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Peculiarities of decision making by authorities in Ukraine in the transformation period

Specyfika podejmowania decyzji przez władze na Ukrainie w okresie transformacji

Summary:

This article analyzes the process of as well as the impact of transformation processes, political crisis and personal characteristics of governmental actors in policy-making. The present research concludes that the speed and efficiency of decision-making depends on the political and legal standards of government entities, their competence, as well as the ability to use the available resources and take responsibility for decision-making. During the transformations and political crisis there are a number of factors that affect the decision-making process, such as compliance with time parameters in deciding the objective and full-scale clear awareness of decision-making by the authorities.

Keywords: authoritative decision, political decisions, political crisis, the process of political decision-making

Streszczenie:

W artykule została przeanalizowana procedura podejmowania decyzji przez władze, w tym wpływ procesów transformacyjnych, kryzysu politycznego oraz charakterystyk osobowościowych podmiotów władzy, na przykładzie Ukrainy. W trakcie badania potwierdzono, że efektywność oraz optymalność podejmowania decyzji przez władze zależy od poziomu politycznej i prawnej kultury podmiotów władzy, poziomu kompetencji, umiejętności wykorzystywania całego systemu dostępnych środków oraz kategorii odpowiedzialności. Autorka uzasadnia, że w okresie przemian transformacyjnych oraz kryzysu politycznego istnieje szereg czynników mających wpływ na proces podejmowania decyzji. Do najważniejszych zalicza przede wszystkim przestrzeganie parametrów czasowych oraz wszechstronnie obiektywny i precyzyjny zasób wiedzy podmiotów podejmujących decyzje urzędowe.

Słowa kluczowe: decyzja urzędowa, decyzja polityczna, kryzys polityczny, proces podejmowania decyzji politycznych

1. Introduction.

The period of transformations, apart from the changes of political settings and the economic basis of social relations is characterized by the displacement of the centers of policy making. Moreover, the changes take place in the centers of authoritative decision-making i.e., in central government decision-making bodies, that make decisions concerning the vital national interests and implementing the collective will of the society. It is important to understand how the relations between the centers of decision-making change and what are the peculiarities of decision-making situations in Ukraine, because we can observe confrontation between the key authoritative institutions: President, Government and Parliament. Therefore, the specific features of the operation of decision-making centers, as well as peculiarities of transformational situations are very important in modern scholarly research.

This article is aimed at disclosing the meaning of the notion of authoritative decision-making and the peculiarities of decision-making during the transformations and systemic crisis symptoms.

2. Characteristic of authoritative decisions.

An authoritative decision is a complex process of cooperative interaction of an institutional where is a political decision center prepared and adopted together with the bodies that implement the legalized decision, the bodies that control the decision implementation and the citizens on whose behalf the decision was made. The task facing the governmental entities is to keep positive changes in the adoption and implementation of political decisions, and overcome the negative effects of the previous decisions. Political decisions are the foundation for decision-making, being aimed at resolving individual and common interests, while the master key for a decision-making is detailing the problem and setting specific targets.

Numerous papers have been devoted to the problem of political decision-making, their specificity and increase of their efficiency. This issue is scrupulously dealt with by W. Norman, A. Degtyarev¹ and partly by J. Pietras², B. Kukhta³ and W. Parsons⁴.

Within the available historic opportunities the establishment of sustainability and reliability of political power, the stability and orderliness of political relations,

¹ A. Degtyarev, *Adoption in political decisions*, Moscow 2004.

² J. Pietraś, *Decydowanie polityczne*, Warszaw-Kraków 1998, p. 464.

³ *Fundamentals of political science: Lectures*, ed. B. Kukhta, *Part 2: Political processes, systems and institutions*, Lviv 1997.

⁴ W. Parsons, *Public policy: An introduction to the theory and practice of policy analysis*, Kyiv-Mohyla Academy 2006.

the rationality and effectiveness of organizational structures is reached based on decisions consciously elaborated and adopted by the authorities. While adopting a decision one should take into consideration who exactly makes a decision and who uses it. In political decisions, «the formula of interests» of certain social groups should be always taken into consideration, which means highlighting the social addressees of the decision.

The structure of a decision consists of constant elements and relationships that make up a decision as a process. These include: assessment of the situation by the subject of decision-making, identifying a particular problem in the object of the authority or within the structure of the subject of the authority, the problem definition in legislative way, handling the problem by experts, the choice of goals and means of achieving it, discussing it and decision making a legitimately.

The authoritative decisions are related to setting the political problems, giving reasons for political activities, a clear definition of tasks and so on. An authoritative decision is an important form of the fulfillment of political power. It is worth noting that an authoritative decision envisages an authoritative ruling process, the most important feature of which is a high level of organization (i.e. the state), and secondly, the decision on such a high level is generally accepted consciously, meaning that the subject who takes the political decision should accumulate the generalized knowledge regarding the links, relationships and the laws of the objective world be able to set goals and develop plans in anticipation of the operation of both social and political spheres. This also includes the regulation and control of emotional and personal rational and practical relationships with reality, as well as defying the landmarks of the values of social and personal life, creative transformation of one's own existence⁵. Thirdly, the common feature of authoritative decisions is their systemic nature, which in our case bears the highest hierarchical level in relation to other organizational and social systems that include other subsystems as well.

The specificity of authoritative decisions is that they establish common objectives, which determine the basic values and fundamental interests of the major social groups and political actors, as well as have an effect on the changes of regulatory parameters of social and political order, regulate and redistribute the key national resources.

In order to identify and comprehend the peculiarities of authority decisions in Ukraine, one should focus on the phenomenology of both co-operative and administrative decisions.

⁵ B. Kukhta, *Political power and its decisions*, Lviv 2006, p. 136.

3. Characteristic of political decisions.

The choice and content of political decisions is affected by the components that are genetically related to different levels of human activities. To understand the complex nature of policy-making it is necessary to use a combined criterion.

According to the composition and structure of the agents that make political decisions, there are seven basic types of solutions: personal, shared, parity, hierarchical, intergroup, macroorganizational. With the growing complexity of human organizations, the decisions become more complex, as if absorbing the characteristics of simple decisions. Since the authoritative decision-making is a complex and cooperative activity of social actors, it is permeated by horizontal and vertical communications, direct and inverse relationships between these actors. The higher is the level of such communication, the more complete information the authorities will possess.

4. Centers of decision making in Ukraine.

There are many centers of decision making authority in Ukraine. Constitution of Ukraine defines a system of institutions and procedures whose purpose is to develop and implement political decisions. These include President of Ukraine, who is “head of state and acts on its behalf” (article 102), Parliament of Ukraine, which is the “sole body of legislative power in Ukraine” (article 175), the Cabinet of Ministers of Ukraine, which is “supreme body of executive power” (article 113), Supreme Council of the Autonomous Republic of the Crimea (article 136), Constitutional Court of Ukraine, which is the “sole body of constitutional jurisdiction in Ukraine” (article 147), Supreme Court of Ukraine, which is “the highest judicial body in the system of courts of general jurisdiction” (article 25); prosecution (article 121), the National Security and Defense Council of Ukraine - “focal Point for National Security and Defense under the President of Ukraine” (article 107) and others⁶.

The decisions taken by the authorities in Ukraine in the current environment should be functional the main requirement to a decision-making being its maximum appropriateness to social and political realities. This appropriateness can be achieved by taking into consideration the following factors: competence and informational awareness of the subjects of power, the knowledge of public opinion, and taking it into account when making decisions. The interaction of the legislative, executive and judicial authorities based on the “checks and balances” and on the agreed procedures may ensure an aggregated and efficient policy for a set of agents who acted not the best way on their own.

⁶ *The Constitution of Ukraine*, <http://zakon0.rada.gov.ua/laws/show/254к/96-вп>

5. The reasons of ineffective organization of higher bodies of authority in Ukraine.

By early 2007, the organization in general was not efficient enough. The main reasons for this situation considered by researchers N. Alexandrova and I. Koliushko is as follows: 1) an uncompleted transformation of the Cabinet of Ministers of Ukraine into the body of political guidance: clear division of responsibilities for the development and implementation of national policy between higher bodies of authority - President of Ukraine and Cabinet of Ministers of Ukraine, 2) irrational system of the central bodies of executive power: unreasonably large number of central bodies of executive power that are actually equal in status to Ministries; low level of coordination and interaction between central executive bodies; poorly developed and inefficient mechanisms for accountability, supervision and control of central executive bodies that are directed and coordinated by ministers; duplication, dispersion and inefficient use of human and financial resources, and 3) an inefficient organization of the executive power at the local level: inefficient mechanisms of interaction of the Cabinet of Ministers of Ukraine with local state administrations; unclear definition of the status of the heads of local state administrations; blurred delimitation between the plenary powers of local state administrations and the bodies of local self-government; inefficient mechanisms of their interaction, and 4) local self-government inefficient and irrational administrative and territorial structure: financial incapability of the basic units of local government; 5) ineffective public service: a large staff turnover and poor professional level of the personnel, subjectivity in management; 6) lack of parity in relations of private individuals and legal entities with the bodies of public administration: inadequate legal regulation of relations between individuals and the public administration, i.e. the actual preferences for departmental interests, formalism, bureaucracy, corruption, problems of access to public information, lack of administrative procedures or their inefficiency in appealing against decisions, actions or inaction of public administration⁷.

Thus, the political system in a democratic transformation requires a democratic polycentricism, a complex system of coordination and harmonization of government and public bodies. Such an organization requires a functional specialization and a complex integration of both state and non-state agents in different stages of the cycle of taking political decisions. However, the political culture of citizens of Ukraine

⁷ *The development of public law in Ukraine (Report for 2007-2008)*, ed. N. Alexandrova, I.-K. Koliushko, S. Cone, 2009, p. 584.

consistently demonstrates a tendency to leaderism and this in turns generates an argument that manifests itself in a conflict between the central government bodies⁸.

6. The influence of socio-political situations on the formation of decisions.

In order to determine the peculiar characteristics of decision-making processes in Ukraine, one should analyze the socio-political situation prevailing currently in Ukraine. The political situation is what is defined as a system of independent variables, which urges the subject to act, or as the system of variables independent of the entities, but dependent on the actions of another entity⁹.

Classification offered by J. Pietras¹⁰ seems to be the most appropriate for characterization of the situation of political decision-making. It enables us to consider all aspects that effect the situation of political decision-making in times of crisis in Ukraine, and characterizes the situation as innovative by the criterion of consciousness. In other words, consciousness of the subjects of decision-making is ahead of the emerging problems, which urges them to act at their own peril and come out with new proposals. This is caused by a crisis that is rapidly moving in Ukraine and the only way to overcome it is to quickly and effectively respond to any changes. The urgency and specificity of the political situation requires a high level of professionalism and competence of the government entities.

We consider the internal political within the existing system according to the criterion of systemic approach. In this case, one should also take into account the external conditions because they have significantly affected the current situation in the country due to the economic crisis which is a global phenomenon that has also involved Ukraine.

By the criterion of emotional approach, the current political situation can be defined as a pulsing and alarming one. That is, it is characterized by changes in the elements and structure of the system, and it is strongly influenced by external factors and by the contradictions existing in the very system¹¹.

⁸ A. Kindratets, *Political culture as a factor of democratic transformation*, "Humanitarian Bulletin Zaporizhya State Engineering Academy. Collected papers" 2009 Issue 39, p. 207.

⁹ B. Kukhta, p. 146.

¹⁰ J. Pietras, p. 121.

¹¹ *Ibidem*, p. 245.

7. The influence of personal characteristics of decisions making subjects on the formation of decisions.

Consequently, the political situation in a crisis is rather unstable. Internal and external environments experience frequent dynamic changes and remain in constant interaction. Quantitative changes gradually bring about qualitative changes, which turn out to be quite rapid and are capable of ensuring profound systemic changes.

The subjects of the process of political decision-making take authoritative decisions on behalf of the existing socio - political system, regime and state. In a crisis, their activities should be aimed at protecting the system, providing the most favorable conditions for efficient operation of both the political system and all the elements of civil society including individuals. Moreover, the power actors must be ready to be accountable to society for their actions and be able to make the most of all the available resources in order to make effective decisions.

Due to the low level of political culture, lack of professionalism, false personal ambitions in the early stages of the crisis, political decision-makers do not fulfill their direct duties and functions, which they put the society. Instead, the authorities tried to take the decisions that could be momentarily popular at the moment in order to raise their own ratings in the society. However, popular decisions are not always effective. Quick unbalanced decisions can only partially alleviate the problem disguise it, while unpopular solutions at the moment might turn out to be quite effective after a certain period of time.

Another peculiarity of political decision-making in Ukraine at the moment is the difficulty in predicting the impact of the political crisis and the existing perils on the process of adoption of certain decisions.

In developed democracies, the situation looks different. To date, these countries have special centers, committees and councils involved in analyzing and forecasting the impact of the political crisis and the existing perils on the policymaking process, as well as provide recommendations for political decisions to be more effective.

Although there are a number of institutions in Ukraine engaged in research and analysis of political processes, forecasting the possible consequences of the crises in political, economic and other spheres, the government entities frequently ignore their forecasts and recommendations. This leads to inefficient political decisions whose implementation cause deterioration of the political climate in the society and the loss of contact with the public. As a result, the government entities are incapable of focusing on the basic needs of the society and building a common strategy in accordance with these requirements. This, in turn, will urge for deeper systemic crises and will

complicate the transformation processes in the society. Further, these actions can lead to massive disturbances and substitution of government entities.

8. Conclusions.

Ukraine in conditions of crises and uncompleted transformation of the political system, timely and effective policy-making comes to the fore. As mentioned above, the process of political decision-making is predominantly affected by the existing situation which defines the algorithm of a particular decision. However, a decisive role in this process belongs to the subject of a political decision. The speed and efficiency of the flow of political processes as well as the completion of a qualitatively new political structure depend to a great extent on the political and legal culture of the subject of decision-making, his or her competence and professionalism, the ability to use all available system resources, and most importantly to take full responsibility for one's decisions.