

Role of legal regulation in the establishment and development of the public administration system with local self-government aspects

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Abstract. The evolution of society creates new trends that significantly affect the legal status of public administration, which necessitates an up-to-date study of the accompanying changes. The study therefore aims to analyse the current legal system of Albania and other countries in terms of the impact of legal acts on the entire system of public administration, including local self-government. A set of methods was used in the study, including the analysis, grouping, induction, formal legal and comparative legal approaches. The study identified the overall impact of legal regulation on the entire governance system and society, which was used to formulate specific aspects in which the real interaction of state mechanisms and legal influence takes place. The study analysed the current political and economic situation in Albania, which revealed the main trends in the country's current strategic directions. Subsequently, the identified directions were studied in detail, which ultimately made it possible to substantiate the importance of the list of strategic legal acts in shaping the development of the entire public administration system. Examples from other countries, such as Germany, the United Kingdom and China, were also used to study this topic, identifying the main differences in the impact of legal regulation on the development of the system under consideration, considering the specific legal, social and economic situation of each country. In addition, the complex also examined the institution of local self-government, which showed how the level of decentralisation of such bodies can affect the success and efficiency of their functioning. In practical

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terms, this study can be useful for scholars who can deepen their understanding of the dynamics of public administration development and for officials who want to understand the essence of the interaction discussed in the study

Keywords: decentralisation; reform; strategic direction; devolution; public control; administration

Introduction

The research relevance was determined by the nature of the interaction between legal regulation and the mechanism of public administration, which is particularly significant in the context of related social, economic, and political phenomena. This institution evolved in a specific way, differing from country to country, however, this study focuses on the Albanian context, where the importance of this issue is further determined by the position of the state as a young democracy that has gone through a complex process of formation and development, one of the key aspects of which was the strengthening of local self-government.

The study was conducted based on the fact that the main problem is the lack of transparency of legal regulation when the regulatory framework can be complex or not sufficiently clear, which makes it difficult to understand the interaction between different levels of government and leads to misunderstandings. On the other hand, the study identified the problematic nature of corruption and the lack of transparency in the functioning of the state apparatus. Another problematic aspect was the ambiguity of the legislation, which often leads to unclear distribution of powers and competencies between different levels of government (Rudenko *et al.*, 2021).

E. Aliaj and E. Tiri (2023) argue that the transition period from the communist regime to integration changes before EU accession was difficult due to political and institutional challenges that required the development of political parties and Albanian society in general. The study analysed the Albanian perspective and challenges, focusing on the standards and nature of EU integration. At the same time, this study did not consider the experience of other countries in this area, which is important for understanding the topic.

Considering the institution of local self-government, it is necessary to mention the study of E. Zenelaj and F. Nurja (2022), M. Frroku (2023). E. Zenelaj and F. Nurja (2022) analysed the process of public consultations in local self-government bodies carried out by the competent authorities and identified procedural shortcomings of this mechanism. M. Frroku (2023) emphasised that the ongoing reforms in Albania aimed to improve the financial and functional efficiency of local self-government are increasingly linking it to all aspects of sustainable development. Mentioning these studies, it is worth noting that they focus only on the study of the forms in which the functionality of local authorities is implemented, while in this paper, such an institution was considered more generally in the context of its development and interaction with public administration.

A study by P. Setyonagoro *et al.* (2022) analysed the legal position of the head of a service or agency in the regulatory acts used in local self-government administration. Study results revealed that the actual position of the head of a service or agency is not reflected in the legislation to the extent envisaged by the law. This legal research aims to study legal principles, systematise legal provisions, study vertical and horizontal synchronisation, legal comparison, and legal history. This study partially reveals the essence of legal regulation on the example of the executive position

of a local self-government body, but at the same time, the narrow focus of the topic stated by the authors limited them in determining the role of legal influence on the public administration system.

The study by M. Bincof and M. Çetin (2023) was also beneficial in the analysis of the experiences of different countries in this area. The study assessed the history of comparative public administration and examined the key aspects of the evolution of this mechanism after World War II. Study results demonstrated that in the UK, India and France, a large number of bureaucrats have a significant influence on administrative and political decision-making, which exceeds the influence of elected officials. At the same time, the authors ignored the issue of interaction with local self-government and did not consider the impact of legal regulation.

E. Satka *et al.* (2023) noted that the digitisation of public services in Albania has changed the context of interaction between citizens and civil servants, moving public meetings from the office to technological devices. It was argued that during the last 2005 to 2021, the use of information technology has become important for innovation in public administration, supported by policy frameworks and new institutions (Adanbekova *et al.*, 2022). However, it should be noted that the study of the researchers is limited to only one component of the public administration mechanism, while the subject of this study covers the assessment of the role of legal regulation in this system in the interaction of all its elements.

In summary, the study aims to analyse the impact of legal norms on the processes of formation and evolution of the public administration system, in particular, with a focus on the role of local self-government.

Materials and methods

To achieve the study objective, a range of scientific cognition methods was used, including both general scientific methods of scientific cognition and special legal methods, which allowed the study to formulate and find the necessary data. The predominant general scientific method of scientific cognition was analysis, which was used to review the existing theoretical framework on the role of legal regulation in the system of public administration and local self-government. Moreover, documentary analysis allowed for a thorough study of legislative acts and other regulatory documents governing relations in the field of local self-government. The grouping method was also used, which in this case was applied to combine information from different sources to create a comprehensive picture of the interaction between legal regulation, public administration, and local self-government. In general, grouping the results of empirical research and documentary analysis contributed to the final formulation of generalisations and conclusions. Furthermore, induction was used as an additional method of analysis to identify broad trends in the role of legal regulation in public administration and local self-government based on the analysis of specific examples in their functioning.

Specialised legal methods, in particular formal legal and comparative legal methods, proved to be more applicable.

The former was particularly useful in analysing legal acts to determine their content, structure, and legal force. In addition, the formal legal method was used in the context of clarifying the powers and responsibilities of state and local authorities, as well as determining the mechanisms of interaction between these bodies. As for the comparative legal method, the study involved a comparison of the legal systems of different countries to identify their similarities and differences. In particular, the legal systems of different countries were compared to identify their approaches to regulating the system of public administration and local self-government, and general trends and patterns in development were identified. In addition, to determine the structure of local authorities in the UK, the official government website was used as a source for studying the topic (Local government structure..., 2023).

The legal basis for the study was the laws governing the system of public administration and local self-government in Albania. Thus, the Constitution of the Republic of Albania (1998), Law of the Republic of Albania No. 139/2015 "On Local Self-government" (2015), Law of the Republic of Albania No. 8652 "On the Organization and Activities of Local Self-Government" (2000) and Law of the Republic of Albania No. 152/2013 "On Public Servants" (2013) were used. These documents were used to analyse the legal regulation of public administration and local self-government at the

level of Albanian legislative practice.

Since the study compared the legal systems of Germany, England and China, the legal sources used were the Basic Law for the Federal Republic of Germany (1949), the Constitutional Reform and Governance Act 2010 (2010), the Organic Law of the Local People's Congresses and Local People's Governments of the People's Republic of China (1979). The study identified these documents as the most significant examples of legal acts that have influenced the system of public administration and local self-government in the countries under consideration.

Results

Legal regulation is one of the most important factors in the establishment and development of a public administration system for any country. It ensures the unity and coherence of the actions of public authorities, as well as the observance of the rights and freedoms of citizens. An overall and efficient public administration system requires a balance between centralisation and decentralisation, i.e. a harmonious structure and interaction between state and local governments, and legal regulation plays a crucial role in establishing this balance and ensuring fairness, efficiency, and sustainability in the governance system. In this context, the most important aspects affected by legal regulation have been formulated, considering the subject matter of the study (Table 1).

Table 1. Aspects that demonstrate the interaction between legal regulation and the formation and development of public administration within the framework of the functioning of this institution in the state

Aspect	Interaction area
Basic Principles and rules establishment	Laws and regulations establish the basic principles of public administration and define the structure of government bodies and their competence.
Ensuring legal protection of rights and freedoms	Laws on public administration ensure the protection of citizens' rights and freedoms and define procedures for appealing against decisions of the authorities. Local self-government is also regulated to protect the rights and interests of the population at the local level.
Building transparency and accountability	Legal provisions define the rules of transparency in public administration, including access to information and public hearing procedures. Legal liability mechanisms for abuse of power and corruption are also part of the legal framework.
International relations regulation	Public administration norms also regulate issues of foreign relations and interaction between the state and the international community. This also applies to cooperation at the local level within the framework of inter-municipal and inter-regional relations.
Sustainable development	Laws and regulations may cover aspects of sustainable development, including environmental standards, social programmes and other measures aimed at ensuring welfare and sustainability.
Defining the status of local self-government	Legal norms define the boundaries between the competencies of central and local authorities while ensuring the proper functioning of local self-government. Laws may also provide local authorities with a degree of autonomy and freedom to deal with local issues.

Source: compiled by the authors

It is important to note that Albania is currently experiencing significant progress in the economic situation, public administration, and politics, especially in the context of the strategic national priority – integration into the European Union (Screening report Albania, 2023). To join the EU, Albania must meet certain criteria, including the rule of law, the existence of a market economy, and others. Ongoing reforms in all areas indicate major changes in the country. The process of integration is determined by the reforms implemented by the state, which involve the active participation of all actors in society. In particular, the position of local self-government should be emphasised, which, although not the main participant in managing this

process, is affected by integration changes both in organisational and operational terms.

After the fall of the communist regime in 1991, the Albanian public administration system was one of the weakest links in the country (Aliaj & Tiri, 2023). The actions of the political leaders of the time, who were losing popular support, undermined the management of people and programmes that had previously been based on fiscal responsibility and sound technical data. The government subsequently made a general proposal to the international community. It was based on the fact that Albania, which suffered from decades of isolation and the absence of a political or managerial class, asked the international community

to consider special programmes to support the country's future. This was the first significant step towards overcoming the problems in the governance system that had arisen as a result of previous failed promises and strategies of social control at the international level.

In this context, it is worth mentioning the low quality of policy and legislation (Aliaj & Tiri, 2023), which is mainly due to imperfect procedures and inter-agency reviews, insufficient political capacity of ministries and lack of experience in areas such as drafting legislation and impact analysis (Frroku, 2023). Although some progress has been made at the formal level in the last decade due to changes in government policy triggered by EU integration, the system is not firmly rooted and faces risks. The problems with the serious lack of implementation of modern governance practices are partly due to the political system's lack of attention to this aspect. Taken together, these shortcomings are particularly relevant in areas where local governments are actively involved in the implementation of tasks and where success depends on effective cooperation between central government services and local governments. This gap can be addressed by improving state regulation in the area of division of competence between local and central authorities by reviewing the legal framework governing the activities of these institutions. Going forward, it is important to develop a broader strategic framework to improve the effectiveness of the agencies, develop networks of change within ministries, and create strategic alliances with "power centres", which could include legal and financial supervisory authorities. In addition, the development of the concept of "digital government" can actively contribute to solving this issue, potentially involving representatives of civil society with the appropriate level of knowledge and skills (Shahini, 2015a).

Regarding the role of legal regulation in establishing interaction between local administrative units and the central government, using examples of specific legal acts, in this case, first of all, it is necessary to mention the Constitution of the Republic of Albania (1998), which in Article 13 stipulates that local self-government in the Republic of Albania is established based on the principle of decentralisation of power and is implemented through the principle of local autonomy, which is further explained in Article 4 of Law of the Republic of Albania "On Local Self-government" (2015). In general, the approval of this legal act played a significant role in the formation of the institution under consideration, as it meets modern challenges and legal techniques, which is especially important given the obsolescence of legal norms enshrined in the previous Law of the Republic of Albania "On the Organization and Activities of Local Self-Government" (2000), which, following Article 96, lost its force in all provisions that contradicted the new one.

The introduction of the new Law of the Republic of Albania "On Local Self-government" (2015) rebooted the system of local authorities and regulated the entire list of social relations involved in the processes of this institution of public administration. To be more specific, Law No. 139/2015 regulates issues related to the essential purpose and fundamental principles of local self-government; the organisation of bodies; their rights and obligations; the procedure for relations with the central government; cooperation between different structural units; public involvement in the work of the institution; the list of functions and powers; the financing system; the method of formation of city and regional

councils; the status of the mayor; the rules for managing municipal administrative units; the way public structures function; and the way public institutions operate. In general, based on the legal provisions, it is possible to state that the local self-government in Albania is designed to provide effective and efficient governance that is close to the citizens and is implemented on the principles of legality, local autonomy and self-governance in ways that are as close to the citizens as possible, in particular by providing convenient and quality public services, promoting full community participation in the administration of local affairs and recognising the identities and values of the different communes.

Moreover, the role of legal regulation is to establish a hierarchy of bodies, where municipalities are the basic structural unit and regions are the second level of local self-government, consisting of several municipalities that are "inter-connected by traditional, economic and social ties". Instead, Article 7 of Law of the Republic of Albania No. 139/2015 "On Local Self-government" (2015) defines the structure of the municipalities and regions themselves, where representative and executive bodies must be established. In the basic structural unit, this role is performed by the municipal council and the mayor, respectively, and in the other – by the regional council and the chairman and executive staff of the council. Based on the principle of decentralisation, as set out in the aforementioned content of Law No. 139/2015, this study identified ways of interaction between central government and local self-government, which include informing about any issue within the competence of the relevant institution; holding regular consultations on policy and legislation that directly affect the interests of local communities; monitoring the activities of local self-government structures for compliance with the law. However, it is worth noting that all of the above methods of interaction are only a tool for communication between different levels of government, and therefore, if they are overused or, conversely, constantly neglected, the balance of power may be lost, which will lead to a deterioration in the efficiency of the entire system.

It is also worth mentioning the report of the intergovernmental conference, where Albania presented an overview of the comprehensive strategic framework for public administration reform, the Public Administration Reform (SF-PAR), which has been implemented since 2015. It is based on five strategic documents: The Anti-Corruption Strategy, the Decentralisation Strategy, the Comprehensive Public Administration Reform Strategy, the Digital Transformation Strategy, and the Public Finance Management Strategy. As E. Shahini (2015b) notes, based on the impact of central institutions on economic development and efficiency, the impact of financial crises on the Albanian economy was noted, with the most important problem being financial market instability. The report also noted that new versions of these strategic documents should be developed and presented by the end of 2023 (Screening report Albania..., 2023). The New Comprehensive Strategy in the Field of Decentralization and Local Self-Government for 2023-2030 (2023) was adopted in April 2023, and the Strategy "Agenda digital of Albania" and the action plan 2022-2026 (2022) was adopted in 2022. The new strategies are part of the comprehensive National Strategy for Development and European Integration for 2022-2030 (Screening report Albania..., 2023). This aims to ensure the harmonisation and coherence of all components of the public administration reform policy, which

demonstrates the importance of legal formulation in the development of this system.

Consideration of the legal regulation of the civil service institute is an integral part of a comprehensive analysis of public administration since this area of social relations determines the status of persons who implement the entire scope of functionality assigned to the system under consideration. In Albania, this form of activity is regulated by the Law of the Republic of Albania No. 152/2013 “On Public Servants” (2013), which regulates the following areas of public service relations: the range of subjects of public administration; the procedure for the functioning and performance of work in government bodies; its evaluation and termination; classification of positions; rules for admission to the position and career development; a list of rights and obligations of a civil servant; transfer of employees to another position and the limits of liability for disciplinary offences. Article 2 of the Law of the Republic of Albania No. 152/2013 “On Public Servants” (2013) states that “it applies to any civil servant who performs a public function in a public administration body, independent institution or local self-government body, except for elected ministers and deputy ministers, employees of the judicial administration, members of the Armed Forces, judges and prosecutors and other persons specified by this Law”. As for the formation of public administration bodies, the role of the Law of the Republic of Albania No. 152/2013

“On Public Servants” (2013) is to define the tasks and responsibilities of such institutions as the Council of Ministers, the Department of Public Administration, and the Albanian School of Public Administration. The Law of the Republic of Albania No. 152/2013 “On Public Servants” (2013) also singles out as a separate institution the Commissioner for Monitoring of Work in Government Bodies, which is defined as “an independent, legal state institution responsible for monitoring the legality of the civil service”.

Albania has four groups of administrative positions: senior, middle, and junior staff, as well as executive staff. Accordingly, belonging to a certain level depends on the current position, which determines the list of powers of the employee, but at the same time, Article 26 of the Law of the Republic of Albania No. 152/2013 “On Public Servants” (2013) provides for the procedure of transfer to a higher level position – a promotion procedure, which is the basic opportunity for career growth for a person after gaining experience and improving qualifications at the Albanian School of Public Administration during the time spent in a lower level position. On the other hand, the definition of the rights and obligations of employees of public administration and local self-government is a concrete manifestation of the role of legal regulation of this system, since the list of real powers of responsible persons reveals how the tasks assigned to them are implemented (Table 2).

Table 2. List of rights and obligations of civil servants in Albania

Rights	Obligations
Right to wages	Obligation to respect the law and provide regular professional training
Right to strike (however, this right is limited to the provision of basic public services, including transport services, public television, water, gas and electricity supply)	Duty of accountability and refusal to carry out unlawful orders
Right to join trade unions and professional associations	Duty of transparency and confidentiality of information obtained in the course of official duties
Right to professional development	Obligation to properly manage state property and working time
Right to be consulted	Duty to avoid conflicts of interest
Right to fixed working hours, time off and holidays	Obligation to declare interests and property
Right to access information and make requests	

Source: compiled based on Albanian Law of the Republic of Albania No. 152/2013 “On Public Servants” (2013)

To conduct a comparative review with the experience of Albania, three different models of public administration were selected, which, however, have distinct features that should be considered in further public policy in this area. Thus, Germany is one of the most successful examples of a continental legal system with an exemplary level of decentralisation of local governments (Ryu, 2023), while the UK has peculiarities due to the Anglo-American legal system (Bincof & Çetin, 2023). Instead, the Chinese model of governance is determined by the influence of communist ideology and Asian tradition on a large scale, which is a unique example for the modern world (Liu *et al.*, 2022).

The main features of Germany’s governance system are generating discussions about reform and modernisation in other Organisation for Economic Co-operation and Development (OECD) countries. Due to its federal system, which differs, for example, from the unitary system in Albania, and a distinct decentralised institutional environment, the German system of public administration is a vivid example of multi-level and strong local self-government. This status quo

is based on the Basic Law for the Federal Republic of Germany (1949), which, in particular, in Article 28, actually enshrines five levels of government that are independent of each other: The European Union, the federation, sixteen federal states (Länder), land districts (Landkreise) and municipalities (Gemeinden) – the last two of these act as local self-government bodies. Another difference between Germany and Albania is that each federal state has its own law on local self-government, although the general principles are defined at the level of the Basic Law. Ultimately, this creates a situation in which the legal regulation of different districts and municipalities is heterogeneous throughout the country, but at the same time, it ensures maximum autonomy and independence of local governments from the central government.

The study also examined the specifics of the UK, which, despite being considered a unitary state with a certain limited power at the regional and local levels, where central authorities dominate political decision-making, underwent significant changes in its form of government and system of government by the end of the 1990s. During this period, a policy

of regionalisation and decentralisation was introduced in the form of devolution, i.e. the transfer of powers. In the context of this reform, it is important to note that the country has clearly defined evaluation indicators that are included in the legislation and regulate the relationship between the central government and local self-government. These standards for the work of the authorities elected by the citizens cover institutional capacity, service delivery to the population, and community involvement in government. Another significant milestone was initiated by the Constitutional Reform and Governance Act (2010), which laid the foundation for changes in many state processes. Significantly, this law for the first time enshrined the norms governing the civil service at the legislative level, the most important being the provisions that provided for the establishment of the Commission on Senior Civil Service and the granting of powers to the Minister of Civil Service to manage the civil service. In addition, section 15 of the 2010 Law on Constitutional Reform and Public Administration requires that the Minister of Civil Service independently approve the terms and conditions of a specific position such as a special adviser, which, for example, is not present in Albanian practice and is created to provide ongoing advice and professional assistance to ministers. Those appointed to this position are exempted from the requirements set out in section 10 of the same Law on selection through fair and open competition for civil servants.

The organisation of local government in the UK varies from region to region. The continental legal system has led to the existence of many regulations governing the activities of local authorities. For example, in most of England, there are two levels of local government – counties and districts – between which responsibilities for service delivery are divided. London, along with various urban areas and certain regions within England, follows a unified organizational structure, where local councils manage all aspects of public services. England has a total of 317 local authorities categorized into five types: unitary authorities, county councils, London boroughs, metropolitan districts, and district councils (Local government structure..., 2023).

China's state system was another case study, where the planned economy and communist party leadership created a specific system of governance that differs significantly from what is common in Europe, including Albania. Thus, compared to the nominal functions of the government, its real role is defined more narrowly and specifically: it concerns administrative bodies in the process of providing public services. In the context of China, the real role of the government was defined as somewhat limited, especially when compared to the positioning of government functions in legal acts. This was justified by the fact that the development of the socialist market economy and the influence of the international New Public Management movement led to the government losing its status as a single entity of public administration (Liu *et al.*, 2022).

As in Germany and the United Kingdom, and unlike Albania, China's local government legislation is governed by several laws and regulations. The main legislative act in the modern period that regulates the basic principles and structure of the local government system is the Organic Law of the Local People's Congresses and Local People's Governments of the People's Republic of China (1979). Article 1 of this Law states that "people's congresses and people's governments shall be established in provinces, autonomous regions, municipalities, and shall be directly subordinate

to the central government". The structure of local government consists of four levels (province, prefecture, county, and city), and the main governing body is the local people's congresses. However, all things considered, the existence of a centralised system of governance in China defines a clear state framework for the functioning of local authorities.

Thus, study results indicate that the role of legal regulation in the process of formation and development of the public administration system is of key importance for the formation of an effective system of governance at various levels of government. The relationship between legal regulation and the functioning of the public administration system is determined by many aspects, the successful implementation of which guarantees the sustainability, legitimacy, and compliance with the requirements of citizens of this mechanism. In particular, the consideration of local self-government has shown that legal support for the autonomy and powers of local authorities plays an important role in the development of democratic processes and in meeting the needs of the population at the local level, which is reflected in the experience of such developed countries as Germany or the United Kingdom, and also indicates significant progress in this direction in Albania in the context of recent reforms. Legal stability and the rational organisation of governance mechanisms are key to the successful functioning of the system, promoting sustainable development and interaction between central and local authorities.

Discussion

Study results were obtained, among other things, with the help of specialists who studied the mechanisms of functioning of various public administration institutions in their interaction with legal regulation, which made it possible to assess and analyse their role in the formation and development of this phenomenon from a multidimensional perspective. Furthermore, many studies examined the mechanism of public administration through the prism of other significant factors, such as the specifics of a country's legal system or the current trend towards digitalisation, which was certainly beneficial in the context of a more comprehensive approach to the study of this topic.

Given the purpose of the public administration system, it is first of all advisable to mention the studies of A. Karataş (2022), Y. Ural Uslan and Ş. Erten (2023), which discuss this mechanism in the context of public trust and good governance principles. In particular, Y. Ural Uslan and Ş. Erten (2023) conducted a survey in one of the provinces of Turkey, the results of which showed that all four dimensions of governance have a statistically significant positive impact on public trust in public administration. This study suggests that positively effective public service delivery mechanisms have a positive impact on citizens' trust in public administration, which is crucial for the continuity of a republic's development. However, at the same time, this study leaves out the applied legal component, which was the primary focus of this article. The study by A. Karataş (2022) emphasised that the key prerequisite for improving the efficiency of public administration, implementing the principles of governance and creating a competitive modern state is inclusiveness and high-quality legislation. At the same time, a special role is played by the analysis of regulatory legal influence, which contributes to the formation of public policy, where the phenomenon of governance is considered in connection with the

public administration system, but at the same time, the author does not specify the role of local self-government in the processes under consideration.

J. Ryu (2023) conducted a comparative analysis of the legal systems of Switzerland and Germany, where local governments and their associations are actively involved in the legislative process. Thus, the author noted that in Switzerland, the constitutional level regulates in detail the participation of local governments in law-making. At the same time, the experience of Germany has shown that local governments can actively influence the legislative process through referendums and participation in legislative processes in parliament (Vojtyk, 2023). The results of the study by the researcher showed how legal regulation in developed countries can expand the competence of local governments, while this article demonstrates ways to implement such a practice in Albania.

The next study to be considered was one of S. Vedder *et al.* (2023), which examined administrative reforms aimed at creating models of governance that meet the objectives of public administration. The authors investigated the question of how different branches of public administration within one administrative system interact with the ideas of global public administration. The study provides insight into the potential for long-term development of the structure and perception of public administration through the prism of various reforms. By identifying the shaping influence of administrative traditions on the public administration system, the study provides a basis for further comparative research in other countries and administrative systems. On the other hand, the researchers did not sufficiently explain the aspect of the interaction between public administration and local self-government.

T. Molobela and D. Uwizeyimana (2023) studied the implementation of the latest technologies in the activities of the modern public administration system. The researchers highlight the incorporation of e-government as a means to enhance the efficiency of public administration, addressing issues related to management, public service delivery, accountability, and transparency in governmental affairs. Consequently, the authors assert that the exploration of e-governance as a fresh approach to public administration is constrained by disparities, systemic shortcomings, and insufficient information and communication technology infrastructure for democratic governance that includes all citizens. However, the study by the researchers does not consider how new technologies have affected the activities of local self-government, which was also important to consider.

It is also worth mentioning the study by C.M. Sjöberg (2023), where the main problem in the implementation of legal automation in public administration is the transformation of legal information into a digital environment. In this regard, the regulation of automated decision-making, machine learning and artificial intelligence raises many issues that were considered in the study. The authors also noted that to a large extent, the development of society is associated with the search for proactive law as a supplement to traditional preventive law. It is emphasised that the legal infrastructure should be considered at the early stages of design, development, implementation, and management of the system (Ladychenko *et al.*, 2020). In general, the researcher superficially examined the legal functioning of public administration and local self-government institutions but given the adaptation of these bodies in Albania to current trends and the need to prepare for prospects, it is important to

legally define the role and functions of the infrastructure used within the framework of the activities of state structures.

To consider the specifics of other countries, in particular, a thorough study by A. Aristovnik *et al.* (2022; 2023), which argued that public administration and management should respond to the changing socio-economic environment, contributing to the improvement of quality, efficiency of processes and cooperation, was also considered. The study by the researchers examined the principles of different models of public administration in the example of Slovenia and Japan. The results showed that the public administration institutions in both countries are largely marked by the principles of the (neo)Weberian model, while the local authorities in Slovenia show a certain focus on the principles of digital age governance and good governance (Kolosovska, 2023). This thesis is substantiated in more detail in another paper by the researchers, which identified the existing difference in the characteristics of public administration practices between public administration and local self-government, considering European practice. The results of the studies filled in the gaps in the study of different models of public administration and how they are implemented at different levels of government in Slovenia and Japan, but, unlike this article, the authors did not analyse the role of legal regulation and related means that influence the development of the public administration model.

W. Liu *et al.* (2022) emphasise the key features of China's system of power, governance, and public administration, and describe the evolution of public administration studies from the early twentieth century to a modern, mature, and globally connected discipline. It is noted that China is undergoing localisation and decentralisation, as well as experimenting with cooperation and network-based policymaking. However, the system of governance and public administration remains essentially top-down and centralised, with a centre equipped with strong political levers and control over society (Zheng, 2023). In this context, it is worth mentioning the study by A. Guogis *et al.* (2023), which studied the research conducted by Lithuanian scholars in the field of public administration. The authors determined that the Lithuanian model of public administration focuses on the goals of government reform, modernisation of the civil service, creative solutions, trends, and reforms in both central and local administration. These papers formulated completely different approaches to the exercise of power by state and local governments, which indicated how the experience of the Albanian system differs from other legal models.

S. Kuhlmann *et al.* (2022) focused on the impact of reforms in recent decades in European countries on the implementation of legally regulated tasks and services at the local level. Furthermore, the authors outlined the function of local self-government within various administrative models across Europe. They examined key aspects of local self-government systems, drawing comparisons based on relevant concepts within comparative public administration. The study explored diverse forms of local self-government and administrative systems throughout Europe, each exerting a substantial influence on administrative development and general policy reform. This, to some extent, substantiates the existing trajectory of the development of the examined body systems, including those in Albania.

Another in-depth study that focused on the topic of local self-government was the book by J. Kostrubiec *et al.* (2021),

which emphasised that municipalities have always had a significant status in national administrative systems. The study analysed 13 municipal systems in the European Union, covering countries from all regions, and focused on assessing the impact and level of implementation of the standards set out in the Charter of Local Self-Government. In line with these standards, the way the Charter has been implemented, as well as the transformations and reforms over the past decades, has been studied, which correlates with the transformation in Albania discussed in this article. However, despite the active use of a legal approach, the analysis of the role of local self-government was key to the research, giving the paper a broader, social science character.

In conclusion, it is possible to state that the assessment of the role of legal regulation in the development and formation of the public administration system, including local self-government, is a complex scientific task that can be solved only by considering the maximum of all factors of influence that can characteristically affect this mechanism. In addition, the study of this issue includes the specifics of different countries with different legal doctrines, which is reflected in the corresponding differences in the law enforcement practice of each state.

Conclusions

The public administration system is an integral attribute of the functioning of any modern state, and therefore its study, in particular in interaction with such an essential tool as legal regulation, will always remain a topical issue in the scientific community. As the study of the stated issues has shown, the constant change of trends and the State's having to adapt to the changes provoked by the development of technology and society have a significant impact on the activities of the entire State apparatus and the content of legal provisions regulating its activities. Using more specific examples, this study proved the direct dependence of the formation and development of the system of public administration and local self-government on legal acts, which was demonstrated in specific aspects of interaction.

The study considered the historical factors influencing the evolution of public administration in Albania and examined the strategic directions for further restructuring of the system. The analysis of the legal regulation of local self-government showed the vector of development of this phenomenon in the country, in particular the trend towards decentralisation and ways to implement the principle of local autonomy. The Institute of Civil Service in Albania as an important element of the public administration system was studied in detail, which showed how the work of officials is regulated. As for other countries, the authors have studied the experience of China, Germany and the UK and have shown that the role of legal regulation is ambiguous and needs to be studied in each potential object for scientific discussion separately.

Thus, the study showed that Germany and the UK, as the leading European countries, maximise the decentralisation of local governments and the multiplicity of legal acts regulating this area. China, on the other hand, has an absolute centralisation of power that makes all government bodies, including local ones, dependent on it. Given the above, a recommendation was made to improve the professional legal technique for a more transparent understanding of the meaning of legal acts, which at the same time should be aimed at establishing an ideal balance between decentralisation and higher subordination of various public administration and local self-government bodies. Development in this direction will show in practice the improvement of the functioning of all bodies, as well as legal science. However, the research requires further study of topics related to specific proposals for the development of legislation and improvement of mechanisms of interaction between public administration and the public.

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Conflict of interest

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Роль правового регулювання у становленні та розвитку системи державного управління з урахуванням аспектів місцевого самоврядування

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Анотація. Еволюція суспільства породжує нові тенденції, які суттєво впливають на правовий статус публічної адміністрації, що зумовлює необхідність актуального дослідження супутніх змін. Тому метою дослідження є аналіз сучасної правової системи Албанії та інших країн з точки зору впливу нормативно-правових актів на всю систему публічної адміністрації, включаючи місцеве самоврядування. У дослідженні було використано комплекс методів, включаючи аналіз, групування, індукцію, формально-юридичний та порівняльно-правовий підходи. У ході дослідження було визначено загальний вплив правового регулювання на всю систему управління та суспільство, що було використано для формулювання конкретних аспектів, в яких відбувається реальна взаємодія державних механізмів та правового впливу. У дослідженні було проаналізовано сучасну політичну та економічну ситуацію в Албанії, що дозволило виявити основні тенденції в поточних стратегічних напрямках розвитку країни. Згодом визначені напрями були детально вивчені, що в підсумку дозволило обґрунтувати важливість переліку стратегічних правових актів у формуванні розвитку всієї системи державного управління. Для вивчення цієї теми також були використані приклади інших країн, таких як Німеччина, Великобританія та Китай, що дозволило виявити основні відмінності у впливі правового регулювання на розвиток досліджуваної системи з урахуванням специфічної правової, соціальної та економічної ситуації в кожній з країн. Крім того, в комплексі було досліджено інститут місцевого самоврядування, що показало, як рівень децентралізації таких органів може впливати на успішність та ефективність їх функціонування. У практичному плані це дослідження може бути корисним для науковців, які зможуть поглибити своє розуміння динаміки розвитку державного управління, а також для посадовців, які хочуть зрозуміти суть взаємодії, про яку йдеться у дослідженні

Ключові слова: децентралізація; реформа; стратегічний напрям; деволюція; громадський контроль; управління