

## THE PROBLEM OF REGULATING THE ORGANIZATION OF THE ACTIVITY OF THE FIRST PERSON

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### Abstract

The main goal of the study is to clarify the necessity of removing the obstacles of the public that slow down the process of democratization administration system in the modern world and its improvement. **The relevance** of the research is confirmed by the fact that the problems related to the emergence of endless contradictions in the population-state relations as a result of the defective management activity of the unprepared and incompetent leaders of various countries and administrative territorial units are not investigated. Logical generalization, logical analysis, abstraction, identification, and institutional methods were used in the **study of the problem of public administration organization**. In order to assess the level of professionalism of the candidate for the elected leadership position in the field of public administration, a logical analysis of the existing election rules and procedures was carried out with the help of the authentic interpretation method. The study confirms the possibility of non-professionals getting elected positions, as a rule, with the help of rhetorical methods. Evaluation of the statements of state officials, researches of scientists and internet data based on the method of logical generalization confirms that the legal act regulating the organization of the activities of the first person of the country, region, city and district has not been adopted in any country of the world so far. **The practical importance of the research** is determined by the justification of the scientific proposal on the creation and implementation of the mechanism for regulating the activities of the first person on the organization of public administration. As a result of the implementation of the "Program for organizing the activities of the first person" proposed for the first time in human history, the first person can freely organize activities for the management of the state or region; it will be possible to reveal to the population the level of suitability of the candidate for the high state position, to eliminate the dilettantism of non-professionals in management.

**Keywords:** public administration, organization of activity, election, candidate, program.

### Introduction

An analysis of centuries-old experience of management of different countries shows that, one of the main reasons for the state coups is the unsatisfactory performance of the unprepared and incompetent leaders of the country and its administrative territorial units. It is no secret that sometimes, person who has no knowledge or experience in the field of governance is often elected as head of the state and administrative territory. In most countries of the world, as well as developed countries actors, musicians, athletes, servicemen, journalists hold the positions of governor, mayor, member of parliament or head of state.

It is known that non-professionals cannot cope with the duties of the mayor, governor, deputy or head of state established by law. Inefficiency of management activity results in serious problems in the distribution of workplaces and means of living among community members. It must be universally acknowledged that the work of scientists, inventors, economists, engineers, designers, technologists, agronomists, zoo technicians, craftsmen and workers has created an abundance of material goods necessary for the existence of the Homo sapiens worldwide. However, due to the dilettantism of unprofessional leaders of individual countries, the fair distribution of these benefits among the population is not ensured, which leads to endless contradictions and population-state conflicts in those countries. Population groups see a way out of the situation by staging coups in the country and, if that is not the case, seeking asylum in Western Europe and North America.

### The problem under study.

The history of human civilization shows that the efficiency of the country's management depends to a large extent on the proper organization of the activities of the head of state. Therefore, there is a need to thoroughly examine the issues related to the organization of the first person's activities.

Effective measures have not been taken yet to address issues such as recent coups in Africa, South America, Iraq, Afghanistan, Ukraine and a number of other countries that resulted in large-scale loss of life, material and financial losses, rising tensions in public-private relations, continuing conflicts between countries, migration of millions of people from Asia and Africa to Western Europe and North America, the protection of the lives of the earth's creatures from environmental dangers and incurable diseases, and the increase in losses due to unproductive financial operations by states. Large-scale forest fires in the territories of the United States, France, Spain, Russia and Latin America are repeated every year, the air resources necessary for the survival of living things are depleted, and the causes of these fires are not eliminated. It must be acknowledged that people convicted of unjust court rulings seek revenge on government officials and their social support by committing crimes against large numbers of people using forest fires and firearms in settlements.

The existence and non-solving of the above-mentioned problems is largely due to the failure of public administration around the world. This problem

was first raised by the Greek philosophers and has not yet been resolved [2, 15]. The quality characteristics of public administration are described in Gabusname [10]. The tales of "A Thousand and One Nights" highlight the personal qualities of the head of state and the rules of behavior with the population [12]. Russian legal scholars state that no law or other legal act regulating the organization of the country, region and city has been adopted yet [1].

From the study of the experience of management organization, it is possible to draw conclusions about the need to improve the system of public administration around the world. It is expedient to evaluate the organizational and legal measures taken to solve this problem.

#### **The main issues of the study**

The constitutions and laws of modern countries establish the rights of citizens to participate in the governance of the state and to vote, and guarantee the protection of those rights. The analysis of the experience of developed countries in the field of election organization confirms that the procedures for assessing the level of management professionalism of candidates for the positions of mayor, governor, member of parliament, head of state have not been implemented at the pre-election stage. It is known that the candidates' pre-election statements are not made public through the media. The candidate for the leadership position is trying to convince the public that he is good at governing and that he will win the election. In this case, a large part of the population has more confidence in the candidate, who demonstrates high oratory skills through rhetorical methods. Let's admit that in all countries of the world, candidates with excellent speaking skills are supported by the population and elected to high positions. For comparison, it should be noted that the performances presented in the form of monologues with beautiful speeches on theatrical stages are met with great interest by the audience. However, it does not make sense to equate theatrical performances with public administration. Because it is impossible to equate the whole country with the theater, the election campaign with a theatrical performance.

The person elected to the leading position can regulate his current activities with the help of the permanent staff of the apparatus, taking into account that the law regulating the organization of the activities of the first person has not been adopted by the parliament, and the relevant norms have not been established by the Constitution and laws. However, the help of permanent staff can lead to unrealistic decisions, and the danger of a deep chasm between the new leader and the population cannot be ruled out. Thus, a person who wins an election must have a clear idea on the organization of the management of the state or local government. When US President Ronald Reagan arrived in Moscow, Russian journalists asked him, "How can an actor who has always acted in cowboy movies manage a giant US state?" asked the question. Reagan told reporters that he could solve all the problems by bringing together the strongest lawyers, economists and engineers in his team. It seems

that the country's problems are solved by lawyers, economists and engineers. In this case, the question of what the president's mission should be should be clarified for the population.

To clarify the complexity of the management issue, it is advisable to conduct a comparative analysis of the professionalism of those who drive cars and the state. The person behind the wheel of the car begins to drive after technical inspection and adjustment, or does not dare to sit behind the wheel, realizing the danger of an accident because he can not drive. Thus, it is necessary for the driver to gain special professional knowledge and experience through a pre-training course. At the same time, a person who holds the helm of public administration must know the working mechanism of the state apparatus, feel its responsibility and understand the need for special training in advance to perform a managerial position. Failure to comply with this principle creates the basis for coups. Admittedly, non-professional candidates do not think about the emergence of such a threat and its causes at all.

#### **Conclusions of the study**

Solving issues such as eliminating defects inherent in public administration, preventing the creation of a gap between the state and society, and limiting non-productive public funding makes a large-scale study of the problem of organizing activities on the management of the country urgent.

#### **Discussion**

It is worth noting that the approaches to solving problems related to the improvement of public administration in individual countries are not the same. In the scientific work "The Art of Government Management" [16] by Margaret Thatcher, known as a world-famous politician and public figure, is concluded the history of the past era based on the idea of proper management of the state and avoiding mistakes that resulted in bloodshed, the author's thoughts about the end of the cold war with the victory of the West and America are reflected, establishment of democracy throughout the world, establishment of a stable international order based on respect for nations and recognition of the solution of the issue "What to do in the face of the threat of war?" as a criterion of the art of public administration is shown. The propositions substantiated as a result of the study of the topics "Winning of the West" and "Victory of America" in the work are important for evaluating the suitability of the head of state for the position he holds. Two fundamentally important conclusions can be drawn from the analysis of the mentioned provisions. First, the head of state should be recognized by society as a strong-willed person. Second, history does not accept a weak-willed head of state.

Among the scientific works devoted to the study of problems related to the regulation of the activities of the head of state, the monograph "Head of State" by the famous Russian legal scholar O.E. Kutafin has a special place. The monograph [8] examines the republican form of government, the functions of the head of state, the legal status of the president, and the constitutional basis of the powers of the president. The powers of the

president established by the constitution and laws consist of framework norms that express his legal status according to their content. It should be noted that the monograph does not cover the issue of how to organize activities for the execution of these powers by the president.

George Kesteven et al.[2023] note the consideration of the following elements of the management system:

- goals being the starting point of the management system, everything in the system exists to achieve these goals;

- creation of a registry of compliance requirements includes the determination of rules and standards (ISO 9001, ISO 14000, ISO 29000 and others) that guide or limit management activities.

We believe that the practical use of proposals for determining management goals and compliance requirements is important for ensuring the security and stability of the state management system.

Ginseppe Grossi et al.[2020] reviewing the perspectives of public management in smart cities, they call it a new form of management of collective welfare and describe smart city as smart economy, smart mobility, smart governance, smart environment, smart living and smart people. Researchers view smart cities as a system of information flows that can be controlled, modified, and optimized to achieve efficiency goals in multiple domains (e.g., transportation, energy, healthcare, etc.).

In the article presented by Kushagra Kaul [2020], a critical analysis of each aspect of the classical and scientific management theories widely applied in the management system of most countries of the world is carried out and the differences between those theories are revealed. In our opinion, the guiding role of the comparative analysis of management theories for the improvement of management systems of independent states should be recognized.

As noted by Robson et al.[2024] administrative law plays the role of a necessary regulatory framework for the implementation of public administration. According to the authors' opinion, since government at the state level is performed by the executive branch of government on the basis of law, administrative legal regulation is of constitutional importance. The importance of the results of the research for the organization of public administration is that the internal and external activities of the state should be regulated by law as a whole.

Cary Coglianese [2022] analyzing the theoretical aspects of the concepts of administrative law and the state notes that regardless of where specific problems arise in the future, there is a need for scientific research on social studies on administrative law to determine ways to develop rules and procedures that can potentially increase the effectiveness of government agencies and social welfare.. In this regard, it is necessary to admit that thanks to the conduct of social scientific research, it is possible to assess the conformity of the qualitative characteristics of the laws regulating this or that area of society's life to the interests of the state and society.

Goutham Shivshankar [2022] notes the exposure of certain weaknesses in India's administrative legal system due to the Covid-19 pandemic and acknowledges that these weaknesses stem more from an institutional reluctance to properly apply and utilize existing and adequate doctrinal and legislative processes than from a lack of legal norms or procedures. It should be noted that in 2020-2021, most of the countries that were negatively affected by the pandemic faced administrative and management problems in the field of meeting the social needs of the population due to the economic recession.

Mark Manchini (2020) notes that in an administrative state, political control is a desirable and necessary means of holding administrative subjects accountable. The researcher calls for the acceptance of the risk of abuse of control in the administrative state, at the same time, it focuses on the use of the powers delegated to the subject and especially the powers that undermine the legislation. As it can be seen from here, the proper organization of control at the administrative state level will create conditions for the implementation of powers that undermine the legislative system in accordance with their purpose and, in particular, for the elimination of parallelism in the distribution of management powers among subjects.

Robert Jervis [2024] examines the importance of nuclear revolution, statecraft, and the prospect of Armageddon, confirms that awareness of the possibility of nuclear war resulted in a revolution in military strategy and international relations. The possibility of Armageddon has shortened the duration of wars compared to previous times; qualitatively multiplied the military power, changed the meaning of wars, the psychology of state administration, and the mechanism of military policy creation by the superpowers. As the author notes, as a result, it became possible to understand the consequences of nuclear revolutions by the superpowers. In the current conditions where the war between Russia and Ukraine continues, the destruction of nuclear power plants in the territories of both countries with a missile attack, the use of nuclear weapons by Russia can lead to the emergence of a great threat to the existence of states and the life of humanity. In our opinion, it is necessary to take into account the possible consequences of the nuclear revolution in the process of organizing public administration.

It is appropriate to use the information provided by Internet resources to study individual aspects of the problem of public administration organization. As "Governance and management" (2023) defined, governance involves defining and following clear objectives, policies and procedures for a state or organization. This includes ensuring that decisions are made in accordance with the interests of the state, organizations and other participants. On the other hand, management involves planning, budgeting, setting goals and objectives, organizing resources and personnel, and controlling operations.

As noted in "Understanding administrative law" (2024), administrative law deals with the processes by which federal agencies, states, and local governments

enact and enforce laws passed by congressional or state legislatures. This area of law becomes active when the legislative directives of either the federal government or local agencies become enforceable rules and policies.

In accordance with the purpose of the research, it should not be considered a coincidence that a candidate for an elected leadership position refers to the statements of prominent statesmen, the works of scientists and experienced specialists, and the information covered by the mass media in order to assess the adequacy of his knowledge in the field of management organization. There is no doubt that the above-mentioned sources contain scientifically and practically important provisions for the development of the general concept of public administration and, in particular, the concept of the organization of public administration in the event of a pandemic or nuclear war. However, it is necessary to admit that the statements of statesmen and the limitation of researches of scientists do not allow to assess the level of professionalism of the person elected to the leadership position in the field of management organization. As can be seen from the above, administrative management based on theoretical knowledge and imperatives expressed by cited and non-referenced sources does not ensure the elimination of defects inherent in public administration and, in particular, the contradictions arising in population-state relations.

### Conclusions

In order to eliminate the causes of the gap between the state and the population, it is necessary for the heads of the state and administrative-territorial units and candidates for these positions to be prepared in advance on the basis of a special program. The draft document, called "Program for the organization of the first person activity", is designed by the author of this article and aims to provide non-professional candidates for leadership positions with specific knowledge in the field of management.

The provisions defining the quality characteristics of the "Program for the organization of the first person activity" proposed by the author are as follows:

1. An applicant who adopts the universal governance scheme declared by the program can organize freely the activities of the state or region management without any outside advice.

2. In accordance with the main idea of the program, organizational measures are taken in accordance with the existing legislation of the sponsoring country, without any new reforms, through the observation and analysis of socio-economic and political processes, the adoption and implementation of relevant management decisions.

3. The theoretical and methodological basis of the ancient Greek philosophy, the Arabic fairy tale "A Thousand and One Nights", the provisions of Gabusname on statehood and the Arabic proverb "The caravan goes at the speed of the slowest camel" were taken as the theoretical and methodological basis for the preparation of the "Program for the organization of the first person activity".

4. According to the content of the program, in order to entrust the management of the country and the region to professional candidates, the problem of evaluating the statements of rival candidates by experts, political scientists, auditors during the election campaign must be resolved, and the level of suitability of each candidate must be made public.

5. Due to the application of the proposed program as a universal regulatory tool in the field of public administration, it will be possible to train professionals for the management of any country in the world and the world in general, and to standardize the organization of first-person activities.

6. The aim of the author is to achieve the implementation of the "Program for the organization of the first person activity" for the first time in human history around the world and to eliminate the dilettantism of non-professional leaders in the field of management.

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