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## THE STATE OF SCIENTIFIC RESEARCH ON THE DEFINITION OF THE CONCEPT AND ESSENCE OF PUBLIC ADMINISTRATION IN THE FIELD OF ALTERNATIVE ENERGY IN UKRAINE

**Abstract. Purpose.** The purpose of this article is to identify and elucidate the approaches, conceptual foundations, and key provisions developed within the administrative-law domain of scientific knowledge regarding the definition of the concept and essence of public administration in the field of alternative energy in Ukraine. **Results.** Since the formation of a new scientifically grounded concept is always based on the study, analysis, and integration of existing theoretical and practical knowledge, as well as on a critical rethinking of existing approaches, this article presents the main conceptual foundations established within the administrative-law domain concerning the definition of the concept and essence of public administration in the field of alternative energy in Ukraine. It is noted that the author did not identify comprehensive monographic studies dedicated specifically to the legal nature and functional mechanisms of public administration in Ukraine's alternative energy sector. Instead, available research substantiates the belonging of social relations within the alternative energy sector to the object component of mechanisms of state, legal, and administrative-law regulation. It is asserted that periodic scholarly works contain a number of conceptual provisions that may serve as a methodological basis for the further development of the theoretical and legal foundations of public administration in the said sector. **Conclusions.** The research is summarized in two key points: 1) it is necessary to distinguish between normative and scientific discourses in the interpretation of the content and essence of public administration in the field of alternative energy in Ukraine; 2) there is a need to form a comprehensive scientifically grounded approach to understanding the mechanisms of public administration in this sector. It is proposed to consider alternative energy as a strategic object of Ukraine's state policy, the protection, provision, and support of which constitute an independent state priority in the context of state-building. Accordingly, public administration in the field of alternative energy in Ukraine is defined as a means of realizing the public interest in achieving energy independence, sustainable economic functioning, and environmental security, which objectifies regulatory, managerial, provision, protection, and safeguarding mechanisms of social relations arising in the process of using alternative energy sources. It is further noted that public administration in this sector can reasonably be defined as a form of state policy implementation in the field of alternative energy, carried out through the activities of specially authorized entities—representatives of public administration—who are functionally obliged to create appropriate conditions for the full development of the sector.

**Key words:** alternative energy, renewable energy sources, sustainable energy, energy independence, energy resources, public administration, sustainable development.

**1. Introduction** The formation of a new scientifically grounded concept is always based on the study, analysis, and integration of existing theoretical and practical knowledge, as well as on the critical reconsideration of existing approaches. In other words, any scientific research, regardless of its structure and content, must be built on clear methodological foundations, among which is the correct selection of review sources for analysis.

When beginning research on ways to improve the legislative and practical imple-

mentation aspects of public administration in the field of alternative energy in Ukraine, it is indisputable that it is necessary to clarify the concept and essence of the phenomenon under study, which is practically impossible without analyzing the state of scientific investigation of this problem by domestic administrative law scholars.

In view of the above, the purpose of this article is to identify and elucidate the approaches, conceptual foundations, and key provisions developed within the administrative-law

domain of scientific knowledge regarding the definition of the concept and essence of public administration in the field of alternative energy in Ukraine.

## 2. Principles of State Regulation of the Development of Alternative Energy

It should be noted immediately that comprehensive monographic studies dedicated specifically to the legal nature and functional mechanisms of public administration in the field of alternative energy in Ukraine have not been identified. Instead, available research substantiates the attribution of social relations within the alternative energy sector to the object component of mechanisms of state, legal, and administrative-law regulation.

For instance, O. Voloshyn asserts that: *"The further development of alternative, non-traditional, renewable energy sources in Ukraine requires the creation and legislative provision of favorable investment conditions and appropriate state support, the development and implementation of competitive technologies and equipment models, and their introduction into production. State support for the production of alternative energy sources should consist in granting relevant incentives and stimulating private investment (including foreign investment) directed towards the development of various sectors of alternative energy. Only under these conditions will the development of wind energy facilities; solar energy facilities; energy facilities producing electricity from biogas; energy facilities producing electricity from biomass; environmental thermal energy facilities; and facilities harnessing the hydropower potential of small rivers in Ukraine at an economically feasible level significantly increase the share of alternative energy in the overall fuel and energy balance and ensure the necessary level of Ukraine's economic, environmental, and energy security"* (Voloshyn, 2015).

Thus, according to the scholar, state regulation of the development of alternative energy includes: legislative provision, creation of conditions for a favorable investment climate, stimulation of scientific, technical, and technological development, as well as state support for entities operating in this sector. At the same time, the scholar defines state regulation of alternative energy development as: *"the influence of the state (the regulatory entity) on the regulated objects through the creation of proper conditions for the production, supply, transportation, storage, transfer, and consumption of energy produced from alternative sources, with the aim of ensuring sustainable, balanced, and innovative development of the national energy system, which implies the rational use of available energy resources, ensuring national energy security on*

*environmental grounds, and improving the welfare of society"* (Maistro, Voloshyn, 2015; Voloshyn, 2015).

Equally noteworthy is the position of D. Shtoda, who proposes defining administrative-law regulation of relations in the field of alternative energy use as *"administrative-law influence exerted by authorized entities through the norms of administrative law and other administrative-law instruments, aimed at targeted activities to ensure the public interest in the development of alternative energy in Ukraine, and guaranteeing each individual the real observance of rights regarding the production, storage, transportation, supply, transfer, and consumption of energy obtained from alternative sources, as well as the adequate protection of these rights in the event of their violation"* (Shtoda, 2023).

It is important to note that the relationship between these categories and public administration is rather controversial. For example, M. Rivis argues that public administration and administrative-law regulation are closely interconnected. The scholar explains that for a long time, domestic science referred exclusively to the terms "state governance" and "state regulation", including administrative-law regulation. However, over time, there has been a tendency to transform these categories into a qualitatively new conceptual apparatus, resulting in the emergence of the new theoretical construct of "public administration" (Rivis, 2018). He further clarifies that this construct gained widespread use due to the radical reform changes in the state apparatus and specific organizational factors in its structure. The transition from a model of totalitarian governance to the recognition of human goods, values, and needs as a priority of state policy necessitated the implementation of regulatory processes not only by the state but also with the involvement of other, non-state institutions (Rivis, 2018).

The scholar L. Aldokhina, who dedicated a scientific publication to certain issues of organizing public administration in the field of alternative energy in Ukraine, also emphasizes that the topic of public administration has been the subject of scientific discussion in recent years due to the transformation of the state governance system and the emergence of new inter-related categories, such as "public management" and "public administration". Consequently, managerial functions in the public sphere are carried out not only by state authorities but also by other entities endowed with authority (local self-government bodies, public organizations, etc.) [5, p. 105].

According to her, the concept of "public administration in the field of alternative energy" can be defined as the purposeful interaction

of public administration entities (the Ministry of Energy of Ukraine, other authorized state bodies, and local self-government bodies) with alternative energy producers, consumers, and other participants in the energy market regarding the implementation of regulatory legal acts in the field of alternative energy and the execution of main tasks and functions in this sector (creation of legal, organizational, and material-technical conditions, including attracting investments necessary for sector development). She clarifies that the analysis of the content of the public administration process in the field of alternative energy in Ukraine demonstrated that such a process combines elements and instruments of management, regulation, and monitoring, and therefore requires the development of a comprehensive regulatory framework that would maximally cover the legal relations between the subject and object of administration, with the legislative consolidation of the concept of "*public administration*" and its main functions in the field of alternative energy. According to the scholar, the main task of public administration in this sector is to create a coordinated mechanism of interaction between the state, local self-government bodies, and business entities in the field of alternative energy on the principles of public-private partnership to create maximum opportunities for the effective development of the sector (Aldokhina, 2021).

### 3. Features of Public Administration in the Field of Alternative Energy Sources

In another publication, L. Aldokhina expressed the view that state governance and public administration in the field of alternative energy sources should involve the establishment of a system of supervision and control over the effective use of renewable energy sources and alternative fuels; the development and monitoring of the implementation of state target programs in the field of efficient use of alternative energy sources and fuels; and the development of sectoral and regional programs in this area. One of the primary tasks she identifies is ensuring the further development of public-private partnership mechanisms in the use of alternative energy sources, coordinating and harmonizing interactions between public authorities and participants in the energy market to accomplish the main tasks and functions in this sector, as well as further improving the regulatory framework governing the field of alternative energy (Aldokhina, 2023).

Interestingly, A. Zadykhailo, in his publication "*Main Directions for Improving State Governance in the Field of Alternative Energy in Ukraine*", states that: "*The study of the concept of state governance in the field of alterna-*

*tive energy requires scientific and theoretical justification and the definition of the content of state governance, the essence, and directions for improving the main categories of state governance in the alternative energy sector. There is also an urgent need to distinguish this category from the related concepts of 'public management' and 'public administration,' primarily due to the transformation of the state governance system itself and the emergence of new interrelated categories in this domain*" (Zadykhailo, 2021).

We find this scholarly position compelling, as it appears sufficiently substantiated by those researchers who consider state governance as the organization of the state sector, which implies the absence of variability in behavioral models or the organizational structure of the governance object and represents the establishment and enforcement of imperative norms in exclusive spheres of state interest. Such spheres include those that are wholly or partially non-public by default—internal security, areas containing state secrets, territorial division of administrative units, economic aspects of ensuring state competitiveness, and international relations (Danylenko, 2020).

However, A. Zadykhailo does not share this view, arguing that the category "*state governance*" has lost its methodological properties, since one of the subjects of administrative legal relations is the local self-government body, which does not belong to either the system of state authorities or the domain of state governance. Therefore, the main directions for improving state governance in such a strategically important sector for ensuring national security and energy independence as alternative energy, according to Zadykhailo, are primarily: the improvement of legal regulation of legal relations between the subject and object of administration; the legislative consolidation of the concept of "*public administration*", its main principles, and functions in the field of alternative energy; further scholarly investigations to delineate the relationship between the concepts of "*state governance*", "*public management*", and "*public administration*"; and research into the organizational and legal component of implementing the latter in the alternative energy sector (Zadykhailo, 2021).

Accordingly, summarizing an interim conclusion of this research, we can note the following:

– **First**, the legislative and scholarly discourses regarding the development processes of the alternative energy sector under active state participation differ in terms of conceptual-contents and ideological characteristics;

– **Second**, scholars unanimously agree that the state must actively participate in the mechanisms for developing this sector;

– **Third**, at the current stage of state-building processes, it is more appropriate to appeal to the category of “*public administration*” in the field of alternative energy in Ukraine, which necessitates an update of the regulatory terminology. The methodological basis for this can be provided by periodic scientific works containing a number of conceptual provisions on the issue. However, it seems more appropriate to conduct a monographic study that would systematically and comprehensively illuminate the foundational theoretical and legal principles of public administration in this sector.

#### 4. Conclusions

The conducted research can be summarized in two key points: 1) it is necessary to distinguish between the normative and scientific discourses in interpreting the content and essence of public administration in the field of alternative energy in Ukraine; 2) it is essential to develop a comprehensive, scientifically grounded approach to understanding the mechanisms of public administration in this sector.

It should be assumed that alternative energy ought to be considered a strategic object of Ukraine's state policy, the protection, provision, and support of which constitute an independent state priority in the context of state-building.

Accordingly, public administration in the field of alternative energy in Ukraine can be defined as a means of realizing the public interest in achieving energy independence, sustainable economic functioning, and environmental security, which objectifies in the legal implementation sphere the mechanisms of regulation, management, provision, protection, and safeguarding of social relations arising in the process of using alternative energy sources.

On the other hand, public administration in the field of alternative energy in Ukraine can reasonably be defined as a form of implementing state policy in the sphere of alternative energy sources, carried out through the activities of specially authorized entities—representatives of public administration—who are functionally obliged to create appropriate conditions for the full development of the sector through lawmaking, strategic planning and forecasting, licensing and registration, control and supervisory activities, state support, and other relevant measures.

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## СТАН НАУКОВОГО ОПРАЦЮВАННЯ ПРОБЛЕМИ ВИЗНАЧЕННЯ ПОНЯТТЯ ТА СУТНОСТІ ПУБЛІЧНОГО АДМІНІСТРУВАННЯ У СФЕРІ АЛЬТЕРНАТИВНОЇ ЕНЕРГЕТИКИ УКРАЇНИ

**Анотація.** *Метою статті* є виявлення та розкриття підходів, концептуальних зasad і основних положень, сформованих у межах адміністративно-правової галузі наукових знань щодо визначення поняття та сутності публічного адміністрування у сфері альтернативної енергетики України. **Результатами.** Оскільки формування нової науково обґрунтованої концепції завжди ґрунтуються на вивченні, аналізі та інтеграції наявних теоретичних і практичних знань, а також на критичному переосмисленні існуючих підходів, у цій статті автором розкриваються основні концептуальні засади, сформовані у межах адміністративно-правової галузі наукових знань, щодо визначення поняття та сутності публічного адміністрування у сфері альтернативної енергетики України. Зауважено, що комплексних монографічних праць, присвячених тематиці визначення юридичної природи та особливостей функціонування механізмів публічного адміністрування у сфері альтернативної енергетики України автором не виявлено. Натомість наявними є наукові розробки, що обґрунтують приналежність суспільних відносин сфері альтернативної енергетики до об'єктної складової механізмів державного, правового та адміністративно-правового регулювання. Констатується, що періодичні наукові праці містять ряд концептуальних положень, які можуть слугувати методологічною основою для подальшої розробки теоретико-правових засад публічного адміністрування в означений сфері. **Висновки.** Проведені розвідки узагальнено двома ключовими положеннями: 1) варто розрізняти нормативний та науковий дискурси інтерпретації змісту та сутності публічного адміністрування у сфері альтернативної енергетики в Україні; 2) необхідним є формування цілісного науково обґрунтованого підходу до розуміння механізмів публічного адміністрування в означений сфері. Запропоновано виходити з того, що альтернативна енергетика має розглядатись як стратегічний об'єкт державної політики України, охорона, забезпечення та підтримка розвитку якого є самостійним державним пріоритетом у сфері розбудови державності. З огляду на зазначене публічне адміністрування у сфері альтернативної енергетики України визначено як спосіб реалізації суспільного інтересу в досягненні енергетичної незалежності, сталого функціонування економіки та екологічної безпеки, що об'єктивує в правовеалізаційну площину механізми регулювання, управління, забезпечення, охорони та захисту суспільних відносин, які виникають у процесі використання альтернативних джерел енергії. Проте зауважено, що публічне адміністрування у сфері альтернативної енергетики України цілком закономірно може визначатись як форма реалізації державної політики у сфері альтернативних джерел енергії, що реалізовується через діяльність спеціально уповноважених суб'єктів – представників публічної адміністрації – які функціонально зобов'язані створити належні умови для повноцінного розвитку означеної сфері.

**Ключові слова:** альтернативна енергетика, альтернативні джерела енергії, відновлювальна енергетика, енергетична незалежність, енергетичні ресурси, публічне адміністрування, стабільний розвиток.