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INSTITUTIONAL AND LEGAL MECHANISMS FOR ENSURING LEGALITY AND DISCIPLINE IN PUBLIC ADMINISTRATION BODIES

ABSTRACT

The article is devoted to a comprehensive study of institutional and legal mechanisms for ensuring legality and discipline in public administration bodies. The emphasis is on the analysis of the institutional control system, which includes state authorities, internal control services, specially authorized supervisory structures, and instruments of public control. The essence of legality as a fundamental principle of public administration is revealed, as well as discipline as a special type of official responsibility that ensures an adequate level of organization and professional behavior of civil servants. The work describes the current administrative and legal regulations in the field of control over the activities of public administration bodies, in particular, the norms that determine the procedure for internal and external control, the application of preventive and coercive measures, and the procedures for bringing employees to disciplinary responsibility. Particular attention is paid to the role of anti-corruption institutions, administrative justice, mechanisms of official supervision, and audit. It has been established that the current challenges of public authority transformation require improvement of the regulatory framework, increased efficiency of organizational structures, digitization of control procedures, and development of transparent accountability mechanisms. Based on an analysis of current approaches, the need for systematic modernization of legal instruments of control and supervision, strengthening of professional standards in the civil service, and introduction of innovative methods of ensuring legality, in particular, risk-oriented models of performance evaluation, has been substantiated. It is concluded that the effective functioning of institutional and legal mechanisms for ensuring legality and discipline is a key condition for the formation of a responsible, transparent, and public interest-oriented public administration.

Keywords: legality, discipline, public administration, administrative law, control, supervision, civil service, responsibility, institutional mechanisms, legal regulation

JEL Classification: K23, H83, D73, K10, H70, P48

INTRODUCTION

Ensuring legality and discipline in the activities of public administration bodies is one of the key conditions for the effective functioning of state power and the implementation of the principles of a democratic state governed by the rule of law. In the current context of reforming the public administration system, transforming civil service institutions, and introducing new management standards, there is a growing need for an updated theoretical and legal understanding of the mechanisms that ensure compliance by civil servants with the requirements of legislation, professional ethics, and proper management procedures. Legality is a fundamental feature of proper public administration, defining the limits of government activity and ensuring the realization of citizens' rights and freedoms. Discipline, in turn, ensures internal organization, responsibility, and predictability of employee behavior, which is necessary for the stability and high-quality functioning of the public service.

At the same time, problems continue to arise in public administration practice due to shortcomings in the control system, insufficient effectiveness of institutional oversight, gaps in legal regulation, and a low level of professional culture. The expansion of the

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range of public services, the digitization of administrative processes, and increased requirements for transparency and accountability of public authorities pose new challenges for ensuring legality, which require in-depth scientific analysis. In addition, issues of coordination between the powers of supervisory bodies, the effectiveness of disciplinary procedures, compliance with anti-corruption standards, and ensuring a balance between the autonomy of public administration bodies and their accountability to society remain relevant.

Equally important is the improvement of institutional mechanisms, in particular the optimization of the internal control system, the development of audit structures, and the expansion of opportunities for public oversight and administrative justice. In this context, particular attention should be paid to studying the interaction between legal norms and organizational and functional elements of control, since the effectiveness of ensuring legality depends not only on the formal requirements of legislation, but also on the quality of institutional practice.

LITERATURE REVIEW

In contemporary legal theory, the issues of legality, discipline, and control in public administration are considered quite broadly, but a number of questions remain open regarding the clarity of the categorical apparatus, the completeness of institutional mechanisms, and their effectiveness in practice. In this section, we analyze the key works that have influenced the formation of approaches to these problems and point out their strengths and weaknesses.

First, Dwight Waldo made a fundamental contribution to the theory of public administration in his work *The Administrative State*. In it, he systematized a political-theoretical approach to bureaucracy as an autonomous and professional agency of public authority that should serve the public good, rather than simply ensuring efficiency or managerial rationality. This provides a valuable basis for understanding why the public service needs legal guarantees of legality and discipline. However, critics note that Waldo focuses more on the political and cultural context of bureaucracy than on specific legal mechanisms for ensuring accountability and control.

A critical continuation of the theoretical foundations was Ralph Foorthuis' study "Tactics for Internal Compliance: A Literature Review." The author presents a typology of 45 tactics for ensuring internal compliance policies in organizations: from regulatory initiatives to cultural and behavioral practices. This approach is useful for public service because it shows that legal mechanisms are only part of the picture; organizational, psychological, and sociocultural factors of discipline are no less important. At the same time, it is critically noted that the "compliance" method — mainly from the context of corporations — is not always adequately adapted to public authorities due to the different nature of motivation and responsibility.

In the context of Ukrainian doctrine, Y. A. Chaplinska's work "Some Features of Defining Legality and Discipline in Public Administration" (2016) plays an important role. The author emphasizes that legality and discipline are not just related but interrelated phenomena: legality is the "core," the basis of discipline. She points out that without a clear legislative and institutional framework, discipline in public administration risks remaining declarative. This approach is important, but it has a drawback: it does not sufficiently take into account how institutions (control, supervisory, personnel) influence discipline in practice.

A systematic understanding of the concept of "public administration" as a legal category was provided by Yuriy Kunev in his article "Public administration: place in the system of administrative law". Defining the place of public administration in the system of administrative law makes it possible to more accurately identify where to look for institutional and legal mechanisms of control, discipline, and accountability. However, it should be noted that this work focuses on theoretical definitions rather than on the analysis of specific mechanisms for their implementation.

The combination of managerial and legal approaches to public administration is presented in the study by Maria Blihar and Iryna Krykavska, "The Administrative Law – Legal Basis of Public Governance Implementation". The authors argue that public administration should be analyzed as a legal, managerial, and social category simultaneously, which allows for a broader assessment of the instruments for regulating the activities of public authorities. At the same time, however, such a synthetic methodology can blur the clarity of legal guarantees if legal mechanisms of discipline and accountability are not reasonably identified.

Conceptual analysis of control, supervision, and jurisdiction institutions is also provided in works devoted to issues of administrative justice. In particular, Olena Kostromina's work "Administrative Justice in the System of a Modern Legal State" (2023) emphasizes the importance of the system of administrative courts and administrative proceedings as one of the key instruments for ensuring legality in public administration. She argues that administrative justice creates a balance between the powers of administrative bodies and the rights of citizens, which increases trust in public authorities. At the

same time, the author acknowledges that judicial control is not a panacea; its effectiveness depends on procedural implementation and the resource and human capacity of the courts.

A similar position is taken by M. Mykolaychuk in his article "The Role of Public Administration Control of the Judicial System in Ukraine" (2024), which analyzes various forms of control — state, public, and judicial — as mechanisms for legitimizing power and preventing abuse. The author emphasizes that the institutionalization of control is important but insufficient without the development of a culture of responsibility and independent law enforcement.

In the field of theoretical justification of state-administrative ethics and deontology, the work of P. P. Bilyk and I. A. Osadcha, "Administrative Discretion in Public Administration and Its Connection with Legal Deontology" (2021), is important. They examine the legal regulation of administrative discretion and propose ethical standards of conduct for officials as a basis for discipline and the legitimacy of decisions. The significance of the study lies in the authors' attempt to combine formal legal mechanisms with the moral and ethical component of public service. However, their proposals remain at the level of theoretical concepts and lack a sufficient empirical basis.

Finally, current trends in public administration in the context of digitalization, openness, and accountability are highlighted in works that analyze mechanisms of citizen participation and transparency of administrative activities. In particular, the article "Mechanisms of Citizen Participation in Public Administration: Experience of Foreign Countries" (2023) examines foreign experience in involving the public in management and control processes, which can be useful for strengthening discipline and legality through social accountability.

However, in general, the following problems can be observed in Ukrainian science:

1. Insufficient empirical research on the effectiveness of control and disciplinary institutions.
2. A gap between theoretical models (compliance, deontology, and administrative justice) and actual practice.
3. Insufficient consideration of the sociocultural context, motivation of public service employees, organizational culture, and the human factor.
4. Insufficient attention to the integration of various mechanisms (regulatory, institutional, ethical, public) into a single effective system.

To sum up the review, we can conclude that contemporary literature provides a solid theoretical basis for understanding legality, discipline, and control in public administration, but there is a lack of comprehensive studies that combine normative analysis, institutional structure, organizational and management practices, and empirical assessments of real effectiveness. It is this gap that determines the relevance and social significance of the research proposed in this article.

AIMS AND OBJECTIVES

Therefore, the purpose of this article is to conduct a comprehensive analysis of institutional and legal mechanisms for ensuring legality and discipline in public administration, to determine their current status, problems, and prospects for development. The results of the study should contribute to the formation of a comprehensive scientific basis for improving administrative and legal instruments of control and supervision and strengthening citizens' trust in public authorities. Achieving this goal requires solving a number of interrelated scientific tasks aimed at a systematic analysis of the theoretical foundations and practical aspects of ensuring legality and discipline in public administration bodies. First, it is necessary to clarify the content and essence of the categories of "legality" and "official discipline" in administrative and legal science, to determine their relationship, interdependence, and role in the functioning of public authorities. This involves studying the main approaches in contemporary doctrine and analyzing the evolution of legal concepts regarding the proper conduct of subjects of authority. Second, an important task is to identify and classify the institutional mechanisms that ensure an adequate level of legality, including internal and external control bodies, supervisory structures, specialized services, anti-corruption bodies, administrative courts, and instruments of public influence. Within the framework of this task, it is necessary to determine the place of each entity in the control system, the limits of its powers, and the level of effectiveness of its interaction. Third, it is necessary to analyze the regulatory framework governing issues of official discipline and accountability of civil servants, in particular disciplinary procedures, guarantees of objectivity and fairness of decisions, as well as mechanisms to prevent abuse by management. Particular attention should be paid to assessing the compliance of current legislation with European standards of public service and the recommendations of international organizations. Fourth, the practical implementation of mechanisms to ensure legality needs to be studied: the procedure for organizing control measures, problems with their effectiveness, typical violations, institutional barriers, and the impact of digitalization on control procedures. In this context, it is important to assess the extent to which modern management tools promote

transparency, accountability, and the prevention of corruption risks. Fifth, it is necessary to outline the main directions for improving institutional and legal mechanisms, develop proposals for optimizing the control structure, raising professional standards in the civil service, and introducing innovative models for ensuring legality. Solving these tasks will allow us to form a scientifically sound system of recommendations for improving the efficiency of public administration and strengthening its authority in society.

METHODS

The methodological basis of the article is based on a combination of general scientific, special legal, and interdisciplinary methods that ensure the comprehensiveness, objectivity, and systematicity of the analysis of institutional and legal mechanisms for ensuring legality and discipline in public administration bodies. The choice of methods is determined by the multidimensional nature of the subject of research, which covers both regulatory and legal and organizational and functional aspects of public authority activities.

The leading method used in the work is the systemic method, which allowed us to consider the mechanisms for ensuring legality and discipline as a holistic, structurally ordered system within which legal norms, institutional bodies, management procedures, and human resources interact. Thanks to this method, it was possible to identify the functional links between control entities, their powers, and instruments of influence. The formal-legal method was of great importance and was used to analyze Ukrainian legislation, subordinate normative acts, internal regulations of public administration bodies, as well as international documents establishing standards of good governance and conduct of civil servants. It was used to interpret the content of legal norms, identify gaps and conflicts, and determine the limits of legal regulation. The comparative legal method made a significant contribution, enabling the analysis of foreign models of ensuring legality and official discipline, in particular the practices of EU countries, OECD countries, and states with developed public administration systems. The use of this method helped to identify common trends, effective management decisions, and opportunities for their adaptation in the Ukrainian legal environment. To study the actual activities of public administration bodies, a method of analysis and generalization of practice was applied, which included the processing of decisions of disciplinary commissions, acts of control bodies, audit conclusions, anti-corruption investigations, and the judicial practice of administrative courts. This made it possible to identify typical violations, institutional dysfunctions, and real problems in the implementation of mechanisms to ensure legality. An important part of the methodology was the functional method, which was used to study the actual effectiveness of control institutions, determine the compliance of their activities with the tasks set, and identify which functions are performed properly and which need improvement. A forecasting method was also used to identify promising areas for the development of the system for ensuring legality and discipline, particularly in the context of digital transformation, higher standards of openness, and integration into the European administrative space.

Thus, the use of a variety of methodological tools ensured a comprehensive disclosure of the research subject and allowed for the combination of theoretical, normative, and practice-oriented approaches, which is a necessary condition for forming well-founded conclusions and recommendations for improving the effectiveness of the public administration system.

RESULTS

Legality, although formally it can be analyzed separately as both a goal and a method, should nevertheless be considered not as a dialectical but as a dichotomous category. Dialectics presupposes the existence of internal contradictions, while legality does not presuppose them in its very nature: it is either observed or violated. The achievement of legality is impossible without the use of legal methods, as they provide institutional and procedural guarantees for the protection of the legal order. The use of legitimate and legal mechanisms, even if it does not lead to the immediate establishment of constitutional legality, inevitably brings society closer to its full establishment. In this context, legality is not only a legal requirement but also a manifestation of the maturity of state-building processes and the level of legal awareness of citizens. Ultimately, legality, constitutional legality, and state discipline are not identical, although they do have points of contact. That is why it is appropriate to present a comparative table (Table 1) that reflects the difference in the status, content, and legal nature of each phenomenon.

Table 1. Comparison of the concepts of "legality", "constitutional legality" and "State discipline".

Criterion	Legality	Constitutional legality	State discipline
Regulatory framework	Laws and subordinate legislation	Constitution, constitutional principles	Subordinate acts, instructions, service regulations
Status	Generally binding legal regime	The highest form of legality	Internal service order
Focus	Compliance with the law in general	Compliance with fundamental norms and guarantees	Performance of official duties
Subjects	All citizens and authorities	All government agencies and officials	Civil servants, military personnel, police officers
Level of control	Legal	Constitutional	Administrative
Function	Ensuring law and order	Guaranteeing the legitimacy of power	Ensuring administrative stability

However, for a more in-depth analysis, it is also worth showing the structural elements of each concept, as they determine its substantive nature (Table 2).

Table 2. Structural elements of legality, constitutional legality and state discipline.

Concept	Objective elements	Subjective elements
Legality	Normativity, certainty of law, and legal procedure	Legal awareness, culture of compliance, motivation
Constitutional legality	Constitutional norms, principles, and institutional guarantees	Constitutionalism, commitment to democratic order
State discipline	Regulations, order of service, duties	Professional ethics, motivation, and execution of orders

Therefore, when we talk about compliance with the law, we must understand the need to be aware of such requirements as: conformity of behavior with norms; control; reaction (lack of reaction contrary to the same legality is a violation). In this case, when explaining the importance of legality and discipline, it is necessary to define the criteria by which their compliance is assessed (Table 3).

Table 3. Indicators/criteria for assessing legality, state discipline, and constitutional legality.

Category	Basic criteria
Criteria for compliance with legality	Existence of legal procedures; compliance of decisions with norms; absence of arbitrariness; effectiveness of control
Criteria for public service discipline	Compliance with job descriptions; professional responsibility; subordination; accuracy and timeliness of performance
Criteria for constitutional legality	Compliance with the principles of the rule of law; separation of powers; constitutionality of decisions; legitimacy of actions by authorities

Despite the frequent use of the term "legality", its meaning is often perceived intuitively, without any attempt to delve deeper into its lexical, semantic, and legal aspects. Questions arise: why do we define legality as constitutional? Is "un-constitutional" legality possible? Is the mere existence of a law sufficient to speak of the existence of legality in a state? The answer to these questions can be found in the relationship between the hierarchy of normative legal acts and the supremacy of the Constitution. In a state governed by the rule of law, any law is valid only if it complies with the Basic Law, and therefore, legality as a phenomenon can only be complete in the constitutional sphere. Constitutional legality is not a separate type of legality, but its higher, system-forming form. It encompasses not only compliance with the norms of laws, but also the guarantee of inalienable rights and freedoms, the principles of democracy, humanism, justice, and legal certainty. That is why legality without constitutional foundations actually turns into a formal, rather than a real, legal order.

Separate emphasis should be placed on the difference between the proclamation of constitutional legality as a goal and its actual achievement. In a declarative sense, constitutional legality is a strategic goal of the state, enshrined in the Constitution and basic acts. However, the path to establishing effective constitutional legality requires all state institutions

to function in accordance with the principles of democracy. Ensuring constitutional legality is only possible under conditions of real democracy, adherence to the principle of separation of powers, an effective system of checks and balances, independence of the judiciary, accountability of public administration bodies, and the existence of institutional control mechanisms. Democracy is not a secondary condition — it is the foundation without which the achievement of constitutional legality becomes either impossible or artificial.

On the other hand, the formal “achievement” of constitutional legality can also be achieved through illegal, undemocratic, or repressive methods. History knows precedents when the establishment of visible “order” was achieved through restrictions on freedoms, pressure on political opponents, or forced subordination to the state apparatus. However, the short-term effect of “stability” never leads to the formation of a sustainable legal order. If violations of the law, arbitrariness, or impunity arise at the level of power structures, this inevitably becomes an example for citizens and transforms into a large-scale erosion of legality. Citizens begin to view compliance with the law not as a duty, but as optional behavior that directly depends on the practices of the authorities. Thus, even one-time and “justified” violations of the law by authorities have long-term destructive consequences for the entire system of statehood and public trust.

The current conditions of martial law in Ukraine have created additional challenges for ensuring legality and constitutionality. One of the most dangerous phenomena has been collaboration. As evidenced by research by O. Zaitsev (Zaitsev, 2023), in 2014–2022, there were numerous cases of violations of constitutional legality by officials at various levels in the Autonomous Republic of Crimea and parts of Donetsk and Luhansk regions: representatives of criminal justice bodies, the judicial system, internal affairs bodies, ministries, and local self-government structures. Collaboration was recorded not only among individual officials, but also among a significant proportion of employees of state institutions, which created real risks of paralysis of state power in the occupied territories.

Sociological assessments cited by Zaitsev demonstrate a critical level of involvement of civil servants in collaborationism — in some categories, it reached over 90%. This undoubtedly testifies not only to the destruction of legality but also to the vulnerability of the civil service system. At the same time, S. Kravchenko's position (Kravchenko, 2023) emphasizes an important legal distinction: not all cases of illegal interaction between civil servants and the occupying authorities should be classified as treason; a significant part of such acts corresponds to the legal nature of collaboration as a separate criminal offense. The scientific distinction between these concepts is significantly ahead of current legislation: despite discussions, there has been no complete regulatory specification of the boundaries of collaborationism to date.

In general, collaboration not only violates the law but also undermines the discipline of public administration, creating systemic threats. Therefore, it is important to outline the risks and consequences for statehood (Table 4).

Table 5. Risks and consequences of violations of legality and state discipline.

Area	Main risks	Consequences
Violations of legality	Arbitrariness; illegitimate decisions; destruction of the rule of law	Legal nihilism; loss of trust; delegitimization of authority
Violation of state discipline	Failure to perform duties; sabotage; corrupt practices	Decreased service effectiveness; threat to defense capability; administrative chaos
Violation of constitutional legality	Participation in anti-state activities; usurpation mechanisms	Undermining the constitutional order; a threat to national security

In these circumstances, it seems logical to assume that the actual number of civil servants who have violated constitutional legality in the temporarily occupied territories is unknown. Lack of access to archives, difficulty in identification, and voluntary cooperation with the occupation administration complicate an objective assessment of the scale of the phenomenon.

In our opinion, true constitutional legality manifests itself in three key areas: in the creation of law, in the implementation of law, and in the application of law. The Constitution, as the supreme law of the state, proclaims legality not only as a formal requirement but as a value-based principle that must permeate the entire system of public authority. Only if legality is recognized as a fundamental constitutional value can it be effectively embodied in social relations through appropriate institutional and legal forms. It is in this approach that its true essence is revealed—not as a set of norms, but as a principle of the organization of a state governed by the rule of law.

Having identified and summarized, to a greater or lesser extent, the issues related to the definition and problems in the field of understanding legality as an independent and integral phenomenon in the activities of state authorities and local self-government bodies, public administration bodies, it is necessary to consider this aspect of the problem in the context of the concept of “discipline”. However, which category is closest in meaning to the concept of discipline in terms of its

generalised and global aspect? What is the manifestation of the fundamental and general dimension of the discipline of a civil servant, an employee of the local self-government system, or a public administration body? The concept of legality exists in legal theory and practice, while the concept of constitutional discipline is essentially absent. Instead, we can trace the existence of the category of state discipline in legal science.

State discipline is essentially a slightly modified understanding of the same legality. At least, legality appears here as a primary category that allows us to establish clear demarcation lines that must be observed. That is, without the existence of laws and other normative legal acts, as well as the indisputable and absolute requirement of their full compliance, discipline would not exist, lacking any technical, substantive, and spatial guidelines. That is why legality is primary among these two closely related and interrelated categories, as it legally implements the rule of law, which is subsequently accepted by discipline.

In this context, state discipline should be understood as absolute compliance with the rules and regulations of state bodies. This applies not only to the laws and regulations that are widely known, but also to local regulations, statutes, contracts, instructions, and so on. In addition, it is quite logical to assume that the former exists more in theory and sets forms, standards, etc., while the latter has a praxeological emphasis. Therefore, in connection with the above-described format of approaches, there is an attempt to even single out legality as a separate element, giving it the name of the objective side of the concept of responsibility, while the subjective side of the phenomenon is demonstrated by the same daily schedule, working hours, strict compliance with the tasks assigned to the employee, etc.

It is only possible to speak of the existence of state discipline in a multifaceted dimension and to the full extent when it comes to its observance (as a set of norms and rules that must be observed by a specific subject depending on their socio-legal status) by all members of social relations, or at least declaring the desire for such compliance, formulating the idea of compliance with state discipline as a norm of purpose. At the same time, this should apply to the public sector (first and foremost), as well as the private sector, including a number of public organizations, legal entities under private law, and others. An equally important aspect in the context of studying the issue of state discipline is its interconnection with the moral component; namely, the intention to comply with state discipline through legal regulation measures must also correlate with moral, legal, and other social regulators. This is probably the same point that permanently points to the need to build close interrelationships and the principle of humanism, justice, permanent "humanization" of state discipline, awareness of the true need for its legitimization.

Therefore, the level of legal awareness and legal culture in society, as well as the effectiveness of legal regulation measures, can have a socio-legal impact on the outlined legal phenomenon, which indicates a close connection between legal and general assessment methods – legal regulation and legal influence. This state of affairs suggests that the concept of state discipline has surprisingly broad meanings and is not limited solely to compliance with certain rules of conduct. In particular, the measurement of state discipline can be reduced to understanding it as compliance with, implementation, use, and application of legal norms in a manner prescribed by law, taking into account the moral component; as a guarantee of the harmonious existence of society and the effective functioning of the state; as one of the characteristics of a state governed by the rule of law; as a type of lawful (socially active) behavior; as a promising form of social responsibility; as a procedure and regulation for performing certain legally significant actions; as a system of incentives and penalties. As for discipline in the public sphere, its observance by subjects from among public administration employees, it is also possible to distinguish its objective and subjective sides, where the first will be a set of rules, instructions, provisions, and norms, and the second will be their actual implementation and embodiment in the legally significant behavior of a specific subject-employee.

To characterize the aspects of state discipline in the activities of public administration bodies, it is worth referring to the results of an article by Y. Nazar (Nazar, 2023, 684), which describes in detail the list of features of this aspect. First of all, the researcher managed to establish what discipline is for the activities of public administration bodies, considering it as a condition. Indeed, such a formulation of the question seems logical, since it is difficult to imagine the harmonious existence of society and the state in a situation where public administration bodies do not clearly and strictly comply with regulatory and legal acts and do not maximize the effectiveness of the principle of legality.

In general, the discipline of public administration bodies, if closely intertwined with the law, is based on a slightly modified imperative formulation: one can only do what is directly permitted by law. Therefore, if, in the context of the implementation of legal norms by ordinary citizens, individuals, and legal entities, subjects of law, the imperative method characteristic of public law branches sounds like "only what is not prohibited by law is permitted", then in the case of a socially and legally significant procedure for the application of law by the authorities authorized to do so from a number of public administration bodies, this thesis takes on a slightly modified meaning. All this also points to the fact that when performing their duties, public administration officials must comply with basic criteria of discipline, which will also be a condition for

compliance with the rule of law as a method, goal, and principle, and thus ensure and guarantee the maintenance of law and order in society and the state.

In addition, as noted by some scholars (Kivalov et al., 2023, 594), there is a well-coordinated list of criteria that formulates and ensures the existence of discipline among representatives of public administration bodies. These include: loyalty to the oath taken by a civil servant, proper performance and observance of the internal imperative of a lawyer's official duties; approval and observance of the rules of internal labor regulations specific to a particular structural unit of the said body; recognition of the priority of the interests of the Ukrainian people; demonstration and expression of respect for the state in the form of its laws and state symbols; reasonableness and motivation of decisions made; impartiality, independence, and objectivity in decision-making; absence of corruption, subjective preferences in service, and unlawful benefits of various kinds; compliance with the general principles of law enshrined in the Constitution, international regulatory acts ratified by the legislative body, international treaties, etc.

For example, I. Yashutin also proposed his own definition of a concept that is important in the context of studying the discipline of public administration bodies, namely the concept of executive discipline. In particular, he considers it as a set of actions aimed at strict adherence to the proper, timely, and high-quality performance of duties and tasks assigned to public administration officials in accordance with their competence, as well as responsibility for the results of their work (Yashutin, 2020, 56).

Therefore, the responsibility of civil servants plays a special role in the constituent elements of the phenomenon of discipline, while discipline itself, in turn, has an equally strong influence on the formation of the responsibility of the institution of state power, and first and foremost, a promising, positive responsibility. Therefore, in order to maintain and improve the indicators of executive discipline, a number of measures should be taken, given its social importance. At the same time, such measures should be characterized first and foremost as motivational, stimulating, educational, and upbringing, and only then as coercive and punitive.

This state of affairs inevitably leads to the conclusion that the concept of discipline in public administration has two sub-systems: normative and ideological. This opinion is based on the fact that, in addition to the conscientious performance of their statutory powers, diligent attitude to their duties, and activities generally aimed at establishing law and order in society and the rule of law, one of the equally important factors is a set of actions such as informal, genuine, and meaningful loyalty to the oath, a thorough understanding and perception of the internal imperative of an employee's official duty, interest in the chosen work and a deep interest in the basics and peculiarities of its essence, the subject of its activity, as well as a creative approach to one's own work, demonstration of one's own initiative and ways of its permanent development and improvement. The range of issues mentioned in this paragraph will obviously constitute the ideological component of civil service discipline. And it is this aspect that most clearly indicates to us that the future of legal understanding lies precisely in the understanding of discipline in general, and the discipline of civil servants in particular, precisely in the understanding of discipline in the context of professional culture, that is, a modern and progressive understanding of public service bodies in general and public administration in particular, in the context of unique state services for the provision of services to the population, and not vice versa, and so on.

When examining aspects of responsibility and discipline among public administration employees, it is worth noting that ensuring compliance with discipline is of great importance in understanding discipline. However, this does not refer to formal mastery, but rather to a real understanding of the essence of the phenomenon by delving into the meaning of control. It should be understood that this is not about control as a punitive measure aimed at recording specific cases of violations, but rather about helping to achieve the desired result. This is its main essence.

Therefore, the challenge for the organization is to conduct such control measures in their optimal content and form. Experience shows that the most successful example of this kind of activity is auditing in the field of discipline in the activities of public administration bodies. This type of activity should be aimed at identifying errors in the civil service in general and in public administration bodies in particular, thereby improving their functional characteristics and performance indicators. Therefore, audit control can influence not only the sphere of discipline, but also, most importantly, the final product that will be provided to the population as clients. We are talking about the quality of services provided, which is the responsibility of the public administration body.

Constitutional legality is a category that is more evaluative than normative in nature. Its meaning and interpretation are mainly contained in international regulatory acts, and if there is a mechanism for bringing to justice for violations of these acts, it is rather relative. There is also no such legal characteristic as absolute imperativeness. After all, as we know, it is still possible to avoid negative consequences, and the very framework of a violation of constitutional legality is quite difficult

to establish. The methodology of legality is predominantly general legal and socio-legal. Among its components, primacy is given to natural law instruments, through which measures of legal influence are implemented.

As for the qualifying and classification characteristics of the category of discipline, it is important to emphasize a clearer definition in the regulatory and legal sphere and the consolidation of its definition in predominantly sectoral regulatory and legal acts. Such a category as discipline is much more clearly regulated, and the procedure for bringing to justice for violations of its norms is clearer and procedurally defined. Moreover, despite being enshrined in various sectoral regulatory legal acts of an executive and military nature, their essence remains approximately the same. This state of affairs contributes to the uniformity and conciseness of legal understanding. All this gives grounds to conditionally refer the category of discipline to the sphere of positive law.

The boundaries between discipline and legality, despite the somewhat evaluative nature of the latter, must be clear, and their violation must inevitably entail negative consequences in the form of legal liability. Ultimately, legal liability is inevitably linked to the activities of public administration bodies through the prism of legality and discipline, regardless of whether we are talking about its prospective, positive legal aspect, when professional legal behavior is law-abiding, or its negative, retrospective aspect in the event of a violation of the law.

DISCUSSION

The study shows that the institutional and legal mechanisms for ensuring legality and discipline in public administration bodies form a multi-component system that combines regulatory and legal norms, organizational structures, control procedures, internal management tools, and standards of professional ethics. However, an analysis of the literature and practices suggests that there are a number of controversial aspects in Ukraine that require further clarification and conceptual rethinking. First, the question of the balance between formal legal mechanisms and behavioral, ethical, and organizational factors of discipline is debatable.

Some authors (Christopher Hood, Michael Power, Foorthuis) emphasize that discipline is actually formed through control cultures, audit rituals, organizational standards, motivation, and informal rules. Meanwhile, Ukrainian administrative and legal doctrine traditionally emphasizes the priority of legality as the dominant principle and normative prerequisite for discipline. This results in a gap between the formal requirements of the law and the behavior of officials in real-life situations.

Second, there is a debate about the optimal model of control: centralized (through state supervisory bodies) or decentralized (through public institutions, professional standards, accountability, and transparency mechanisms). International studies (Bovens, Peters & Pierre, UNODC, OECD) demonstrate the effectiveness of mixed models, where formal control is combined with external public accountability. In Ukraine, however, social and public control mechanisms are not sufficiently institutionalized and mainly perform advisory rather than regulatory functions.

Third, the issue of the real impact of administrative courts on ensuring legality remains a significant problem. Although the practice of administrative justice is developing, many researchers (Kostromina, Mykolaychuk) note the insufficient speed of case consideration, the limited impact of court decisions on internal management procedures, and the lack of effective mechanisms for monitoring the enforcement of court decisions by public authorities. Thus, judicial control formally functions, but does not always ensure the rapid and clear restoration of legality. Fourth, current changes related to the digitization of public administration are generating debate about the advisability of introducing automated control systems, electronic employee files, and risk-oriented assessment models.

International studies (Anastasopoulos & Whitford, Coupette et al.) show that digital solutions can significantly increase the effectiveness of control, but without proper regulatory support, they can create new risks, ranging from privacy violations to uncontrolled algorithmic discrimination. Fifth, the question of how to ensure sufficient independence of control institutions remains open. A significant number of Ukrainian authors emphasize the need to strengthen internal control, but international experience convincingly shows that institutions responsible for discipline and verification must be organizationally autonomous from the objects of control. Otherwise, even well-written legal norms will not work to their full extent.

Therefore, the discussion surrounding mechanisms for ensuring legality and discipline in public administration is not so much about defining their list as it is about establishing optimal interaction between them, their real ability to influence the behavior of civil servants, and balancing administrative discretion with strict control procedures. Current international trends point to the need for comprehensive approaches in which institutional, legal, ethical, and digital mechanisms complement each other, forming an integrated system for ensuring legality in public authority.

CONCLUSIONS

As a result of the study, it can be concluded that ensuring legality and discipline in public administration bodies is a multi-level, comprehensive process that depends both on the quality of regulatory and legal regulation and on the actual functioning of institutions, internal organizational procedures, and the professional culture of civil servants. Legality is a fundamental requirement for the activities of public authorities and determines the limits of the exercise of power. Discipline ensures internal organization, smooth operation, and responsible performance of official duties.

An analysis of the mechanisms presented in the scientific literature has revealed that the system for ensuring legality in Ukraine has a developed regulatory framework, but does not always demonstrate adequate effectiveness. Key problems include: the gap between legal norms and organizational practice; insufficient independence of control bodies; weak integration between internal, external, and judicial control; insufficient attention to behavioral and ethical aspects of official activities; limited use of digital tools in control.

A comparison with international experience (OECD, UNODC, Transparency International, Peters & Pierre, Bovens) shows that countries that have achieved a high level of institutional integrity rely not only on legal norms, but also on strategies for building a culture of accountability, transparency of processes, professional development of employees, and a combination of formal and informal control. This opens up prospects for adapting relevant practices in Ukraine.

Based on the analysis, the following key areas for improving mechanisms to ensure legality and discipline can be identified:

1. Strengthening the institutional autonomy of control bodies with a clear definition of powers, procedures, and guarantees of independence.
2. Integrating digital control tools — electronic employee files, automated monitoring systems, risk-based assessment models.
3. Developing administrative justice, in particular, ensuring the enforcement of court decisions by public authorities, and expanding the preventive powers of courts.
4. Fostering a culture of professional integrity, including the development of codes of ethics, training programs, internal consultation mechanisms, and confidential reporting of violations.
5. Strengthening public oversight, institutionalizing mechanisms for citizen participation in monitoring government activities, optimizing disciplinary procedures, ensuring their transparency, objectivity, and fairness.

Therefore, effective enforcement of legality and discipline in public administration is only possible if legal, institutional, and organizational mechanisms function in a coordinated manner, complementing each other. The creation of such a comprehensive system will not only improve the quality of public administration but will also contribute to strengthening citizens' trust in the authorities, forming an effective rule of law, and establishing the principles of democratic governance. It is to these questions that future scientific research should be devoted.

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The Author declares that there is no conflict of interest.

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ІНСТИТУЦІЙНІ ТА ПРАВОВІ МЕХАНІЗМИ ЗАБЕЗПЕЧЕННЯ ЗАКОННОСТІ Й ДИСЦИПЛІНИ В ОРГАНАХ ПУБЛІЧНОГО АДМІНІСТРУВАННЯ

Стаття присвячена комплексному дослідженню інституційних і правових механізмів забезпечення законності й дисципліни в органах публічного адміністрування. Акцент зроблено на аналізі системи інституційного контролю, що включає органи державної влади, внутрішні служби контролю, спеціально уповноважені наглядові структури та інструменти громадського контролю. Розкрито сутність законності як фундаментального принципу діяльності публічної адміністрації, а також дисципліни як особливого виду службової відповідальності, що забезпечує належний рівень організованості та професійної поведінки державних службовців. У роботі охарактеризовано чинне адміністративно-правове регулювання в царині контролю діяльності органів публічного адміністрування, зокрема норми, що визначають порядок здійснення внутрішнього й зовнішнього контролю, застосування превентивних і примусових заходів, процедури притягнення працівників до дисциплінарної відповідальності. Окрему увагу приділено ролі антикорупційних інституцій, адміністративного судочинства, механізмів службового нагляду та аудиту. З'ясовано, що сучасні виклики трансформації публічної влади потребують удосконалення нормативних засад, підвищення ефективності організаційних структур, цифровізації контрольних процедур і розвитку прозорих механізмів підзвітності. На основі аналізу сучасних підходів обґрунтовано необхідність системної модернізації правових інструментів контролю та нагляду, посилення професійних стандартів державної служби, а також упровадження інноваційних методів забезпечення законності, зокрема ризик-орієнтованих моделей оцінювання діяльності. Зроблено висновок, що ефективне функціонування інституційних і правових механізмів забезпечення законності й дисципліни є ключовою умовою формування відповідальної, прозорої та орієнтованої на суспільний інтерес публічної адміністрації.

Ключові слова: законність, дисципліна, публічне адміністрування, адміністративне право, контроль, нагляд, державна служба, відповідальність, інституційні механізми, правове регулювання

JEL Класифікація: K23, H83, D73, K10, H70, P48