

PROBLEMS OF STABILIZATION OF THE SYSTEM OF PUBLIC ADMINISTRATION UNDER THE CONDITIONS OF DECENTRALIZATIONAL CHANGES AND MARTIAL LAW IN UKRAINE

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Abstract. *The article analyzes the problematic issues of stabilization of the public administration system. The purpose of the article is to analyze the system of public administration in Ukraine, taking into account the results of decentralization changes, optimization of the system, as well as during martial law in the country. The public administration system has a number of problems affecting its stabilization. The purpose of the article is to analyze these problems and point out possible ways to solve them. To analyze the current state of the public administration system in Ukraine, a comparative method, the method of analysis, synthesis, and a systematic approach were applied. Were used the method of public administration in a crisis for the analysis of crisis situations and extrapolation methods for predicting the development of the public administration system in Ukraine. The method of formal-logical analysis of legal frameworks, in particular the implementation and regulatory support of decentralization processes in the public administration system, was used. In particular, the influence of destabilizing factors on the economic, social, and administrative spheres of the state is analyzed. A number of problematic issues of the public administration system are identified and recommendations are given for their possible reduction or elimination. The issues of destabilization of the public administration system in the conditions of martial law in Ukraine are partially disclosed. The issues of the consequences and prospects of decentralization processes and reforms carried out in the field of public administration are analyzed. The article uses the method of public administration in a crisis, extrapolation methods for predicting the development of the public administration system in Ukraine and a systematic approach as the basis of the study. The issues of personnel training problems in the system of public administration of Ukraine are analyzed separately.*

Keywords: *public administration, public administration system, decentralization, stabilization, martial law, security.*

JEL Classification: H56, H70, H80, H83

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Introduction. Ukraine has undergone a number of reforms, including decentralization of power and building a new system of public administration. In February 2022, changes were added related to the armed aggression of the Russian Federation, which requires analysis and evaluation [1-2]. The article analyzes and gives recommendations on the following problematic issues of the public administration system: the weakening of the state's ability to redistribute income and wealth; decrease in management efficiency in comparison with the centralized state

vertical; loss of positive economies of scale; decrease in macroeconomic stability; corruption; reorganization of the management training system

Literature review. The article summarizes a number of preliminary studies by the authors [3-5], taking into account the data of the official web portals of public authorities of Ukraine [6-9] and changes in the martial law in Ukraine, respectively.

In the study, when analyzing problematic issues in the public administration system, a systematic approach to public policy was used [10]. The European experience in the transformation processes of public administration systems of a number of states is taken into account [11].

Aims. The purpose of the article is to analyze the system of public administration in Ukraine, taking into account the results of decentralization changes, optimization of the system, as well as during martial law in the country. The public administration system has a number of problems affecting its stabilization. The purpose of the article is to analyze these problems and point out possible ways to solve them.

Methods. To analyze the current state of the public administration system in Ukraine, a comparative method, the method of analysis, synthesis, and a systematic approach were applied.

Were used the method of public administration in a crisis for the analysis of crisis situations and extrapolation methods for predicting the development of the public administration system in Ukraine. The method of formal-logical analysis of legal frameworks, in particular the implementation and regulatory support of decentralization processes in the public administration system, was used.

Results. The first problem, according to experts, is the weakening of the state's ability to redistribute income and wealth, that is, to reduce economic inequality. According to the principles of decentralization, assigning certain revenues to subnational units reduces the overall state budget, which means less state assistance to the poor, the disabled, the unemployed, etc. At the same time, the exercise of this function by local resources may be unfair due to differences between rich and poor regions. The last circumstance - regional inequality - contrary to theoretical hypotheses, does not disappear in the course of the economic development of the state or the implementation of measures aimed at combating inequality between individuals. Wealthier regions have a larger tax base, and therefore can impose even lower tax rates for the same level of services provided, luring businesses to wealthy residents. As a result, the rich get richer and the poor get poorer. Measures of horizontal alignment are also not without drawbacks [12].

In Ukraine, the situation is aggravated by the addition of other, along with economic, disproportions between subnational units - territorial, demographic and administrative. The parameters of the smallest and largest communities or areas, as well as differences in the set of powers - the problem is well known and worked out. However, delaying the completion of the formation of the administrative-territorial structure and the unification of powers is fraught with a negative impact on economic growth, social cohesion and political stability. Also, in the context of the domestic discourse on the expediency of maintaining local self-government at the district level,

one should remember the redistribution function performed by the territory of a higher level relative to the lower ones. In other words, one of the directions for using the resources of the district budget in the future may be just to support poorer communities.

Another risk is the decrease in management efficiency compared to the centralized state vertical. And such statements are not without meaning. After all, the main argument for the transfer of power to a lower level, according to which independent management of resources can more effectively meet the specific needs of local residents, has a weak spot. In fact, the bulk of the responsibilities of subnational governments, especially at the community level, is to meet the basic needs of the inhabitants, such as water and electricity, public transport, etc., which are basically the same throughout the territory.

With decentralization, the positive economies of scale are also lost - the phenomenon when, with an increase in the size of an organization and the number of products produced, the cost per unit of output decreases. The transfer of public services under the control and responsibility of local authorities usually means the emergence of differences in their provision in different territorial units, which creates additional costs for both providers and recipients. To this should be added the lower workload of the bureaucratic apparatus of local self-government and a shallow division of labor, which theoretically leads to a decrease in the professional level of workers compared to the centralized model.

Scientific studies of the impact of decentralization on the effectiveness of government in the state give interesting results. Comparing the World Bank indicators on the quality of governance in more than two hundred countries of the world with the statistics of the International Monetary Fund on the level of fiscal decentralization (fixing certain incomes and / or expenses to subnational units), the researchers found a significant positive relationship between them. That is, the greater the share of public spending is carried out through local budgets, the higher the place of the state in the rating of governance quality. As we can see, a better distribution of resources depending on the needs of residents, as well as competition between territorial units, indeed have a beneficial effect on economic efficiency. However, when during the study the formula was supplemented with an indicator of the level of political decentralization (the election of officials or the significant influence of local residents on their appointment), and especially autonomy or federalization, the above effect was leveled, which can be explained by an increase in the influence of local interests. Here, objectivity should be noted that political decentralization has its own, often non-economic advantages: an increase in the level of law-abidingness, responsibility and trust in power, the training of local political leaders, etc.

From the above statements, a number of recommendations can be made to stabilize the public administration system in Ukraine. First, powers should be transferred to those territorial units that are large enough to provide their financing, the required number of service consumers, and also receive economies of scale. This conclusion is especially relevant in the context of the unification of territorial

communities and the formation of districts. Secondly, the state should provide methodological assistance and oversight of local self-government, especially in terms of delegated powers. Also, legislative regulation of local elections and the structure of local self-government authorities should ensure their transparency, accountability and balance.

The next risk is a decrease in macroeconomic stability. Along with the monetary policy implemented by the central bank, the second instrument of macroeconomic policy in the state is fiscal policy - the regulation of public spending and taxation. For example, in a situation of rapid economic growth, the national government reduces its spending and increases taxes in order to slow down inflation and prevent the economy from overheating. However, for the economic effect of such measures, its share in GDP (Gross Domestic Product) should be quite significant. The transfer of resources and powers to the subnational level limits the means of the central government or even leads to opposition to its policy, for example, if in the situation described, local authorities, on the contrary, will increase spending before local elections.

In Ukraine in 2019, mutual accusations were repeatedly made between the National Bank and the Ministry of Finance of uncoordinated actions, which led to a significant strengthening of the hryvnia. However, when the independence of the central bank from the executive branch is a generally recognized principle, then essentially depriving the government of the ability to operate with local finances, which make up 15-20% of the country's GDP, is a rather controversial idea. Therefore, reforms in terms of fiscal decentralization must necessarily be accompanied by increased control and responsibility of local governments. In this aspect, for example, the experience of Germany, where administrative oversight authorities check draft local budgets for their balance and adequacy of funding for delegated powers, can be useful.

And the last risk that can be associated with decentralization is corruption. The closeness of government representatives to local interest groups, the informality of relations, the dependence of officials on politicians, the absence or weakness of local media can be factors contributing to the spread of corruption at the subnational level. Although empirical studies show a negative relationship between decentralization and corruption: comparing the corresponding indices of 59 countries, researchers found that the higher the share of local spending in the total budget, the lower the level of corruption.

The practice of public administration indicates that the same forms and methods are successfully applied in various industries and areas. The functioning of the most regulated forms occurs in areas related to the implementation of law enforcement, law-founding and law enforcement functions of the executive branch. Forms and methods that do not entail direct legal consequences are much less regulated (mainly these are forms of influence such as meetings, consultations, negotiations, etc.). The possibility of applying forms and methods directly depends on the existing status of a public institution or official.

Discussion. In modern conditions, the stabilization of the public administration system seems to be a necessity. In the sociology and political science of the United States, three areas of theories related to the preservation of stability have been formed: the theory of social integration, communication and organization. Theories of social integration study the problems of harmonization of individual and collective interests, processes of disorganization leading to the disintegration of communities and collectives. Stabilizing factors capable of achieving a balance between groups can be considered the activities of public institutions, organizational groups, the political regime, and the activities of political leaders [13]. The low level of efficiency of public administration, as a rule, contributes to the fall in the legitimacy of power, which, in turn, complicates the implementation of the very process of influence in the system. The processes that influence the formation of a system of influence on the political mass consciousness become very sensitive to legitimation, but at the same time they have an urgent need for its implementation. Often this process occurs due to the legitimation of methods and means of influence. Thus, in the history of governance, open imperative influence is known, which took the form of violence, even before physical destruction, the application of economic pressure [16-24]. This process in its own base is based on the values accepted in this society. The basis of legitimation can be not only such legal forms as elections, a referendum, constitutional norms, but also traditions, customs, charisma. For the legitimation of the monarch or the aristocracy, traditions and charisma were sufficient grounds. Today, tradition and charisma are not enough and are supplemented by rational legality, which is based on knowledge and calculation of benefits and costs. Therefore, the elite is forced to look for new technologies for their legitimacy that affect the entire society, each individual, based on the cohabitation of all. The main management strategy is the formation of norms of behavior, and social, political and other types of technologies are used for legitimacy. The countries in transition, which have just embarked on the path of democratization, feel this complexity of the socio-economic and political process even more acutely [25-29]. Destabilization is the result of ignoring the real contradictions in society, the untimely solution of problems in social practice, the lack of acceptable rational and legal ways to resolve conflicts, which is a secondary indicator of the inefficiency of public administration. Therefore, the government is obliged to make interaction with the public in the sphere of socio-political responsibility of the rights of the executive authorities.

The personnel training of the public administration system suffered significant losses, because on February 24, 2021, the Government adopted the order of the Cabinet of Ministers of Ukraine "Some issues of reorganization of educational institutions" in order to improve the structure of the National Academy of Public Administration under the President of Ukraine and Dnipropetrovsk, Lviv, Odessa, Kharkiv regional institutions of public administration.

Reorganization measures will be carried out by joining higher educational institutions:

- National Academy of Public Administration under the President of Ukraine to Taras Shevchenko National University of Kyiv;

- Dnipropetrovsk Regional Institute of NAPA to the National Technical University "Dnipro Polytechnic";
- Lviv Regional Institute of NAPA to the Lviv Polytechnic National University;
- Odessa Regional Institute of NAPA to the State University "Odessa Polytechnic";
- Kharkiv Regional Institute of NAPA to V. N. Karazin Kharkiv National University.

In accordance with the order, applicants for higher education at NAPA and regional institutions of public administration will continue their education in selected specialties and sources of funding. This reorganization of the lead training institution points to possible risks in the quality of management training in the future.

An additional unfavorable factor in the stability of the public administration system was the armed aggression of the Russian Federation in 2022. The introduction of the martial law regime establishes some restrictions on human rights and freedoms provided for at the legislative level. According to the definition given in Article 1 of the Law of Ukraine "On the legal regime of martial law", martial law is a special legal regime introduced in Ukraine or in its individual areas in the event of armed aggression or the threat of attack, the danger of the state independence of Ukraine, its territorial integrity and provides for the granting to the relevant state authorities, military command, military administrations and local self-government authorities of the powers necessary to prevent a threat, repel armed aggression and ensure national security, eliminate the threat of danger to the state independence of Ukraine, its territorial integrity, as well as temporary, restriction of constitutional rights and freedoms of man and citizen and the rights and legitimate interests of legal entities, indicating the duration of these restrictions.

According to paragraph 3 of the Decree, in connection with the introduction of martial law in Ukraine temporarily, for the period of the legal regime of martial law, the constitutional rights and freedoms of a person and citizen, provided for in Articles 30-34, 38, 39, 44-44, 53 of the Constitution of Ukraine, may be limited, and also introduce temporary restrictions on the rights and legitimate interests of legal entities within the limits and to the extent necessary to ensure the possibility of introducing and implementing measures of the legal regime of martial law, provided for in part one of article 8 of the Law of Ukraine "On the legal regime of martial law".

Appropriate restrictions can be made within the competence of public authorities. The impact limit is determined by such methods of establishing and changing the competence of public authorities, namely:

establishment of competence - normative consolidation of issues of the subject of jurisdiction, rights, duties, responsibilities; centralization - the implementation of functions only by central authorities; decentralization - the transfer of part of the functions to lower and local authorities; deconcentration - the distribution of management functions along the "horizontal" and "vertically", including functional aspects; delegation - an agreed mutual transfer of powers to bodies of different levels; subsidiarity is a complementary activity of various levels of power and management [14, 15].

Conclusions. In the face of today's challenges, public administration gravitates towards centralized forms of government, and the principle of subsidiarity is widely applied throughout the vertical of power. Coordination of the actions of state authorities and local self-government forms a new approach in public administration, determines priority local tasks, and ensures effective decision-making on the urgent needs of regions and territorial communities. The resource potential of the respective territories and the interests of the population of these territories form the basis for the implementation of local public administration. A separate question on the principle of subsidiarity concerns the issues of meeting the needs of the front, restoring territories, the economy, and infrastructure. Analyzed and made recommendations on the following problematic issues of the public administration system:

- weakening of the state's ability to redistribute income and wealth;
- decrease in management efficiency in comparison with the centralized state vertical;
- lost positive economies of scale;
- decrease in macroeconomic stability;
- corruption;
- reorganization of the management personnel training system.

Author contributions. The authors contributed equally.

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