

Artículo de investigación

Administrative and Legal Principles of the Digitization of Public Relations**Адміністративно-правові засади діджиталізації суспільних відносин**

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The current state of legal regulation of digitalization of public relations in Ukraine, as well as the place and specific features of administrative and legal norms, have been studied. The author has provided own definitions of the terms of “digitalization” and “administrative and legal provision” (in relation to the institution of public relations, which is studied). The author has determined the characteristic features of the practical implementation of digitalization of public relations and the application of measures of administrative and legal regulation in regard to them.

Several research methods have been used while the time of writing the article. In particular, the comparative and legal method along with the method of legal analysis have been used while studying legislative norms concerning the legal regulation of digitalization of public relations. The formal and logical method has been used to differentiate the criteria of digitalization of public relations.

According to the results of the research, the author has provided suggestions to improve some legal procedures for the introduction and implementation of digitalization in Ukraine. The author has offered amendments and alterations to

Анотація

Розглянуто сучасний стан правового регулювання діджиталізації суспільних відносин в Україні, а також місце та особливості у ньому адміністративно-правових норм. Надано авторське визначення понять «діджиталізація» та «адміністративно-правове забезпечення» (по відношенню до інституту суспільних відносин, що розглядається). Визначено характерні особливості практичної реалізації діджиталізації (оцифрування) суспільних відносин та застосування заходів адміністративно-правового регулювання по відношенню до них.

Піл час написання статті було використано кілька методів дослідження. Зокрема, порівняльно-правовий метод і метод юридичного аналізу використовувалися при вивченні законодавчих норм, що стосуються правового регулювання діджиталізації суспільних відносин. Формально-логічний метод використовувався для диференціації критеріїв діджиталізації суспільних відносин. За результатами дослідження надано пропозиції з удосконалення деяких правових процедур запровадження та здійснення діджиталізації в Україні. Запропоновано внесення змін та доповнень до профільного

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the profile legislation in order to increase the efficiency of functioning of the national system of digitalization, to improve the system of motivational and incentive methods of work of the subjects of its functioning.

Key words: Digitization, administrative and legal principles, legislation, legal provision, executive power, social relations, state system, norms of law, improvements, structural units, innovations.

Introduction

Almost every state with a more or less politically stable government, in the present-day realities, prefers to move in the direction of substantial improvement and enhancement of its authoritative and managerial capacities, which include, in particular, the state's influence on public relations. It is understandable that excessive strengthening of influence of state agencies on society will inevitably be a catalyst for the creation of a totalitarian regime in the state.

Moreover, many scholars of the past and the present century emphasized that the simultaneous combination of modern technological advances and authoritarian-despotic aspirations in one hand is one of the greatest dangers of those that are or may be faced by humanity in the near future. However, under the weight of the danger that modern technologies may fall into the wrong hands, we should remember that the timely development and effective implementation of digital and any other technologies is a necessary factor for the successful existence of the country.

Questions concerning digitalization of public relations have been the subject matter of the research by many scholars. The issues of consideration, study and systematization of conceptual categories in the sphere of introduction of fundamentally new technological achievements in the structure of the state system of the country, creation of proper administrative and legal bases for effective implementation of the above process, as well as the contemporary issues of the impact of such technologies on public relations and their comparison with social and political situations in other countries have been the subject matter of the research by many scholars.

законодавства з метою підвищення ефективності функціонування вітчизняної системи діджиталізації, удосконалення системи мотивувально-заохочувальних методів роботи суб'єктів її функціонування.

Ключові слова: діджиталізація, адміністративно-правові засади, законодавство, правове забезпечення, виконавча влада, суспільні відносини, державна система, норми права, вдосконалення, структурні підрозділи, інновації.

The purpose of the article is to define the characteristic features of administrative and legal principles of public relations digitization, to find out the impact of technological advances on public relations currently taking place in Ukraine, as well as to find the answers to the question on the need for such innovations related to the gradual digitalization of public relations. Besides, considering the fact of significant development within digital technology in recent times, it is important to focus on the creation of appropriate legislative and administrative principles for the most effective regulation of public relations.

Methodology

For the purpose of comprehensiveness and objectivity of scientific research, validity and consistency of the conclusions formulated, methods of scientific knowledge. General and special scientific methods were used in the process of research. Legal nature of digitization considered on the basis of laws and scientific literature analysis. Methodological basis for study was a dialectical method that allowed to review the issues in their development and interconnection. A historical method was used to determine the origin of digitization. The essence and specifics of digitization was revealed using dogmatic and legal method.

Results and discussion

Modern society is experiencing a period of tremendous accomplishments and fundamental changes that are inextricably linked to the processes of deep transformation of the national digital sphere. The powerful development of digital and information technologies has made

impetus to the formation of a qualitatively new information services market, which brings together a large number of consumers.

Individuals, employees, business representatives operating in this market, are aimed at optimizing public processes, they contribute to the increase of efficiency of those legal entities involved in this process. On the basis of the use of large amounts of up-to-date information, there is a gradual improvement of market interaction between the subjects, who actively use modern information technologies in their activities.

It is now possible to highlight the most important factors in the development of digitization processes. They can equally include both the emergence of new digital technologies and the formation of fundamentally new requests and needs of consumers. Among these new needs we distinguish the setting of time-saving, the search and purchase of goods according to clear properties and parameters for the projection of new values, and the change of conditions of the competitive environment.

Such transformations should be confirmed by radical changes in the national policy regarding the attitude of the state to the traditional types and ways of conducting management activities, as well as the optimization of these activities to high world standards. It is particularly important to emphasize the urgent importance of ensuring that existing types and models of interaction between the subjects are properly and timely developed.

Nowadays, Ukraine is one of the countries mostly needed of technological improvement, as recently it has only started to gain momentum in its gradual movement towards European integration. Recently, some initiatives have emerged on the part of the Ukrainian political and governmental agencies, aimed at providing reliable support for the ideas of digitalization of national social relations, in particular, business turnover at the state level (O. Ye. Hudz, p. 4-12). Among the conditions, which are considered necessary for the effective functioning of public relations in the sphere of conducting management activity, there are several priorities. First of all, in order to successfully implement state-of-the-art technological advancements into the domestic reality, the national legislators must create and adopt appropriate regulatory acts that would regulate the infrastructural development of mobile and digital communications as the foundation of the existence for technologies and applications operating in cyberspace.

Based on the scientifically proved conclusion that almost all aspects of the modern life of the subjects of public legal relations are interrelated, it should be emphasized that during the growth and improvement of one of high-tech fields, the conditions will be automatically created for the development of other scientific and technical spheres. That is, based on the already existing digital television technologies and widespread broadcasting, there is an opportunity to enrich the telecommunication field with the increasingly necessary computerization and gadgetization. Moreover, the volumes and directions in the direction of improvement have almost no boundaries in the field of such technologies as automated computing, virtualization and storage of cloud data, as well as the creation and improvement of cyber security tools.

The Laws of Ukraine “On the National Program of Informatization”, “On the Concept of the National Program of Informatization” (Law of Ukraine), decree of the Cabinet of Ministers of Ukraine “On approval of the Concept for the development of digital economy and society of Ukraine for 2018-2020 and approval of the action plan for its implementation” (Ordinance of the CMU) may be among the main regulatory documents, which are intended to establish more or less effective regulation of public relations in the high-tech sphere, in particular in the future.

Therefore, the thesis that would unite all the above conclusions and statements is one that emphasizes the urgent importance of the formation of purposeful state policy by the political leadership of the country, which would be primarily focused on improving the investment climate of Ukraine through innovative business development, use of the latest information technologies in business, effective and high-quality growth of interaction between the subjects of market relations.

The significant changes that are currently taking place in the world and national information environment are able to cover various aspects of citizens' life. Let's take at least the technological environment or the economic and social sphere, since the influence of information sources on the identity of the subjects of public legal relations, and therefore on the general labor market, is considered almost decisive (S. V. Koliadenko, p. 105-112).

According to experts, the gradual development of the world scientific and technological sphere may create all the necessary conditions for the emergence of the so-called “fourth industrial

revolution”, the main basis of which should be qualitatively new administrative decisions, as well as focusing mainly on the mass introduction of cyber-physical systems in the industrial production.

In the modern reality there are fundamental changes, along with this, in the systems of forecasting events, planning conditions for servicing the needs of the subjects of public legal relations in various spheres of their life, such as official activities (i.e. work), everyday life and, at the same time the scope of their rest. It is also necessary to add that the process of digitization of different types of information sources is currently very active, as it is generally recognized by specialists as an urgently needed and attractive effect for individuals and legal entities that are consumers. Some scholars generally define the information sphere as one having all the necessary components to be the most powerful means of influence on public relations in any field (N. M. Kraus, K. M. Kraus,).

The clear and quite logical result of the qualitative improvement of the latest service systems and attendance, based on the successful introduction of high technology into the activities of the subjects providing these services, has been the significant and noticeable expansion of the zones and scope of implementation of such technological means of administrative activity worldwide. This type of service model and the provision of various services, both public and private, timely provided with the relevant sources of information, had its undeniable advantages over other models of administration.

However, this type of administrative regulation of social relations through the use of obvious advantages of the high-tech sector, with all its significant advantages over other models of administrative activity, and despite its status as the most modern and effective method of administration (because it relies on modern scientific and technical achievements of society), has some disadvantages. In particular, issues related to such important components for the high-tech sector as economic security or optimization of management system of decision-making based on a single digital infrastructure, need to be urgently addressed. The process of changing the structured system of the entire management sphere requires timely review of the available methods and techniques that are currently being actively used by the administration subjects. For example, one of the steps that Western partners of Ukraine expect to

see successfully implemented, is the introduction of new models of organization of management, distribution and coordination in the national management system. Some scholars while careful study of the current market of services functioning in the country and in the world, distinguish a certain list of companies in the modern market, which can be defined as leading and “model” ones in relation to others.

Among the features that are characteristic and common to modern advanced world companies, we should, first of all, distinguish their general focus on the application of the “business model of the future” in their daily activities. The main components of the essence and generators of efficiency of such companies are their timely response to changing consumer preferences, as well as the desire to leave behind their market competitors in the outcome (H. B. Sokolova, p. 92-96).

Conclusions

Therefore, summarizing the above conclusions, it should be noted that in the conditions of active process of spreading digitization of almost all spheres of public relations, as well as increasing the influence of technological level of a particular subject of activity on the level of efficiency of its functioning, innovation in the use of modern systems and timely decision-making based on comprehensive monitoring of consumer interests should become the main directions for the development of management systems’ technologies.

At the same time, we should consider such necessary components of any successful activity as rational human resources work and general coordination of all types of administrative activity between all subjects of its implementation, without exception. These components are an indispensable attribute of performance when performing works, and therefore, must be properly adhered to. In this case, it will significantly increase the innovative attractiveness of the national economic and management model. Besides, the research sector should be placed in safety by the legislative agency of the state power, since the limits of technological improvements in the structure of public relations, as well as their legal regulation, must be clearly and unambiguously stated in the adopted regulatory acts. Effective and qualitative digitalization of public relations becomes a reality only in such conditions.

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