



The Dynamics of the Legal Status of Administrative Bodies in the Time of Reform: A Socio-Legal Perspective on Conditions and Principles

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Abstract

In the context of contemporary socio-political transformations, including the implementation of public administration reform, decentralization, and the digitalization of governance, the issue of updating the legal status of administrative bodies has become increasingly significant. Growing public expectations and the crisis of institutional legitimacy further intensify the need to reconsider the legal and organizational foundations of public authorities. This study aims to determine the legal basis of the status of administrative bodies and to analyze the key prerequisites necessary for effective reform of the public administration system. Particular attention is given to political, legal, institutional, human, social, and technological determinants that influence the capacity of the state's institutional framework to implement effective changes. Public authorities are examined as subjects of public administration whose legal status evolves in response to external challenges. The research methodology includes logical-semantic, formal-legal, structural-functional, and comparative methods. The study proposes a comprehensive definition of the legal status of an administrative body that integrates rights and obligations, institutional features, powers, and

responsibilities. It distinguishes between general legal status, determined by the organizational and legal form, and a special administrative-legal status. The research also identifies key principles for successful reform, such as structural adaptability, system integration, participation, legal legitimacy, and personnel stability. The findings may contribute to developing an improved regulatory model of administrative bodies aimed at strengthening transparency and efficiency in democratic public administration.

Keywords: legal status, administrative body, public administration, public authority, public management, governance reform, legal order

Introduction

Obviously, the scope of the concept of administrative reforms may vary, depending on the nature of relations between society and the state, the role of the latter in regulating social processes, and the place of administrative power in the political system. The main meaning of administrative reform is to increase the efficiency of public administration through decentralization and digitalization. The first phenomenon allows for a balanced distribution of powers between central and regional authorities, while the second is the introduction of the concept of transparency and ergonomics of administrative services. The situation is somewhat complicated by the staff shortage, the crisis of legitimacy, and the need for legal adaptation to European standards, which necessitates specifying the preconditions that determine the level of effectiveness of reforms. It should be noted that the regulatory core of effective public administration should be composed of principles that ensure the implementation of reforms in the legal, institutional, political, organizational, human resources, social, and technological spheres. The main challenges related to the reform include the need to rethink and structure such conditions as the political and legal framework, institutional organization of agencies, digital infrastructure, human resources, and public relations.

Established models of administrative and legal status cannot fully cover all the institutional changes that are characteristic of modern dynamic processes of public administration reform. In particular, the traditional formal and normative approach, which is based on rights and obligations, significantly limits the understanding of the status of an administrative body in the context of an active participant in public administration that can successfully adapt to social dynamics. The study of the administrative and legal status of public authorities should take place directly in the context of reforms, which requires an additional characterization of the basic principles of the process under study, which in synergy, form the functional and normative basis for a more transparent, democratic, efficient, and legitimate public administration.

Administrative reform has not only institutional and legal significance, but also significant social consequences, manifested in the sphere of citizens' access to public services, in particular educational, social, and administrative. Changing the legal status of administrative bodies directly affects the effectiveness of implementing state policy in the field of education, social protection, and ensuring equal opportunities for different groups of the population. In this context, administrative bodies act not only as bearers of power but also as institutions through which the social functions of the state are implemented. Therefore, it is advisable to study their legal status, taking into account the broader socio-political context, including issues of social justice, accessibility of public services, and citizen participation in public administration processes.

Literature Review

The issue under study is at the center of the sectoral scientific discourse and attracts the attention of a number of contemporary researchers. At the same time, according to the analysis of the literature, certain aspects remain fragmentary and require appropriate systematization. The theoretical basis for the modern understanding of the functions of public authorities was laid by Konstantinov (2024), Lata et al. (2022), and Meuleman (2021). The main issues of national jurisprudence, along with the protection of constitutional rights and freedoms and the regulation of states of emergency, are also the organization of the work of state bodies (publications by Bakhtina (2023), Massey (2022), Popa (2013), Semenets-Orlova (2022a), and others. The authors examine the legal status of administrative bodies in the context of a multidimensional construct that assimilates institutional, legal, ethical, and organizational components. Within the framework of the traditional normative approach, the authors update the basic rights, duties, and freedoms, expand the vision of the status to the social and functional level, and apply it to public relations.

The studies by Dovgy et al. (2023) and Ospanova et al. (2018) should be noted separately, although they mostly focus exclusively on one of the administrative bodies, not covering the overall system of interaction between different state institutions. Scholars focus on certain aspects of management activities, innovative approaches to strategic development, and the factor of communication as an effective management tool. At the same time, scientists are increasingly paying attention to value-oriented principles as a new approach to the formation of administrative and legal guidelines - openness, integrity, equality.

Dniprov (2017), Kuril (2018), and Rosenbloom et al. (2022) emphasize the need to comply with the principle of legal reservation and liability for illegal administrative acts, emphasizing the risks of discretion in hybrid regimes, which necessitate an effective system of legal control. According to the researchers, the concept of the rule of law determines the effectiveness of creating an operational framework for the transparent functioning of administrative bodies in a democratic system of public

administration. The researchers identify equality and access to justice, legality, prevention of abuse of power, and legal certainty as relevant criteria.

Directions for improving approaches to the legislative and legal definition of subjects and objects of administrative activity in the modern field of public administration are considered in the publications of Berezhna et al. (2020), Chernov et al. (2023), and Semenets-Orlova et al. (2022b). The researchers analyze the main bottlenecks and emphasize the need to clarify the legal status.

A significant part of modern sectoral publications focuses on the conditions for public administration reform. In particular, UNDP (2003) draws attention to the need to prevent the risks of excessive centralization and to provide political support for the development of institutional capacity. At the same time, Lapuente and Van de Walle (2020) study the key components of administrative capacity - human resources and institutional environment. The researchers position integrity and deregulation as the basis for effective transformation in the area under study.

Special attention is paid to the possibilities of digitalization as a special dimension of reforms. Zhuk et al. (2022) analyze the practical impact of digital tools on the quality of governance, the level of transparency and accountability, and the legitimization of public authority. Emphasizing that public administration has a systemic nature, and therefore implies the existence of subject-object relations, the authors position the subject as a carrier of substantive characteristics and properties that determine the qualitative specificity of the object. That is, the quality of the legal framework for the activities of administrative bodies largely determines the effectiveness of the public administration reform in general.

At the same time, one of the factors of the current state of affairs in the area under study is the actual absence of general theoretical developments of the legal status of administrative bodies in the context of proper systematization of the principles and enabling conditions for reform. This study proposes a systematic conceptual model that opens up opportunities for a comprehensive characterization of the legal status of modern administrative bodies and aims at improving the functioning of the public administration system, taking into account the existing challenges.

In modern social science, the analysis of administrative reforms is increasingly carried out within the framework of the concepts of public governance, social responsibility of the state, and the theory of public policy implementation. In particular, the "street-level bureaucracy" approach emphasizes the role of administrative bodies as direct executors of state policy, interacting with citizens in the field of education, social security, and other public services. In this context, the legal status of administrative bodies determines not only the formal boundaries of their competence but also the ability to ensure the effective implementation of socially significant programs, maintain the trust of citizens, and promote social integration. Thus, the legal regulation of the activities of administrative bodies should

be considered as an important element of ensuring social justice, inclusiveness of public policy, and the quality of public administration.

Aims of the study. The purpose of the study is to identify the key conditions for reforming public administration and to define the principles of effective organization and functioning of administrative bodies in this context. The main objectives of the study are as follows:

to identify and structure a group of conditions for effective public administration reform on the basis of a group of conditions;

within each of the groups of conditions, to identify the specific principles that detail the mechanisms for implementing reforms, differentiating them by basic, special and value-oriented levels;

to propose a theoretically grounded system of interrelated conditions and principles for effective rethinking of the legal status of administrative bodies in the new realities of public administration.

Materials and Methods

The study involved the formal legal method, logical and semantic analysis, comparative method, and structural and functional approach. In particular, the formal legal method allowed for an extended analysis of the regulatory framework governing the status of public authorities and the identification of key legal narratives. The logical and semantic analysis helped to identify and specify the content of the principles of effective rethinking of the legal status of administrative bodies in the new realities of public administration. The comparative method provided a comparative study of different concepts of the principles of functioning of administrative bodies. At the same time, the structural-functional approach allowed for a comprehensive study of the organizational models of legal support for public administration reform.

The methodological basis of the study also involves the use of an interdisciplinary approach that combines the tools of legal science with elements of socio-political analysis. This approach allows us to consider administrative reform not only as a change in regulatory and legal structures, but also as a complex social process that affects the functioning of the public service system, including education, social protection, and administrative services for citizens. The study also uses elements of a comparative analysis of public administration reform practices in European countries in order to determine the general patterns of transformation of the legal status of administrative bodies and their impact on the effectiveness of state policy implementation.

Results

The development of mechanisms of political and administrative structures may indicate an increasing role of contractual relations in public administration. Thus,

important powers to make political and administrative decisions are delegated. The professionalization of politics and public administration serves to institutionalize decisions and turn them into executable ones by those to whom they relate by maintaining constant communication between as many participants in the management process as possible.

In the Ukrainian system of public administration, the system of administrative bodies is based on the activities of the Cabinet of Ministers of Ukraine, the highest executive body that coordinates the activities of all ministries, services, agencies, and other central executive bodies (Verkhovna Rada of Ukraine, 2011, 2014a). At the regional level, the system is represented by local state administrations and local self-government bodies (Verkhovna Rada of Ukraine, 1997, 1999). All of these administrative bodies are involved in ensuring effective governance, positioning themselves as active participants in political decision-making, and, accordingly, have a clearly defined legal status in the field of public administration as an element of the realization of the link between the organizational structure of power and legal regulation of its activities. At the same time, legal status can be viewed from the perspective of an institutional, normative, or functional construct (Figure 1).

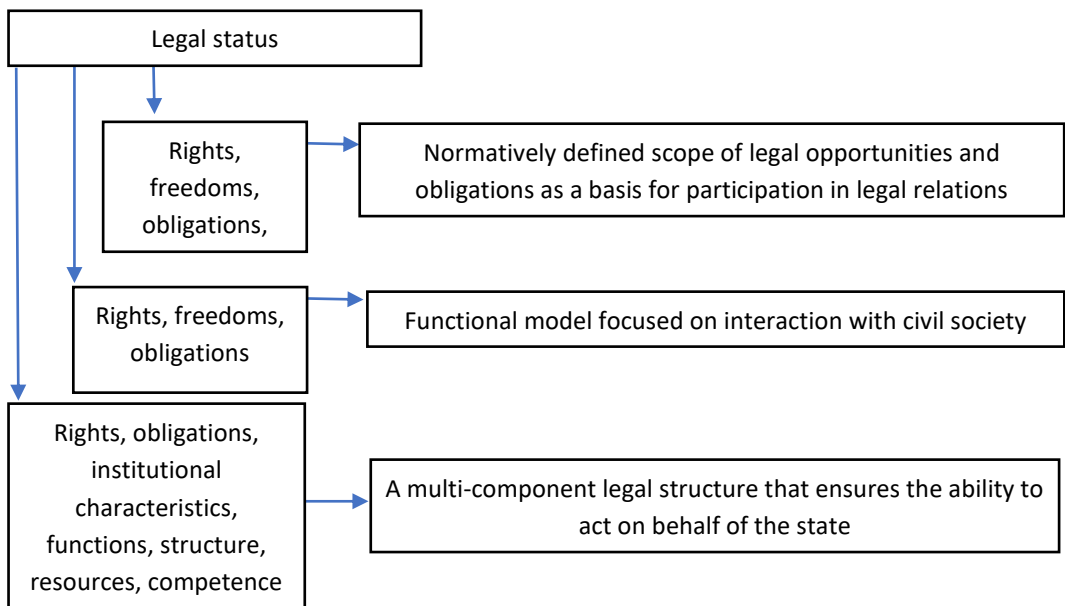


Figure 1. Different approaches to interpreting legal status. Source: systematized by the author based on the positions of (Dniprov, 2017; Dovgy et al., 2023; Ospanova et al., 2018)

Analyzing different approaches to the definition of legal status, it can be generalized that the phenomenon should be considered as a legal position determined by law, which assimilates a system of rights, powers, duties, responsibilities and institutional

characteristics that give it the functions of representing the state and the potential to interact with the public to ensure the interests of both the state and society.

From a socio-legal point of view, the legal status of administrative bodies determines not only their normatively established characteristics, but also the real conditions for the provision of public services at the level of direct interaction with citizens. According to the concept of "street-level bureaucracy", administrative bodies act as intermediaries between the state and society, especially in the areas of education, social protection, and the provision of administrative services. Thus, the scope of their rights, obligations, and discretionary powers directly affects the accessibility, quality, and fairness of public services. In this context, it is advisable to consider legal status not only as a formal and legal construct, but also as a tool for shaping social results and the experience of citizens' interaction with the state.

In the scientific discourse, there are two main groups of approaches to defining administrative and legal status: formal and normative, and functional and organizational. The former are limited to the description of rights and obligations as the main elements of the status, while the latter cover a wider range of institutional and procedural characteristics that reflect the practical implementation of public administration.

The formal and normative approach, which determines the right primarily as an obligation, implies an understanding of administrative and legal status as a set of rights and obligations established by administrative and legal norms. This emphasizes the context of legal consolidation of the status, and it is manifested in administrative legal personality and realized through rights and obligations.

The functional-competence approach provides for the integration of the aspects of authority and competence in public administration into the concept of administrative and legal status, and allows taking into account the institutional content of the status of a public authority. At the same time, the content and structure of the authority may vary depending on the management goals, taking into account the trends in the development of human potential in public administration.

The principles of functioning of administrative bodies, along with clarification of the content of their legal personality, determine the permissible limits of interference in the sphere of human rights and freedoms. In particular, the Venice Commission (2011) identified the main components of the rule of law principle - legality, legal certainty, prevention of abuse of power, equality before the law, and access to justice. At the same time, the Commission focused on the current challenges of the current development of public administration - the risks of corruption, potential conflicts of interest, state supervision, and personal data protection. Such criteria can be the basis for the functioning of administrative bodies. This approach regulates the limits of interference with the rights of citizens and requires administrative bodies to act in accordance with legal determinism, justice, and respect for human dignity.

The principle of legality establishes the framework for the functioning of administrative bodies exclusively within the framework of the current legislation. European practice clearly demonstrates that this principle is enshrined in the provisions of the German Constitution (*Gesetzmäßigkeit der Verwaltung*) (Grundgesetz für die Bundesrepublik Deutschland, 1949). Administrative authorities should be proactive in ensuring compliance with generally accepted norms, limiting discretionary powers, and timely and efficient review of established practices.

The principle of legal certainty is a requirement for predictability, accessibility, and clarity of rules in the process of their implementation, which guarantees the stability of the public administration system and the proper functioning of administrative bodies. Legal certainty is essentially aimed at preventing the risks of abuse of power, which requires the appropriate establishment of clear limits on discretionary powers, transparency, and procedural accountability. The necessary aspects in this case are the predominance of the public interest, ensuring equality before the law, and equal and non-exclusive access to legal protection.

From the perspective of socio-legal analysis, the principle of legal certainty has a direct impact on the behavior of the so-called "street-level bureaucrats" who implement state policy in everyday practice. The clarity and predictability of legal norms reduce the level of uncertainty in making managerial decisions, which contributes to more equal access of citizens to public services, in particular in the field of education and social security. In contrast, insufficient certainty creates risks of selective application of norms, which can lead to social inequality and reduced trust in state institutions.

Particular attention should also be paid to specific principles governing the legality, limits of authority, and legal consequences of administrative decisions, such as sole authority, continuity, and unity of state policy as the basis for the functioning of administrative bodies. Among other things, the principle of legal reservation allows administrative intervention only within the framework of clearly defined norms, which is especially important in socially sensitive areas. At the same time, the principle of determining the consequences of illegality allows, in practice, to cancel or revise illegal decisions, with the appointment of responsibility of specific officials whose activities are in question.

Certain principles proposed by modern researchers (Konstantinov, 2024; Semenets-Orlova et al., 2022a), such as the principles of consistency, competence, and accountability, and digital complementarity, actualize the need to upgrade the legal support of administrative activities in terms of access to public information as a tool for building trust and open interaction between the authorities and the public.

At the same time, the new paradigm is shaped by ethical principles - integrity as openness and avoidance of conflicts of interest; responsiveness as a moral obligation of the authorities to respond to the expectations of citizens, etc. The practice of implementing such principles is typical, in particular, for the Netherlands.

It should be noted that innovative principles that successfully complement the traditional concept of administrative law contribute to the transition to a value-based model of public administration, which is especially important in the face of today's challenges. In the time of active reforming of the public administration system, the fundamental basis of the process is expanding and integrating additional necessary prerequisites (Table 1).

Table 1. Conditions for successful reform of the public administration system

Conditions	Specific features
Institutional and organizational conditions	<ul style="list-style-type: none"> – modernization of the public administration system; – development of administrative capacity; – strengthening of the institutional base; – Reform of the executive vertical to achieve a balance between the center and the regions; – elimination of excessive centralization, which makes the system dependent on political approval; – defining general principles for the organization and functioning of administrative bodies in the new conditions;
Human resources and professional conditions	<ul style="list-style-type: none"> – qualified civil servants; – effective personnel policy, staff training; – human capacity development; – formation of a professional and ethical civil service;
Political and legal conditions	<ul style="list-style-type: none"> – adaptation of the legal framework to established standards; – political will and support for reforms on the part of the leadership; – systematic support for reforms, avoiding rollback after a change of government; – countering resistance from organized groups (trade unions, bureaucracy);
Technological and procedural conditions	<ul style="list-style-type: none"> – digitization of administrative services; – openness of procedures, reduction of regulatory burden; – use of digital platforms as a tool for transparency and combating corruption; – introduction of digital tools in the field of finance;
Social and public conditions	<ul style="list-style-type: none"> – citizen participation in decision-making, strengthening trust and legitimacy of government; – responding to the crisis of legitimacy in the context of global information pressure.

Source: systematized by the author based on the positions of (Popa, 2013; Dovgy et al., 2023)

The conditions that determine the effectiveness of public administration reform (Table 1) are supported by a system of principles that define the mechanisms for implementing each of them. Such principles have found their regulatory consolidation in the legislative field of Ukraine. In particular, the institutional and organizational conditions are supported by the principle of systemic integration (coverage of all levels and links of the administrative system by the reform for coordinated functioning), the principle of structural adaptability (flexible response to the dynamics of external influences), the principle of subsidiarity (exercise of powers at the level where the process can be most effective), the principle of balance of power (clear differentiation of functions and responsibilities between the center and the regions). In the context of Ukraine, these principles are reflected in the Concept of the Reform of Local Self-Government and Territorial Organization of Power in Ukraine (Cabinet of Ministers of Ukraine, 2014).

The conditions of staffing and professional conditions are supported by the principles of professionalism (support for a highly qualified and competent civil service), the principle of integrity (responsibility, ethics, and accountability of civil servants to society), and the principle of educational innovation and staff stability (transparency of procedures for selection, rotation, and career development of staff). In the context of Ukraine, such principles are reflected in the Concept of Reforming the Civil Servants' Remuneration System (Cabinet of Ministers of Ukraine, 2020), which provides for an algorithm for retaining highly qualified personnel in the civil service, introducing a classification of positions based on the level of qualification, complexity of work and scope of responsibility, as well as developing a fair and transparent remuneration system that reduces corruption risks.

The presented conditions of reform have not only an institutional, but also a pronounced social dimension. In particular, institutional, organizational, and personnel conditions directly affect the quality of educational and social services, while technological conditions determine the level of accessibility of such services for different social groups. Socio-social conditions, in turn, form the level of public trust in the state and determine the degree of citizens' involvement in decision-making processes. Thus, the effectiveness of the implementation of each group of conditions of reform should be assessed not only from a legal, but also from a social point of view.

The political and legal environment is based on the principle of political accountability (the government's responsibility for initiating, implementing and ensuring the effectiveness of reforms), the principle of institutional continuity (stable support independent of dynamics in the political elite), the principle of legal legitimacy (the legality of reforms and their compliance with international standards), the principle of neutralizing conflicts of interest (minimizing the influence of organized groups that block reforms). The Resolution on Confirmation of Ukraine's Course for Integration into the European Union and Priority Measures in this Direction (Verkhovna Rada of Ukraine, 2014b) enshrined the course for European

integration and the personal responsibility of the state leadership for implementing reforms regardless of changes in the political situation.

Technological and procedural conditions are based on the principle of digital openness (ensuring transparency, accessibility, ease of interaction with public authorities), the principle of technological neutrality and regulatory efficiency (simplification of administrative procedures), the principle of cybersecurity and reliability (safe operation of digital infrastructure) For example, the Strategy for Digital Development, Digital Transformation and Digitalization of the Public Finance Management System until 2025 (Cabinet of Ministers of Ukraine, 2021) regulated the process of creating public platforms for

Finally, the social and civic conditions are based on the principles of participation (involvement of society in the decision-making process), transparent communication (regular, open, and honest information to the public), responsiveness to the needs of the public, and the principle of restoring trust (overcoming the crisis of legitimacy and increasing the authority of institutions). In the context of Ukraine, the Strategy for Reforming the Public Procurement System for 2024–2026 and the adoption of the Operational Plan for its implementation in 2024–2025 (Cabinet of Ministers of Ukraine, 2024) regulated the process of public consultations, events, online information, and information campaigns for effective interaction between the government and the public.

It can be argued that the legal status of administrative bodies, as a multi-level structure, assimilates functional, formal, and value aspects. At the same time, it is important not only to define rights and obligations, but also institutional characteristics, which include resources, structure, responsibility, and competence.

Discussion

The interpretation of the legal status of an administrative body proposed in this study creates the prerequisites for the transition from a purely legal to a managerial-institutional model of analyzing the activities of administrative bodies, unlike previous research, which has mostly updated traditional legal elements (Shafritz et al., 2022; Ternushchak, 2019; Yunin et al., 2021). Instead, the current study summarizes the principles that ensure the conditions for the effective functioning of public authorities in times of active reform.

The conceptual approach of differentiating such principles into separate, defined categories is seen as a new approach to determining the conditions for effective reform. It is the identified groups of principles that are positioned as a promising basis for a normative model of public administration, which will allow for the combination of the traditional prerequisites for the success of reforms with their respective legal and administrative contexts. In contrast to traditional models of administrative law, the results obtained in the current study point to the exceptional need to expand the concept of the legal status of administrative bodies. Such elements as value

orientation, social responsibility, and digital competence should be integrated into its conceptual framework.

The application of social scientific approaches, in particular the concept of «street-level bureaucracy», allows for a deeper interpretation of the results obtained. In particular, principles such as legal certainty, accountability, and openness directly affect the practical activities of administrative bodies in the field of public service provision. In the educational sphere, this is manifested in the standardization of procedures for access to educational resources, while in the social sphere, it is ensured by the equality of access to social assistance. Thus, legal principles acquire functional significance as mechanisms for ensuring social justice.

As the results of this study confirm, an effective public administration reform cannot be carried out if the institutional and regulatory components, as well as the ethical aspect of the functioning of administrative bodies, are ignored. Although numerous sectoral studies have been devoted to this issue, they did not take into account the potential for policy-making based on a balance between centralization and subsidiarity, legal certainty and flexibility, efficiency and fairness identified in the current study.

From a social point of view, the results of administrative reforms are manifested in improving the quality of public services, expanding citizens' access to educational and social programs, and in the formation of new models of interaction between the state and society. A clear definition of the legal status of administrative bodies contributes to increasing the transparency of management processes, strengthening citizens' trust in state institutions, and creating conditions for more effective implementation of policies in the field of education, social protection, and human capital development. In this context, administrative reform becomes important not only as a tool for institutional modernization but also as an important mechanism for ensuring social justice and inclusive development.

Moreover, the impact of administrative reform on social outcomes should be considered through the prism of the quality of public policy and its implementation in practice. The effectiveness of the legal status of administrative bodies determines the state's ability to ensure the inclusiveness of educational programs, the targeting of social support, and equality of opportunities for different population groups. In this context, insufficient coherence between legal norms and the practice of their application can lead to the emergence of institutional barriers that limit citizens' access to basic public services.

A limitation of this study is its doctrinal nature. Future empirical research would help to validate the proposed approach. It seems advisable to conduct empirical research in the context of the functioning of specific administrative bodies. Such tests can form a reliable basis for the development and implementation of new, effective standards of public administration, with the simultaneous development of regulatory acts that

will contribute to the improvement of the mechanisms of state control over administrative processes.

Conclusion

The purpose of the study was to determine the legal basis for the status of administrative bodies and to analyze the key prerequisites necessary for an effective public administration reform. According to the results of the study, the legal status of administrative bodies is positioned not only as a formal legal construct, but also as the main practical tool for the effective implementation of public administration against the background of reform processes. At the same time, the structure of the legal status phenomenon includes not only elements of rights, duties, powers, and responsibilities, but also functional, institutional, and organizational characteristics. It is this approach that can ensure the effective, legitimate, and transparent functioning of an administrative body in modern conditions.

The regulatory core of public administration is composed of certain conditions and principles of the legal framework's effectiveness, and each group of principles performs its own function. The classification of the conditions for public administration reform and the principles ensuring their implementation proposed in the study allows covering special principles arising in the context of reforms, in particular, the principles of personnel stability, neutralization of conflicts of interest, structural adaptability, digital openness, participation, and response to public needs.

It can be argued that the legal status of administrative bodies is being transformed in a complementary manner to the new challenges and dynamics of the reform prerequisites. The principles of reform outline the ability of administrative bodies to respond effectively to institutional turbulence and public expectations, which contribute to the overall sustainability and resilience of the public administration system. In the future, it seems appropriate to offer them as a basic platform for the development and implementation of standards for assessing the quality of the administrative reform process.

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