

# THE PECULIARITIES OF PUBLIC ADMINISTRATION IN UKRAINE: REALITIES AND WAYS OF DEVELOPMENT

Ms. Gavkalova Nataliia, Professor of Economics,  
Kharkiv National University of Economics  
Public Administration and Regional Economy Department  
Kharkiv, Ukraine

## Abstract

The processes of integration and globalization are distributed in modern society, causing structural changes at the level of government, affect the growing influence of public administration institutions that provide management at the macro level, determine the rights and freedoms of Regional Administration and Local Government. In Ukraine, as a young independent country, governance is undergoing the reforms, which are defined by the Law about Administrative Reform.

The aim of the research is the scientific and theoretical justification of foundations of public administration in Ukraine. The object is the processes of regional and local government. Achieving the aims of research led to the necessity of problem setting and solving: scientific and theoretical foundations of public administration are defined, the effective management by transaction costs lead to increasing social and economic development in the local level and, consequently, strengthening of public administration in society are proved.

Public administration at the local level will be provided through the: effective creation, distribution and redistribution of revenues of local budgets, increasing self-formation of regions in forming and expenditure of regions' budget under the jurisdiction of the regional government, the participation of local communities in the management of regional development, the active involvement of local authorities and citizens in the process of managing and resolving social and economic problems of the territory; gradual adaptation of public service to the international standards, rules and traditions.

The main directions of relations transformation between central and regional authorities in the field of public administration should be determined: providing of the access of local authorities to the financial markets, credit resources; establishing new criteria of administrative responsibility of the heads of local governments and the heads of spending money; the introduction of new principles and mechanisms of relations "power - the public " to shape programs, mechanisms of accountability and public control; the change of financial support of regional programs according to the changes of functions of ensuring the sustainability of socio-economic development of regions and provision of high quality social services to citizens.

The research examined the legal framework of Ukraine, the data of the National Agency for Public Administration and the results of state and local governments activities .

The problem statement and its relationship with the important scientific and practical tasks. Modern processes in the Ukrainian society are characterized by a diversity of areas of impact: on the one hand unstable, transitive, descending; on the other - modernization, reformation, reviving. Modern science tries to examine the approaches to the stabilization processes in political, economic, social, culturological environment by offering the new ways of management tools usage, methodologies and concepts of public administration, the emergence of new models of governance in Ukraine especially in the field of public administration and public governance mechanisms, the implementation of which involves a new vision of "power - community" relations and is based on the national archetypes.

The topicality of the research. Since modern trends in Public Administration in Ukraine are characterized by the reforms peculiarities and are unsustainable, the models of public administration (Old Public Management, New Public Management, Good Governance) are formed and develop over time in both countries, and within the accepted basic model of socio-economic systems (Anglo-Saxon and Continental) for the domestic archetypal paradigm. The study of public administration in Ukraine and the prospects of its development are determined as the important, complex and timely issues, confirming the relevance of this study.

These problems are reflected in the issues addressed in the newly formed scientific fields of public administration and archetypes. The theory and practice of public administration in Ukraine are dealt by O. Andriyko, M. Bilynska, A. Kolodiy, B. Martinenko, A. Radchenko, V. Tolkovanov [1,4,5,6,10] and others. Despite the publications that appear in Ukraine there is still no a prevailing model of public administration, and there are inconsistencies in the definitions of public administration and public management, that lead to the feasibility presenting author's definition of the phenomenon under study.

Despite the numerous publications of foreign researchers, which describe, discuss and analyse the models of public administration in society and scientists, exploring the peculiarities of public administration adaptation in the world, there is no single view among Ukrainian scholars on the state of public administration or its validity or the existence of a particular model in the domestic reality, based on the archetypal paradigm.

The aim of the research is the scientific and theoretical justification of public administration foundations in Ukraine. The object is the processes of regional and local governance. Achieving the aims of the research led to the necessity of problem setting and solving. Scientific and theoretical foundations of public administration were defined. It

was proved that the effective management of transaction costs led to the increase of social and economic development at the local level and, consequently, to the strengthening of public administration in society.

The achievement of the research goal provides the basic definitions, description of public administration models and justification of their construction in the national society.

Information from the Great Dictionary of Economics provides an opportunity to introduce the definition of "paradigm." Paradigm (from the Greek. "example, model, sample") is a set of fundamental scientific attitudes, concepts and terms to be taken and distributed by the scientific world that combines most of its members, and specifies the evolutionary path of fundamental provisions [17]. Taking into account the presence of different classifications, we note that the paradigm can be scientific, public, personified and generally accepted. In turn operation of concept "archetypical paradigm" corresponds to the scientific classifications and state paradigm. It is known that an archetype of the collective unconscious or conscious has the characteristic features of a society. Accept the presence of Ukrainian phenomenon of archetypes, but note that in this study archetypical paradigm applies primarily to social models (Anglo-Saxon and Continental), giving rise to the emergence of a model in the field of public administration - New Public Management, with its subsequent evolution and presentation of the results of the excursion into history.

Public administration can be defined as an interference of management entity and power bearer in social processes and the relationships as for socially significant functions and responsibilities.

In the narrow sense, public administration is associated with the executive branch and is considered as: 1) the professional activities of civil servants, which include all the activities aimed at the implementation of government decisions, and 2) the study, development and implementation of state policy. To wide extent, public administration is understood as a management system provided by administrative institutions within the accepted power structure.

Governance (English-Public Administration) is state authorities' and officials' activities on the implementation of the procedures of policy line (Public Policy). Activity of civil servants is traditionally identified on the one hand with politics and on the other hand - with legislative activity.

Based on the presented definitions, borrowed from the theory and practice of the United States management, Public Administration is identical to National Administration, but the development of European scientific thought arranges the conditions for the interpretation of public administration as an activity in the field of public service. Public Administration is the activities, covering the functions that satisfy all the concerned in the society. Taking into account that social relations in national states are formed against the national characteristics of the population of a country, the dominant archetypes are the essential components of public administration in a single country.

The strategy of Ukraine's integration into the European Community is accompanied by the adoption of the concepts outlined in the White Paper of European Governance [16] and, therefore, consideration of the government as a specialized field of activity of civil servants only and public administration as a field of representatives of all Ukrainian society.

In domestic legal framework "The Concept of the Public Administration Reform" enshrined the concept of public service, which is regarded as a professional activity, determined by the Law of Ukraine "On Civil Service" and "On Service in Local Government", which main objective is to provide high-quality public services to citizens at a level that meets European standards, ensuring optimum use of public funds, timely and adequate response to the social, economic, foreign policy and other issues.

T. Zhelyuk rightly notes [14], that there is no a clear distinction between public administration, service, management and national administration. In this context, according to the researcher [14] the approaches to the regulation of public administration set out in the White Paper on European Governance are noteworthy. According to this book, public administration ensures the implementation of public policies that are the result of the transition from the policy of responsible leaders to the direct participation of citizens and civil institutions, which assumes the responsibility of politically active part of society, and therefore there is an allocation of public policy in a separate area. In contrast to the state (government) policy, which expresses the trend of political leadership by the whole society, it represents the interests of the nation, individual sectors and regions, social classes and groups. Hence for its success the volunteer broad support of all actors, associated with this policy is necessary. Centuries-long period of European integration has also led to the formation of unified archetypes, which became the basis of similar models of social organization and control.

Thus, the public administration in our understanding, has a wide range of activities covering the whole society.

The theory and methodology of public administration are reflected in the works by Woodrow Wilson ("The Study of Public Administration" 1887) Henri Faiola ("Industrial and General Management", 1916) Leonard White ("Introduction to the Study of Public Administration", 1926 City), Chester Barnard ("Executive Functions", 1938), Herbert Simon ("Administrative Behavior", 1947), Dwight Ualdo ("Administrative State", 1948), Michel Crozier ("The phenomenon of Bureaucracy", 1963), Peter Drucker ("The Effective Executive", 1966), William Niskanen ("Bureaucracy and Representative Governance", 1971), Andrew Dalshyra ("Public administration", 1973), James Marchi and Johan Olsen ("Rethinking Institutions", 1989), David Osborne and Ted Heblera ("Rethinking State Administration", 1992). Thus we see that the concept of public administration came in circulation in the second half of the nineteenth century and created the conditions for its evolution and, as it should be - we have to deal with the finished research product that has been tested in management practice. However, the influence of archetypes on public administration was not marked. The archetypes were mentioned in Christian ethics, which built the whole system of business and management.

Woodrow Wilson believed that administrative governance can be studied and on this basis an exact science can be created. Despite the fact that this science was, according to Wilson, the result of political science, but there was a difference between administrative governance and policies that must be taken into account if the policy identifies the main goals of

the state, the administration is implementing these goals, i.e. management depends on politics and has its own laws of development. "Administration is outside of politics. Administrative issues are not political ones. Politics puts the task before administration, but the administration should not suffer from the manipulation of its units. Administrative management depends on politics in the sense that the political authorities define the rules for the administration of law. Public Administration is the detailed and systematic execution. As a rule, the constitutional and administrative issues are different, "the difference is in general plans and special funds" [2, p. 25]. The purpose of public administration study is the detailed study of management and the development of basic principles. For this it is necessary to learn the experience of other countries using the comparative analysis method. Because of this, public administration as a relatively independent sphere of activity should be controlled by public opinion and should not be included in contradiction to the principles of democratic society.

M. Weber, W. Wilson, A. Faiol, G. Simon and other researchers can be considered as those who proposed an initial model of public administration: Old Public Management. The essence of the model can be revealed in the following positions.

Old Public Management is a classical bureaucratic form of organization described by Max Weber as an ideal type of rational forms of government, that due to the principle of lawstatehood is marked by the high levels of predictability for politicians and citizens.

Typical features of bureaucratic organization are primarily:

- division of labor based on functional specialization;
- precisely fixed hierarchy of authority;
- system of rules, which establishes the rights and obligations of officials;
- system solutions of performance situations (standardized processes);
- impersonal relations between people;
- stimulation or promotion on the basis of professional competence in relation to the principle of service stairs;
- compliance with the principle of business papers.

Theoretical foundations of New Public Management are based on two theoretical approaches to the roots of the NPM concept:

- public choice theory (public choice);
- management theory.

Authors of reformist concepts with the tide of Public Choice theory try to limit the impact of bureaucracy on politics by increasing competitive pressure in the sphere of public administration and thereby strengthen the position of citizens (and politicians).

Within the scope of the reform approach based on the theories of management the emphasis is made on the expansion of bureaucracy action freedom by abolishing the restrictions and strengthening of economic incentives.

«New Public Management is a set of administrative and political reform strategies, which is based primarily on the administrative interpretation in the light of the private economy. NPM reform model is not a dogmatic and complete list of activities, but often involves the implementation of the following steps:

- privatization and the elimination of excessive levels of regulation;
- going of individual administrative units beyond the scope of a single structure or the autonomy;
- introducing elements of competition in administrative activities, as well as borrowing the techniques from the field of private economy management in public management sector.

In a domestic environment, there is an opinion that the concept of «Good Governance» replaces the concept of "Public Administration" that emerged in the 1990s. With its "one-sided focus on the efficiency, it fills the concept of state administration of social and humanitarian components, forming the new approach to understanding the necessary self-government that has now to meet not only the requirements of efficiency, but to be open, accessible, accountable, controlled and sensitive to the demands of citizens, their needs and requests "[10]. We do not quite agree that in Ukraine the conditions to change these conceptions have been formed. However, the theory of public administration continues to evolve along with the research in public administration, and the practice is far behind the theory that necessitates amending the regulatory and legislative documents and implementation of high-level control in the process of public administration reforming in Ukraine. But we can hypothesize that the national archetypes allow us to create a modern system of public administration.

The experience of the developed countries of the European Union and the United States shows the significant results in the expansion of public administration, which includes liberalization of government, based on democratic principles and involves participatory, partnership cooperation between government authorities at all levels of governance. [3]

In domestic science, a number of areas dealing with public administration from the standpoint of cancellation of power vertical, as a business process, and in the light of moral and spiritual aspects (e.g. based on national archetypes) appear.

However, the authors of this study emphasize the impossibility of cancellation of power vertical in contemporary Ukrainian society, which, under the influence of transformational processes is notable for significant differentiation, chaotic and low public self-consciousness and self-control. The inadequate legal framework and poor enforcement of laws should be added to this. At the same time we note that the decentralization of power weakens, during the last years (2011 - 2012) it is at the same level, as evidenced by the Monitoring Study Center of society [15]. To illustrate this let us use data presented in open print to monitor protest events in 2011 - 2012.

In 2011, there were almost the same number of protest events, as in 2010 (2277 and 2305 respectively). After a decline in protest activity in January 2012 and, in particular, in February due to the campaign of repression against Chernobyl and prolonged frosts in March there was a real surge of protests. There were 317 protest events, exceeding even the number of protests in November 2010 when the Tax Maidan took place. Protest activity in April fell slightly - to 267 protest events - but still remained at a high level [15]. Preliminary figures in May show that the number of protesters was equally high.

However, the number of protesters remained almost unchanged. As in 2011, at the beginning of 2012 those events for which the approximate number of population was notified, the protests involving less than 100 people dominated.

Socioeconomic protests continue to be the largest share of the protest events. Last year 60% of all protests raised socio-economic issues, and only 25% raised the ideological and political issues, and 17% of the protection of civil rights (some protests could raise questions of different types, so the amount is over 100%). In early 2012, the share of socioeconomic protests slightly decreased and the share of political ones increased (54% and 30% respectively). Among the socio-economic problems mostly at the beginning of this year the protests continued to raise the issue of urban space building, the interests of small businesses, and state social benefits. In this case, the number of protests caused the "optimization" of health care and closing of clinics [15].

Political parties only slightly increased their protest activity compared to the previous year. In early 2012 they took part in 36% of protest events (in 2011 - 34%). This significantly reduced the proportion of NGO participation (dropped to 20% from 29%), which were the basis of mobilization during the protest campaign of small entrepreneurs and beneficiaries. As in the previous year, about a third of the protests - 32% - are without any political parties, NGOs, trade unions or nonparty groups with clear political ideology [15].

As before, political parties pay the smallest attention to socio-economic issues, and most of all to the ideological and political ones. At the beginning of 2012 only 25% of the total number of protest events were recorded with the participation of political parties (22% in 2011), while in the ideological and political protests parties were involved in 63% and 60% respectively [15]. However, as in the previous year, at the beginning of 2012 about half of socioeconomic protests were held with the participation of only nonpolitical informal initiatives.

At the beginning of 2012, the number of protesters who have criticized the central government - the Parliament, the Cabinet of Ministers, the President - fell from 37% to 29% [15].

We believe that protest actions reflect on the one hand, the problems existing in the country, in government and in public administration. On the other hand the presence of the following indicates the continuation of public administration reforms and the development of public administration, as it is about strengthening the community action, non-governmental organizations and individuals in all regions of the country. Undoubtedly, the existing problems, especially social and economic ones, need to be addressed, but without significant reforms to achieve real possible results. Any reform is resisted by the population and is often seen as an unpopular ones. The results of the poll that was conducted in the Kharkiv region, prove that the actions of the state in relation to the reforms that are socio-economic in nature (the Tax Code, the Budget Code, the Pension Reform) are perceived as inefficient and have a negative impact on the public administration quality. The questionnaire was based on the presented by "Effective management" Foundation survey of managers in 2010 - 2011.

The results obtained with the involvement of one thousand people, aged from 22 to 65 in 2011 - 2012 yielded the following results. The main factors that hinder the development of public administration in the country specified: the instability of local and state government - 18% in 2012 compared to 11% in 2011; inefficient system of local governance - 7% and 10% respectively, limited access to finance - 15% in 2012 and 12% in 2011, lack of authority on the formation and distribution of local budgets - 57% and 46% respectively; tax policy - 21% in 2012 compared to 18% in 2011; corruption, 11% in 2012 and 16% in 2011, political instability - 66% and 73% respectively. Among other factors there are tax rates, the impact of inflation, licensing and permit system. The findings are insignificant compared to the percentages given in the form. Thus based on the results of the research the deterioration in the field of governance and public administration can be concluded, because only a few results present positive trends.

Singling out a number of problems requires some action on the part of the state and public authorities. First of all, we must create effective mechanisms of state power, and further steps may be the formation of managerial horizontal and absolute rights and freedoms of other communities and citizens. V. Shariy adheres these considerations, emphasizing the need to find an optimal model of government that would meet all the requirements of modern democratic world, the challenges of globalization, national, cultural and historical traditions [7].

Also, in our opinion, the view of public administration as a business process can be effective. Just as with an enterprise, public authorities at all levels of governance must be formed in such a way that ensures the effectiveness of its implementation and productivity. The representatives of the local government authorities, local communities must act so that the inherent physical, financial, information resources, human, intellectual and social capital should be formed and used most effectively. In the context of this issue, one must define the problem of oversupply of local governments in Ukraine, which is several times higher than, for example, in the United States. This is accompanied by poor performance of civil servants functions through the study of chaotic and inadequate use of Western experience.

Since it is a non-productive sphere, particular attention should be paid in this regard, to transactions management, which refers to exchange of "bundles" of rights. Despite the clarity of nature category of "transaction", introduced by R. Coase in the 1st half of the twentieth century, researching sources of transactions, as well as their management is not complete and should be scientifically-based. Consideration of taxes as sources of revenue of the local government within the scope of transaction is beyond scientific debates, but the labelling taxes as transactions in its pure form is a controversial issue. We believe that taxes should be attributed to the transactions as they are one of the few items of income

which may be partially disposed by the bodies of local self-government. Effective management transactions will be reflected by the actions of local authorities that will ensure the sustainable socio-economic development of administrative-territorial units by choosing the right priorities of financial resources redistribution. The guaranteeing development of the territory is based on the efficiency of business processes and, consequently, increases the democratization in contemporary society. The rights and freedoms of citizens should be provided by the effective management transactions, and critical issues should be carried out through popular vote, and thus achieve its archetype. The important issue here is the moral and spiritual aspects, which are the basis of professional competence of civil servants. The nature of public performance and management tasks require correct and professional exercise of power by socially responsible citizens in the field of public administration. But, as noted by scholars, the current situation of public administration in Ukraine is characterized by certain features that complicate decision-making related to the reform of public relations against the backdrop of a marked decline in living standards of the population, a loss of confidence by the government. However, the ethical and moral values are almost unconscious and are the integral part of spirituality and ethical relations in society at present.

Summarizing the above, we would like to note that public administration at the local level will be provided through: the effective creation, distribution and redistribution of revenues of local budgets, increasing the autonomy of regions in the formation and expenditure of local budgets under the responsibility of regional management; the participation of local communities in regional development management; active involvement of local authorities and the public in the process of managing and resolving of social and economic problems of the territory; the gradual adaptation of civil services to international standards, taking into account the national informal institutions, based on archetypes.

As an illustration of the above we suggest to start with the observation of local government state in Ukraine. In Ukraine there are 12110 local councils, 30,475 objects of administrative-territorial structure, including 459 cities, 28,457 towns and villages, 12,088 local governments. The Significant number of local government officials exist at the expense of the state budget. Thus there is as emphasized by Peklushenko O. [12] the dispersion of resources e.d. the reduction of taxpayers number that shape the budget at the local level; an increase of funding the administrative staff of local governments and their infrastructure. The latter assertion can be proved as follows. "With the 2.6 million people decrease of rural population (347 villages), during 21 years of Ukraine's independence, there was an increase in the number of councils to 1282 units, that is an increase in expenditures of local budgets for the maintenance of local government officials" [12]. The above is directly related to the increase in the overall number of transactions at the local level, making inefficient public administration which, contrary, should ensure the conservation and enhancement of local resources, if we operate with a vision of public administration through the lens of business processes.

To find out how open the information on local budgets is, one can refer to websites of municipalities and regional centers of Ukraine and Ternopil regional council. As it turned out among 26 sites of municipalities (regional centers and two cities of national importance) 9 have no "Budget City" column in the main menu. These are sites of Dnipropetrovsk, Donetsk, Ivano-Frankivsk, Odessa, Rivne, Ternopil, Uzhgorod, Kharkiv and Chernivtsi city councils. Much worse situation is at the district level. Thus, among 17 districts of Ternopil region, 8 municipalities of the district centers do not have their own websites, with 9 others - only on Zalishchyky City Council placed the revenue and expenditures of the municipal budget, as well as the results of its performance for the first half of 2012. The Online Monastyriska City Council the "Documentation" column provides "Budget City" heading, but it is not filled with statistics [11].

It is well known that the lack of transparency of information on the state of regional budgets makes inefficient public administration that disregard the democratic principles in Ukrainian society, despite the fact that in 2012, as stressed by E. Afonin, democracy in Ukraine is developing at a faster rate than in Belarus, which tends to be an authoritarian country.

The Strategic state policy that promotes the development of civil society, approved by the Decree of the President of Ukraine on 24 March 2012, and as noted by Olga Kirilenko, includes low socially significant voluntary participation of citizens which are not caused by advances in civil society. Therefore the task is to create conditions for full support and public participation encouragement, particularly by ensuring openness and transparency of government, involving citizens and their associations to the formation and implementation of policy at all levels. This setting has found its logical continuation in another later adopted document – "The Concept of Public Financial Management System", approved by the Cabinet of Ministers of Ukraine on September 3, 2012, where the priorities of improving public financial management include: facilitating the access to information on budget by increasing institutional capacity of public bodies to the full and unconditional compliance with the requirements for access to public information [11].

Thus, the data can confirm the thesis that the general trends on the state of public administration in Ukraine can be characterized as stable ones. Public administration is inefficient in the country, and its prospects can be represented as:

adaptation with the adaptation of Civil Service of Ukraine to the requirements of the European Union, which can be done by using different combinations of actions [13, p. 23]: simulation - an application in specific situations the methods of action that are used in the European Union and have demonstrated their effectiveness; diffusion that involves the active exchange of experience between different actors of transformation which equally applies to the central public authorities, regional and non-governmental organizations and provides training abroad, research experience and inviting foreign experts;

transformation, where the key areas of transformation relations between central and regional authorities in the field of public administration should be determined: an access of local authorities to financial markets, credit resources; establishing new criteria for the administrative liability of local governments and budget owners; the introduction of new concepts and "power - the public" relationship mechanisms to shape programs, mechanisms of accountability and public

control [14]; the change of regional programs financial support in accordance with the change of functions to ensure the sustainability of socio-economic development and the provision of high quality social services.

Conclusions and future directions for scientific research.

Based on the foregoing, we developed and offered recommendations to the legislative and executive powers, which should start with understanding of the leading role of public administration in society, understanding the definitions of "public administration" and "public management", with the acquisition of knowledge about the availability of public administration models by public authorities.

At the same time for the successful development of public administration in Ukraine we should track the following recommendations:

- creation of opportunities for informal social institutions based on national archetypes;
- access of local authorities to financial markets, credit resources, establishing new criteria for the administrative liability of local governments and budget owners;
- introduction of new concepts and "public administration - the public relations mechanisms" to shape programs, mechanisms of accountability and public control;
- the principle of optimization to determine the number of officials at all levels of government, thereby avoiding duplication and transaction reduce in public administration;
- change in regional programs financial support in accordance with the change of functions to ensure the sustainability of socio-economic development and the provision of high quality social services, which directly affect the reduction of transactions in public administration.

At the end I will stress that public administration in the process of evolution has passed a number of changes, as evidenced by the existence of at least three well-known models: «Old Public Management», «New Public Management» and «Good Governance». I can not say that public administration in Ukraine is described by a «Good Governance» model, which corresponds to the top of the socio-economic system; characterizes the socially oriented management and defines management in developed democratic principles excluding National archetypes. On the contrary, I believe that in the country there are models of «Old Public Management» and «New Public Management», which are determined by domestic archetypal paradigm. Archetypal characteristics necessitate the implementation of public policy by increasing the autonomy of the regions in determining the long-term strategy for socio-economic development, in selection the ways of its implementation; formation and effective redistribution of synthesized capital; formation of region income and expenditures by regional authorities; the participation of local governments, local communities and public involvement in management processes and the socio-economic development issues. That is what creates the «Good Governance» model in public administration.

Further research areas lie in detailization of public administration in Ukraine, specifying the impact of transactions on the efficiency of public administration with the presentation of its own model, investigating the influence of archetypes on the effectiveness of public administration with the determination of differences between public administration and public management.

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