial context, *Investytsiyi: praktyka ta dosvid*, vol. 5, pp. 104-109. DOI: 10.32702/2306-6814.2019.5.104.
23. Akimov, O. (2018), Functional factors of the system genesis of the professional activities of civil servants, *Investytsiyi: praktyka ta dosvid*, vol. 24, pp. 68-74. DOI: 10.32702/2306-6814.2018.24.68.



24. Akimov, O. (2018), The concept of the system genesis of the professional activities of public servants, *Investytsiyyi: praktyka ta dosvid*, vol. 23, pp. 133-138. DOI: 10.32702/2306-6814.2018.23.133.
- Gavkalova, N., Lola, Y., Dzenis, V., & Dzenis O. (2020) Measuring the Consumers Information Skills in A Digital Supply Chain. *Estudios de Economía Aplicada*. 4(38), 11p.
25. Akimova, L. (2018), "Directions of improving the regulatory and legal support of economic safety of the state", *Investytsiyyi: praktykatadosvid*, vol. 24, pp. 57-62. DOI: 10.32702/2306-6814.2018.24.57
26. Akimova, L. (2019), "State management as a subject of providing economic security of Ukraine: situation and content", *Investytsiyyi: praktykatadosvid*, vol. 5, pp. 110-115. DOI: 10.32702/2306-6814.2019.5.110.
27. Akimova, L. (2018). Evaluation of influence of key instruments of state regulation on economic security of Ukraine", *Investytsiyyi: praktykatadosvid*, vol. 23, pp. 113-117. DOI: 10.32702/2306-6814.2018.23.113.
28. Akimova, L., Litvinova, I., Ilchenko, Kh., Pomaza-Ponomarenko, A., Yemets, O. (2020). The negative effect of corruption on the economic security of cities. *International Journal of Management (IJM)*, Volume 11, Issue 5, May 2020, pp. 1058-1071, Article ID: IJM\_11\_05\_097 DOI: 10.34218/IJM.11.5.2020.097.
29. Akimov, O., Troshchinsky, V., Karpa, M., Wenzel, V., Akimova, L. (2020) International practice of public administration in the field of national security. *Journal of Legal, Ethical and Regulatory Issues*, Volume 23, Issue 3, 2020.
30. Havryliuk, S.P., Melko, L.F., Uvarova, G.Sh., Karyuk, V.I., & Mihus, I.P. (2021). Implementation of the model of innovative tourist product in Ukraine: financial and economic aspects. *Financial and credit activity: problems of theory and practice*, 1(36), 219-232. DOI: [10.18371/FCAPTP.V11.36.227769](https://doi.org/10.18371/FCAPTP.V11.36.227769).
31. Mihus, I., Denysenko, M., Romyk, I., Pletenetska, S., Laptiev, M., & Kupriichuk, V. (2021). Methodology of corporate financial diagnostics in the period of a crisis. *Ad Alta: Journal of interdisciplinary research*, 11(1), XV, 52-55.

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