

ПУБЛІЧНЕ АДМІНІСТРУВАННЯ.
ЕКОНОМІЧНА ТА ІНФОРМАЦІЙНА БЕЗПЕКА

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MODERNIZATION OF THE PUBLIC SERVICE OF UKRAINE
AFTER THE WAR UNDER THE WORLD CRISIS

Наталія Липовська, Сергій Серьогін. МОДЕРНІЗАЦІЯ ПУБЛІЧНОЇ СЛУЖБИ В УКРАЇНІ ПІСЛЯ ВІЙНИ В УМОВАХ СВІТОВОЇ КРИЗИ. Мета дослідження полягає в обґрунтуванні ключового напрямку модернізації публічної служби України – трансформації її в інститут суспільної взаємодії як однієї з найважливіших умов подолання соціально-економічної кризи та ефективного повоєнного відновлення.

Обґрунтовано необхідність кардинальних інституціональних змін на найвищих щаблях державної влади, а саме в трикутнику «Верховна Рада – Президент – Кабінет Міністрів». Наголошено, що трансформація публічної служби в інститут суспільної взаємодії має значні переваги, такі як: прозорість та ефективність здійснення управлінських дій, формування атмосфери довіри до публічної влади, порозуміння і конструктивна співпраця адміністративних структур і громадян.

Наголошується на необхідності внесення змін до відповідних законів України, що стане першим кроком до підготовки єдиного цілісного законопроекту «Про публічну службу в Україні», в який доцільно внести фундаментальні засади щодо функціонування публічної служби як інституту суспільної взаємодії.

Доведено, що процес трансформації публічної служби України в інститут суспільної взаємодії має відбуватися на всіх рівнях публічної влади шляхом конструктивної суспільної самоорганізації та широким залучення громадян до процесу управління, що призведе до системного покращення спільної діяльності органів влади та інститутів громадянського суспільства на основі довіри, порозуміння та співпраці, що особливо важливо у кризовий та повосенний період.

Ключові слова: криза, трансформація, публічна служба, самоорганізація, довіра, модернізація.

Relevance of the study. Russian full-scale invasion of Ukraine, became an extraordinary event in the life of mankind; avalanche-like changed the modern reality. Each country, based on its capabilities, has been applying a variety of measures to prevent and combat the new challenges, has been seeking a way out of this situation that is as acceptable to itself as possible. Undoubtedly, the leading role in this process belongs to the institution of

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public service, the subsystems of which are responsible for the adoption and implementation of appropriate situational and strategic decisions.

During this unprecedented global crisis, we are witnessing how the countries of the world, closing their borders and implementing the necessary protectionist measures, are not only trying to overcome the crisis as quickly as possible but are also looking for their own effective models of future existence in the post-crisis reality. Public services around the world face two global challenges requiring firstly, the adoption of appropriate decisions aimed at ensuring comprehensive security of citizens, reallocation of public resources in support of the relevant sectors of the economy, ensuring social protection of the most vulnerable populations, etc., and secondly, the simultaneous development of strategies for further national development, which will allow achieving advantages in the world markets in the future.

Should be decided with a clear subsequent vision of Ukraine's development in a rapidly changing world and the use of its potential, taking into account the opportunities that will necessarily appear after the end of the war. Even the draft programme post-war recovery of Ukraine, is mostly declarative and does not contain clear strategies and priorities for moving the country to a higher level of development.

Recent publications review. The issue of public transformations has recently been the subject of attention of many researchers, including I. Reshevets (2016), who justified the basic foundations of reforming the political and administrative system of Ukraine taking into account the social transformation processes [26]; V. Pliushch, V. Tancher (2017), who considered the relationship of political, moral and ethical issues in modern society [21]; I. Sidenko (2014), who analyzed the impact of global challenges on the formation of social values [2; 13; 27]. Directions of reforming and modernizing public service in Ukraine are considered by N. Honcharuk and L. Prudyus (2018) [5-6], O. Lyndiuk (2016) [14]; M. Havriltsiv, G. Lukianova (2019) [4], O. Hromova, Yu. Krykhtina (2018) [8], O. Onufrienko (2016, 2018) [17-18] and other researchers [15-16]. The political context of administrative reform in Ukraine is analyzed by Yu. Kurylov (2019) [10]. The role of citizen participation in improving the efficiency of public administration has been studied by many scholars (Wahyudin A., Mukhibad H., Nurkhin A., Fachrurrozie, 2020; Filippova V., 2017; Shevchenko O.M., 2016; Seryohin S. M., & Pysmennyi I. V., 2015; Rachynska O., 2020; Sak Y., 2019; Kozak V., 2017; Aleksieiev V., 2020; Parkhomenko-Kutsevil O., 2020, Ragimov F., 2020) [1; 9; 19-20; 24-25; 28-29; 31].

The building of legal, democratic and social state in Ukraine is very slowly, directly related to many external and internal factors, which influence the state-building process. The war, the significant dependence of Ukraine on the world market of raw materials (metal, grain crops), and essential debt obligations to foreign creditors are the main external factors. At the same time, the main internal problem that in the times of Ukrainian independence became systemic is a permanent political crisis in the state (the confrontation between branches of power, frequent changes of government, the struggle of political leaders between themselves, the decline of professionalism at all levels of public administration, disregard of legal and moral norms in the process of functioning of public service, etc.). At the same time, the political elite are mainly guided in the activity by defending their interests, instead of the person and society. The permanent political struggle "for the sake of the struggle" has become not just hypertrophic but has turned into a farce that destroys the confidence of the population of Ukraine in government agencies and politicians. When in a crisis these processes coincide with the objective growth of unemployment and high levels of migration, high inflation, extremely high level of corruption, reduced social benefits, etc., the state loses its mission, shows the inability to innovate, which ultimately eventually it can lead to the complete incapacity of the system and its ruin (destruction of the state). According to systems theory, the crisis causes and strengthens the mechanisms of deviation of subsystems and individual elements of the system from the common goal, which contributes to the setting their own separate goals and leads to the loss of the system's structural integrity. This article is devoted to the analysis of these problems.

The research paper's objective. This article deals with the rationale for the main direction of modernization of the public service of Ukraine – its transformation into an institution of social interaction as one of the most critical conditions for overcoming the socio-economic crisis and effective post-war recovery.

Discussion. The coincidence of all these factors with the projected global economic crisis has led to the worst situation, after which it is very hard for any social system to go on a progressive path of social development. The whole world has found itself in a bifurcation zone

and now it is difficult to predict when destabilizing processes (entropy growth) will change to the opposite ones – stabilizing ones (entropy reduction) [11; 20]. After all, during the bifurcation period, a radical restructuring takes place in the social system, manifesting itself in the struggle of social structures and actors, due to which the configuration of the relationship between order and chaos changes. The old parameters of order are destroyed or substantially changed, after which new parameters of order begin to form. In the bifurcation period, order and chaos interact nonlinearly, so order may transform into chaos and chaos into order. In any case, evolutionary shifts (abrupt changes) occur, which are usually accompanied by structural disintegration and subsequent integration based on the restructuring of social relations.

The evolutionary shifts should be considered as a set of informational, social and cultural-value changes, which determine the transition from one scenario of social development to another. In case of an evolutionary shift, a qualitatively different community is formed, with a different nature of social relations, which determines a new state of the system functioning according to a different social development scenario. The new state of the system emerges because of fluctuations as an emergent property of social community, which is self-organizing and turns out to be at bifurcation points in the form of actualized managerial influences.

Evolutionary shifts are most likely to occur in crisis zones when the values of definite order parameters reach their limits caused by management resources. In crisis zones, the system's instability increases, so it has new opportunities, which it can realize as choices at bifurcation points. Accordingly, the systemic crisis may well be the factor that changes the system towards entropy reduction. At the same time, the choice of a future scenario of social development is practically non-deterministic, because it depends on many factors, particularly the restructuring of the format of the relationship between the ruling elite (public service) and society.

The system of public service (as any system) is not immutable, once and for all set; it has to develop along with public life. After all, the systems' building is by no means a finite act. The system, once emerged, improves, develops, and is supplemented in a variety of ways. New elements of the system and their connections change and emerge, the transformation of some components into others occurs. In some cases, new constituent elements arise through development, transition of old ones; in others, through a split of existing elements; in others, the system assimilates, absorbs something external and transforms it into its component, etc. Accordingly, qualitatively new political systems are being established within states, new mechanisms of management are being formed, and inter-elemental interaction and social relations are being improved.

Being in the conditions of constant dynamic development, both state and society, and the system of public service, conditionally represent an association of the same people (citizens), oriented to the formation of Ukraine as a legal, democratic and social, and society as public should always converge. According to the theory of self-organization of social systems, such convergence is, first of all, in the new sense of connections and interaction with socio-economic, political, managerial, cultural and spiritual subsystems of Ukrainian society, which could provide an opportunity not only to increase the efficiency of management decision-making and their implementation but also could create optimal conditions for public control over the implementation of these decisions, minimizing political opposition in society and increasing its potential.

Unfortunately, the Ukrainian public service system is to a great extent independent, separate system from society, which operates by its own goals and objectives, which differ significantly from the national one. Modern means of interaction and exchange between the authority and the public are antagonistic to a certain extent, one of the parties (the power) traditionally considers the other (society) as its source of existence and thus limits its possibility to exist well, function and develop [3, p. 174]. Accordingly, the state, increasingly detached from society, loses the ability to control the dynamics of self-organizational processes, and it actually from the means of social improvement becomes an arena of the struggle for power to protect the interests of the dominant narrow social group of society. Ukrainians expect from the public authorities not declarations, commands or instructions, but providing quality administrative services at any level of public management to every citizen. Social expectations and demands of citizens act as determinants of providing social orientation of public service [12].

Transformation of public service in the institute of public interaction has significant advantages, such as transparency and efficiency of management actions, trust-building in public authorities, understanding and constructive cooperation of administrative structures and citizens etc. At the same time, it also has certain risks, such as bureaucratization of the public

service system, passivity of citizens in their relations with the authorities, the lack of the necessary regulatory and legislative framework and so on. Therefore, the introduction of such an institution should be a holistic systemic process, using the best practices of the world experience, adapted to national needs, as well as consistent with the conceptual principles of reforming the entire system of public administration in Ukraine and the process of active formation of civil society.

Such a transformation is impossible without fundamental institutional changes at the highest government levels, namely in the triangle «Verkhovna Rada – President – Cabinet of Ministers». These authorities level of professionalism, as well as the relations between them, are not only decisive for the formation of order parameters for all social processes in the country and trends in social development but also should be an example for the functioning and making appropriate changes at all levels of the public service system. The supreme authorities of the state, exercising organizational and regulating influence on social and political processes, shall in every possible way demonstrate an example of compliance with democratic norms of relations of all power institutions in society and ensure the protection of the human and civil rights and freedoms. This approach provides for the establishment of the partnership between the authorities and civil society institutions, which should be based on mutual interest in achieving goals, including those related to overcoming the crisis in the country.

The highest state authorities must understand that the crisis is characterized not only as a negative process but also as one in the depths of which positive shifts can occur through mechanisms of step-like changes and a new order, a new system of existence is born. World experience shows: crisis is an important and even necessary stage in the development of any country. States emerge from crises with a strong capacity for resistance, renewed, having built up a fund of internal forces.

In the parliamentary-presidential system of governance, it is parliament as a nationwide, permanent, collegial representative body has to create such parameters of order in the state, which ensure effective interaction of civil society with public service, and respectively, the full functioning of this institution becomes a necessary condition for the return of public confidence in the authorities. But even under the so-called mono-majority, first formed in the times of Ukraine's independence, the parliament continues to be an arena of permanent confrontation of political forces, sometimes with absolutely uncivilized forms of defending political interests, such as: blocking the rostrum, fights between deputies, and the like. Even the legislative process the deputies use as a political weapon against their opponents. In particular, we mean the introduction of "turbo mode" during the consideration of the draft laws, the introduction of very controversial, from the legal point of view, the norms of the Law on Regulations of the Verkhovna Rada of Ukraine, making crucial decisions for the country and society at night, and so on.

Apparently, in current conditions, the Verkhovna Rada of Ukraine must be a professional body, where various subsystems interact in the form of political forces defined by society, and intensively exchange their views, ideas, experiences, opinions. Thus there is the competition of alternatives regarding the solution of constantly arising problems and the integrity (the desired goal of the system) based on the formation of the legislative field, which determines the vector of further social development.

An important thing for further constructive dialogue between political forces in Ukraine is the normative consolidation and real provision of the opposition rights, without which it will act exclusively as a destabilizing force in the parliament. In this aspect, we need to emphasize that the opposition is a necessary element for further effective social development. After all, the absence of opposition without real organizational capabilities means no alternative development, narrowing the evolutionary opportunities, as well as the lack of publicly expressed alternative assessment of the efficiency of political leadership and public administration, without which a real objective assessment of these processes is impossible [15]. Therefore, shortly, it is necessary to adopt a law on the opposition, which must clearly define the organizational possibilities for its impact on the processes of effective social development.

The institute of the President has had an extremely important role throughout Ukraine's independence. After the last elections, the influence of this one-person state body on the entire public service system has only intensified. After all, it was on the wave of public confidence in the moral authority and the election programme of the President that the Verkhovna Rada of Ukraine and, accordingly, all other subsystems of government were significantly renewed. The public demand for "new faces" was implemented. However, the

public disappointment came very quickly considering insufficient competence of many officials of public service. The country even set an "anti-record" for the term of the government work – six months from its formation to the resignation of parliament. The real inconsistency of personnel policy recently occurred at all levels of public service, leads to the strengthening of entropy processes in society.

The office of the President should not replace other management structures but should be a powerful analytical centre that objectively assesses social processes and develops proposals for effective decision-making by the President under his Constitutional powers. In turn, the President, as an integrating element in the triangle «Verkhovna Rada – President – Cabinet of Ministers» and as the leader of the nation, should do everything possible to promote the fulfilment by all other bodies of the public service of political obligations supported by society during elections. After Victory in the war, trust in the President will be unprecedented.

In our opinion, after Victory in the war, the first step of the President should be to unite the government's efforts to implement the priority tasks that arise in a crisis. The crisis can and should become a great motivation to consolidate the entire political and administrative elite to unite the efforts to overcome it. In such difficult times for the country, conflicts between the supreme subjects of power are inadmissible, but it is necessary to make effective decisions on overcoming the crisis phenomena. Eventually, political confrontation not only increases the level of entropy within the state but may also have a significant impact on interstate relations in the global world. In particular, it is necessary to stop discussing the announcement of Ukraine's default and conduct constructive negotiations with international financial organizations and creditors, while protecting national interests as much as possible.

To a large extent, the way out of this situation depends on the professionalism of the government, their readiness to confront the crisis and their ability to reduce its negative consequences in the appropriate spheres of public life. It is becoming clear that the traditional forms and methods of public administration no longer correspond to modern realities when the processes of interaction between the public service and public subsystems associated with a versatile exchange of energy, information and other resources are increasing and accelerating. We believe that the high dynamics of variability and uncertainty of the modern environment predetermines the need for governments to be ready to develop and make decisions in situations where threatening or positive changes are only beginning to be implemented, and the opportunities to identify their causes and the scale of the consequences are limited.

Even though the subject of government formation is the Verkhovna Rada of Ukraine, the strengthening of organizational ties of the system «parliament – government» will contribute to the maximum adaptation of the functional structure of the Cabinet of Ministers of Ukraine to the structures of the Verkhovna Rada of Ukraine. Parliamentary committees as the leading sectoral bodies of the Verkhovna Rada of Ukraine should be the structures that direct and control the work of relevant ministries and departments.

The optimal structure of the Verkhovna Rada of Ukraine and the Cabinet of Ministers of Ukraine according to defined functional areas is a factor that will allow the full functioning and ensure the integrity of the system «parliament – government». This approach will correspond to a considerable synergistic principle: «Only in the case of creating a typologically appropriate structure due to the successful choice of the organization of interaction between the evolving parts, the entry to a new, higher level of hierarchical organization, i.e. a step towards evolutionary improvement is made» [15, p. 65]. It is also advisable, in our opinion, to restore the work of government committees (liquidated for unknown reasons in 2010), which carried out a preliminary professional examination of government decisions.

In our opinion, the interaction between the Verkhovna Rada of Ukraine, the Secretariat of the Cabinet of Ministers of Ukraine and the Office of the President of Ukraine concerning the information exchange and development of a coordinated strategy of the state development must reach a qualitatively new level. In general, under crisis, the apparatus is entrusted with a much greater volume of organizational, informational and analytical work, which largely depends on the quality of decisions and their further implementation.

It should be taken into account, we should take into account that some reforms in the process of their implementation turn into the opposite result, or begin to develop in some other way, subject to their own, self-organizing bases. Sometimes reforms that seem logical and reasonable do not find their social carrier. At the same time, the activities of individual groups of the population do not find their continuation, because society lacks an appropriate political and legal basis and the necessary social institutions. Society in the process of transformation

acquires fundamentally new qualities that violate the preliminary coherence of interaction between social institutions and can cause an overreaction of this society to the influence of power structures. As a result, the process of modernization can be transformed into a process of bifurcation. As noted by Yu. Sharov, – a feature of the transformation processes in society is that the initiators of change are forced to change themselves, and it is often the most difficult in the implementation of changes. Directly it concerns the personnel of authorities and management bodies of all levels whose traditional professional mentality is still quite far from the managerial ideology which is set by the mission of these bodies [30, p. 7]. Therefore so difficult is the reform of public service and improvement of activity of this institute in the direction of conformity of its abilities and possibilities to public needs and interests.

Conclusions. Thus, with sufficient political will of the authorities, the crisis can be used as a chance, which provides the opportunity, after quickly overcoming the bifurcation period, to begin an intensive process of radical transformation of the content of public service.

We try to identify favourable factors that accelerate the achievement of a new quality state of organization and functioning of public service in the process of overcoming the crisis.

First, any crisis itself requires the maximum mobilization of internal resources for its overcoming, providing such changes in the sphere of public service, which will be clearly subordinated to the achievement of the goals of further social development. After all, social transformations, as a rule, are extremely difficult to occur without a corresponding transformation of the public service system itself.

Second, in times of crisis there is an objective convergence of society with the authorities, given the fair expectations of citizens for some assistance from public administration, which highlights the problem of developing new forms of interaction in the system «society – state – person», when the role of the state is greatly strengthened.

Third, in such an unstable state small impacts (individual decisions of public authorities) can lead, due to the effect of non-linearity to incredibly fast and weighty consequences, both positive and destructive. Therefore, the responsibility of public servants for the results of management actions and the further fate of the social system increases.

Fourth, as a rule, charismatic leaders emerge in crises, who can have a cardinal influence on the course of bifurcation moment processes and direct public energy to the corresponding behaviour of the entire social system.

Fifth, the turbulent political events in Ukraine have contributed to a significant increase in the political consciousness of citizens, which in turn increases the public demand for transparent public authorities and forces public services to create conditions for solving social problems of the population.

Sixth, in a crisis period, the change of dominant values in society is significantly accelerated, in a stable situation; they change much more slowly than social reality. There is a high probability of rapid spread of civil society values (social justice, the rule of law, solidarity in overcoming crisis phenomena, etc.) due to fundamental changes in the ways of social problems solving, which the public-management activity is based on. When socially significant values change, society implements its powerful potential not only through the mobilization of various resources to solve problems but also in the process of creative self-organization, which produces innovations for the implementation of socially useful things.

Seventh, Ukraine has been reforming the decentralization of public power since 2015, which has created the basis for the radicalization of institutional changes, improving the quality of life of citizens and is of great importance for the continuation of sectoral reforms. Because of the building of a new system of distribution of power between central and local authorities in Ukraine today, a new relationship between different branches of government and a new system of checks and balances are being formed.

In addition to the above factors, it is necessary to take into consideration the rapid pace of development of human potential, which has an extraordinary energy that should be ordered and directed in the right direction. We mean that when a certain level of energy is directed to the environment, it can easily self-excitation and go to the mode of intense combustion («laser mode»). The subject influencing all spheres of social life and, accordingly, the processes of energy-information exchange is exclusively the institution of public service. Due to the effective activity of the latter, it is easy enough to promote constructive self-organizing processes, regulating them by various levels of added energy, directing them to further optimization of relations between the public service and society widely involving society itself in the process of public administration. Thus, the nature of functioning of the

system of public service largely determines the type of political regime in society, its openness or closedness, political, economic, social, cultural, religious and other relations, which, in turn, affect the stability of existence of the state and its development. Accordingly, it is extremely important to establish an interactive relationship between the public service system and society, when there is a synergy between the governing body and the environment in which it operates. On the basis of constructive connections between them, there is a mutual formation and progressive development in the process of joint activity.

In our opinion, shortly, it will be logical to amend the Law of Ukraine «On Purification of Power» taking into account the recommendations of the Venice Commission and the experience of practical implementation of relevant organizational and legal measures. In terms of systematically improving the functioning of the institute of public service, it is also important to adopt a new Law of Ukraine «On Service in Local Self-Government Bodies», which would be the first step towards preparing a single integrated draft law «On Public Service in Ukraine». In this strategic document, in addition to the necessary provisions governing the activities of all types of public service, in our opinion, it is appropriate to introduce fundamental principles for the functioning of public service as an institution of public interaction with further detail of these provisions in regulations governing the interaction of public authorities with civil society institutions. Thus, in modern conditions, a profound transformation of the public service into an institution of social interaction is needed. This will lead to a systematic improvement of joint activities of government and civil society institutions based on trust, understanding and cooperation, which are especially important in times of crisis.

It is impossible within the article to cover all aspects of the functioning and further development of the public service system. We have only substantiated the conceptual foundations of the transformation of the public service of Ukraine into an institution of social interaction, which need to take place in the unity of social, institutional and personal changes. The global crisis may well be a chance that significantly accelerates the implementation of social reforms in Ukraine and the effective management of these processes depends on systemic changes at all levels of the public service. Herewith the transformation of the public service into an institution of social interaction and promotion to an open civil society need to take place in parallel – by establishing interactive relations between the system of government and society, based on a high level of trust in public service officials. The institution of public interaction provides for establishing constructive relationships between the public service as a subject, which affects all areas of public life and the society, which actively participates in the processes of public administration. Accordingly, the public service must represent a new generation of professionals – active individuals (leaders of the nation), who can be the bearers of evolutionary changes in society, aimed at overcoming the socio-economic crisis and further effective development of the state.

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ABSTRACT

The article is researched the existing and desirable institutional design of public service in Ukraine. The article justifies the need for radical institutional changes at the highest government levels, namely in the triangle «Verkhovna Rada – President – Cabinet of Ministers». The authors emphasize that the transformation of public service into an institution of social interaction has significant advantages, such as transparency and efficiency of management actions, trust-building in public authorities, understanding and constructive cooperation of administrative structures and citizens.

This article emphasizes the need to amend the relevant laws of Ukraine, which will be the first step towards the preparation of a single comprehensive bill «On Public Service in Ukraine», which is advisable to introduce the fundamental principles for the functioning of public service as an institution of public interaction.

Keywords: *crisis, war, public service, self-organization, trust, modernization.*