РОЗДІЛ І. АДМІНІСТРАТИВНЕ ПРАВО І ПРОЦЕС; ФІНАНСОВЕ ПРАВО; ІНФОРМАЦІЙНЕ ПРАВО

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Postmodern locations in administrative law: doctrinal understanding and overcoming

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The desire for a systematic understanding of the socio-legal mission of administrative law inevitably creates the need for a scientific forecast of the evolution of his doctrine, taking into account the presence in the Ukrainian socio-cultural development of postmodern locations.

Analysis of postmodernism showed the following. In the legal space, it has no positive characteristics. Postmodernity is a negative phenomenon. The values of postmodernism are the antipodes of law (nihilism, unsystematicity, fragmentation, chaotization). He builds these bad qualities into the consciousness of society.

The aim of the article is to gain new knowledge about algorithms for overcoming postmodern tendencies by administrative law and implementation through its doctrine and subject of legal meanings of stability, systemicity, consistency in the interaction of government and civil society.

The methodology used in this work is harmonized with the principal position, according to which the use of one or another method cannot be reduced to a single formulation, and specific research technologies (procedures of analysis, comparison, systematics, periodization, etc.) vary depending on the nature of the subject of research and its purpose. However, we shall emphasize that the search tools include methods of phenomenological and systematic analysis, narrative, historical and genetic, method of ideal constructions and others.

The article introduces the idea that administrative law, under the influence of postmodern encroachments, although it has undergone corresponding distortions, has not lost its role as a regulator of relations between the government and civil society.

Both doctrine and administrative law and its subject matter have not always been negatively affected by postmodern trends. It can be assumed that the ideology of postmodernism has led to the emergence of progressive practices, in particular the adoption of the Concept of Administrative Reform. As a result, the industry gained service content and lost its totalitarian dependence on government doctrine.

Deprivation of dependence on postmodernism is associated with the latest research in the doctrine and subject of administrative law. Their most important result was the recognition that the fact that the concept is systematic is a bifurcation point on the way to separation from the postmodern.

Studies of the systemic nature of the subject and administrative law doctrine have determined the recognition of the relationship of administrative obligations and the related principle of protection of legitimate expectations as a new principle of administrative law.
The entry of administrative law into the paradigm of systemicity determined, first, overcoming postmodern disintegration and fragmentation of the structure of the subject, and secondly, evolution: a) from the right of satellite of public administration, b) through service law, c) to the right to form legal meanings government and civil society.
By the formation of legal meanings in the field of interaction between government and civil society, we understand the generation of normatively expressed motivation in government and civil society to turn the knowledge directed to them into practical law enforcement activities.
Thus, the modern administrative law of Ukraine, having undergone radical changes and transformations in its path, becomes in the legal system the right to form legal sense in the field of interaction between government and civil society.

Постмодернові локації в адміністративному праві: доктринальне розуміння та подолання

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Ключові слова: *адміністративне право, адміністративно-зобов'язальні відносини, адміністративно-правова доктрина, право правового змісту, предмет адміністративного права; принцип захисту правових очікувань.*

Прагнення до системного осмислення соціально-правової місії адміністративного права неминуче породжує необхідність наукового прогнозу еволюції його доктрини з урахуванням постмодерністських позицій в українському соціокультурному розвитку.
Аналіз постмодернізму показав наступне: у правовому просторі він не має позитивних характеристик. Постмодерність – явище негативне. Цінності постмодернізму є антиподами права (нігілізм, безсистемність, фрагментарність, хаотизація). Він вбудовує ці негативні якості у свідомість суспільства.
Метою статті є отримання нових знань щодо алгоритмів подолання постмодерністських тенденцій адміністративним правом та реалізації через його доктрину та предмет правових значень стабільності, системності, послідовності у взаємодії влади та громадянського суспільства.
Використана в роботі методологія узгоджується з принциповою позицією, згідно з якою застосування того чи іншого методу не можна зводити до одного визначення, а конкретні технології дослідження (процедури аналізу, порівняння, систематики, періодизації тощо) змінюються в залежності від характеру предмета дослідження та його мети. Однак підкреслимо, що до засобів пошуку належать методи феноменологічного та системного аналізу, наративний, історико-генетичний, метод ідеальних побудов та ін.
У статті висловлюється думка про те, що хоч адміністративне право і зазнало відповідних деформацій під впливом постмодерністських

посягань, але не втратило своєї ролі регулятора відносин між владою та громадянським суспільством.

І доктрина, і адміністративне право, і його предмет не завжди зазнавали негативного впливу постмодерністських тенденцій. Можна припустити, що ідеологія постмодернізму зумовила появу прогресивних практик, зокрема прийняття Концепції адміністративної реформи. У результаті галузь отримала зміст послуги і втратила тоталітарну залежність від урядової доктрини.

Позбавлення залежності від постмодернізму пов'язане з новітніми дослідженнями доктрини та предмета адміністративного права. Їхнім найважливішим результатом було визнання того факту, що систематичність концепції є точкою біфуркації на шляху до відокремлення від постмодерну.

Дослідження системного характеру предмета та адміністративно-правової доктрини зумовили визнання зв'язку адміністративних зобов'язань і пов'язаного з ним принципу захисту правомірних очікувань новим принципом адміністративного права.

Входження адміністративного права в парадигму системності визначило, по-перше, подолання постмодерної дезінтеграції та фрагментарності структури суб'єкта, по-друге, еволюцію: а) від права сателіта публічної адміністрації, б) через службове право, в) до права формувати правові сенси влади та громадянського суспільства.

Під формуванням правових смислів у сфері взаємодії влади та громадянського суспільства ми розуміємо формування нормативно вираженої мотивації у влади та громадянського суспільства до перетворення спрямованих їм знань у практичну правозастосовчу діяльність.

Таким чином, сучасне адміністративне право України, зазнавши на своєму шляху докорінних змін і трансформацій, перетворюється в систему права на формування правового змісту у сфері взаємодії влади та громадянського суспільства.

Formulation of the problem. A clear trend of research interest in the field of law today is the issue of establishing the independence (and correlations in general) of scientific constants and doctrines in relation to the realities of society's perception of reality.

These issues become especially relevant in the context of total perception of public consciousness, and most importantly – social practice, postmodern, as an inevitable vector of social change. Today, postmodernist locations have gone beyond philosophical and sociological discourses and are adapting to specific life situations and processes.

Initially, "postmodern" was a literary concept. Then penetrated architecture and painting. He was later picked up by sociology and philosophy. We are already talking about "postmodern" theology, "postmodern" travel, "postmodern" patients, "postmodern" cookbooks, "salon" postmodern, and so on.

The term "postmodern" is used to denote the state of chaos, inconsistency, disharmony, illogicality (R. Golovenko "Postmodern confusion with definitions of media terms").

Postmodern ornaments in political life are determined. The integration of political processes and postmodernism turns politics into an illusion. Metastases of postmodernism have undeniable "successes" in transforming a social person into a joke person and a meaningless incident that expresses nothing (Yuri M. "Presidential elections as a mirror of postmodernism").

Naturally, questions arise, first, about the ability of doctrines to generate legal meanings (motivations), principles, methods and forms for minimizing and avoiding postmodern risks by legal means, and secondly, about the ability of modern lawyers to critically comprehend social reality and propose methodological approaches, conceptual ideas and paradigms of action to resist postmodern activity; thirdly, the ability of legal practice to systematically apply research to inspire the formation of human-social characteristics of human-legal (the presence of a developed legal awareness and willingness to be guided in their actions by meanings derived from legal sources).

Their solution is an important mission of Ukrainian law in general, of each branch in the segment of its regulation. Administrative law has a specific place in

this division of roles. After all, his competencies are focused on organizational and legal issues of relations between the government and civil society.

Based on this, the problem of this article is the search for algorithms for the effective use of administrative and legal components in the mission of Ukrainian law to bring public consciousness out of postmodern disharmony.

Analysis of sources and recent research. In modern administrative and legal publications, research on the doctrine and subject of administrative law, as well as certain components of postmodernism, as a kind of worldview formed in the public consciousness, aimed at identifying virtual chaos (chaos) with objective reality.

Analysis of the source base, in our opinion, it is appropriate to begin with consideration of their presentation in encyclopedic and general theoretical publications, because they contain the most generalized and established views on understanding the object and subject of this study.

Ukraine's first multi-volume systematized body of knowledge on the state and law (Legal Encyclopedia in 6 volumes) in a separate article notes that legal doctrine is a system of knowledge about a particular legal phenomenon and under appropriate conditions can be developed into legal theory (Legal encyclopedia: In 6 vols. Editor .: Shemshuchenko and others. K .: Ukr. encyclical. 1998. T. 2. 1999. S. 275).

The Great Ukrainian Legal Encyclopedia contains a special article where the "system of administrative obligations" is fixed by the system-forming factor of the subject of administrative law. It also states that the origin and existence of these relations is due to the content of the Constitution of Ukraine on the responsibility of the state to man, recognition of the main duty of the state to establish and ensure human rights and freedoms, rule of law, limitation of powers and actions of public administration. (The Great Ukrainian Legal Encyclopedia: in 20 volumes. Volume 5. Administrative Law, edited by Bytyak (chairman) and others. Kh.: Law, 2021. 960 pp. Pp. 692–694).

Judgments expressed in philosophical, theoretical, legal and other professional studies have played a fundamental role in understanding the phenomenon of "postmodern".

In particular, this applies to its geopolitical nature (Dugin AG. "Postmodern Geopolitics" 2009; Safronov EE. "The state of postmodernism in 2021" 2021); reflection of the development of methodological principles and theoretical principles (Ratnikov VP "Postmodernism: origins, formation, essence" 2002; Rodyan MV "Development of postmodernism: methodological principles, theories, principles" 2021); interpretation of legal categories through the prism of postmodernism (Sorokin VV, Kutyavina NY Interpretation of law in the interpretation of postmodernism 2018; Fedoruk NS "Public law of Ukraine in a post-industrial state" 2020; Bochkarev SA "Origins of postmodernism in the true meaning and purpose of the post-law" 2021); predicting the transition from postmodern to postmodern (Menshenina AE "Postmodern vs. postmodern: the possibilities of understanding political reality" 2021; Kutsepal SD "After postmodernism" 2021); impact on human existence (Gorbatenko VV "Postmodernism and the transformation of the value basis of human existence" 2015); influence on political processes (Yuri MR "Presidential elections as a mirror of postmodern" 2021), etc.

The value of axiomatic provisions of philosophical generalizations for understanding administrative and legal doctrine is extrapolated from the work of Maximov SF (Theory of Natural Law: Conceptual and Doctrinal Dimensions. Law of Ukraine. 2021. № 1. P. 43–65; Legal Doctrine: Philosophical and Legal Approach Law of Ukraine, 2013. № 9. P. 34–54); Vasiliev OJ (Legal doctrine as a source of law. Questions of theory and history: monograph. Moscow: Prospect. 2021. 232 p.); Zazyaev TN (Ontological essence of law: anthropological and value approach: monograph. Saratov publishing house Saratov. State University, 2005. 235 p.)

Understanding the genetic principles of the subject and the doctrine of administrative law contributed to the study of Averyanov (Administrative law of Ukraine: doctrinal aspects of reform. Law of Ukraine. 1998. № 8. P. 8–13; Subject of administrative law: a new doctrinal assessment. Law of Ukraine 2004. № 10. P. 25-30; Formation of a new doctrine of Ukrainian administrative law. Legal Bulletin of Ukraine. 2007. № 28. P. 1–5); Bytyak (Doctrinal directions of development of the science of administrative law. Issues of administrative law. Book 1. Kharkiv Law, 2017. P. 8–12).

Taking into account the relationship with the Constitution of Ukraine and other branches of law were the conclusions of research Anatoly Selivanov (Constitutional principles of formation and development of administrative justice and administrative process in the implementation of the doctrine of fair trial. Legal system of Ukraine: history, status and prospects: in 5 vols.: Law, 2008. T. 2 S. 368–383; Michael Teplyuk (Constitutional definition of public power is a key link in the legal doctrine of Ukraine. Law of Ukraine. 2021. № 2. P. 29–41); Anatoly Kryzhanovsky (Doctrine of the legal order in Ukraine: genesis, current state and prospects. Law of Ukraine. 2013. № 9. P. 229–242); Svitlana Fursa Institute of Notary in the legal doctrine of Ukraine: current issues and prospects for development. . 2020. № 9. pp. 11–19); Tetiana Kolomoyets, Valery Kolpakov (Modern paradigm of administrative law: genesis and concepts. Law of Ukraine. 2017. № 5. P. 71–79; Phenomenology of the doctrine of administrative law. Materials of the 11th International Scientific and Practical Conference; July 7, 2021, Dublin (Ire-

land). P. 82–86; Categories "Essence" and "Content" in administrative law. Materials of the 12 th International Scientific and Practical Conference; August 7, 2021, Lisbon (Portugal). P. 90–93; Doctrine and subject: the essence and content of administrative law. Law of Ukraine. 2021. № 10. Pp. 12–28) and others.

In addition to the above, in the process of preparing this article, electronic materials of Wikipedia (free encyclopedia), the Institutional Repository of Zaporizhia National University, as well as the capabilities of the OpenDOAR platform (Directory of Open Access Repositories) were taken into account.

The aim of the study. The purpose of the study is to gain new knowledge: a) about postmodernism in the Ukrainian legal reality; b) characteristics of the influence of postmodernism on the doctrine and subject of administrative law; c) the ability of doctrines to generate legal meanings (motivations), principles, methods and forms for minimizing and avoiding postmodern risks by legal means; d) the ability of modern lawyers to critically comprehend social reality and propose methodological approaches, conceptual ideas and paradigms of action to resist postmodern activity; e) the ability of legal practice to systematically apply research to inspire the formation of human law with the presence of a developed legal awareness and willingness to be guided in their actions by meanings derived from legal sources.

Presentation of the main material. A clear trend of research interest in the field of law today is the issue of establishing the independence (and correlations in general) of scientific constants and doctrines in relation to the realities of society's perception of reality.

These issues become especially relevant in the context of total perception of public consciousness, and most importantly – social practice, postmodern, as an inevitable vector of social change. Today, postmodernist locations have gone beyond philosophical and sociological discourses and are adapting to specific life situations and processes.

In the simplest sense, the term "postmodern" means the socio-cultural state of society after "modern". The main features of modernism are continuous modernization, the dominance of innovation over tradition, the pursuit of the new in rapid change, aimed at transforming and renewing the world.

Postmodernism is its antithesis. It is eclectic, unable to create anything new and is based on the perception of the world as chaos. Its structure (if we can talk about the structure) is an unsystematic set of "windows of Overton", in which the fan of opportunity moves in stages: unthinkable – radical – acceptable – reasonable – standard – normal. At the same time, along with this concept, there is quite the opposite. According to her, "postmodern" is a new stage of modernism, ie modernism is in the process of renewal.

It is generally accepted that the term "postmodern" was first used in 1917 by the German philosopher and writer Rudolf Pannwitz in his book "The Crisis of European Culture" [1]. He later became the focus of research interests of philosophers, sociologists, linguists, culturologists, political scientists, lawyers and other professionals.

Numerous studies present postmodernism as a paradigm of socio-cultural development, reaction to tradition and order, project of social renewal, spiritual state, period of history, worldview, way of orientation in the modern world, method of cognition of social reality, set of worldviews, trend in cultural self-awareness in social theory, etc.

There is also the opinion that "postmodern" is just a buzzword, for which there is nothing fundamentally new. In this regard, it is appropriate to refer to the characteristics of postmodernism, which set out Wolfgang Welsh.

He wrote that this term has become so common that almost every well-read person easily refers to it. But when pronouncing the word "postmodern" few people imagine its meaning. This is largely due to the ambiguity and even inconsistency of both the term and the very concept of "postmodern".

First, it concerns its legitimacy. Some say that there are no new phenomena that would justify its introduction, and the noise around it is for advertising purposes.

Secondly, there are questions about the relevance of its presence in various spheres of human existence. Initially, "postmodern" was a literary concept. Then penetrated architecture and painting. He was later picked up by sociology and philosophy. We are already talking about "postmodern" theology, "postmodern" travel, "postmodern" patients, "postmodern" cookbooks, "salon" postmodern, and so on. Moreover, the term "postmodern" is used to denote a state of chaos, inconsistency, disharmony, illogicality [2].

Third, the time of actualization of postmodernism as a phenomenon is not fully understood. Thus, the use of the term "postmodern" in 1917 has already been mentioned; it is thought that this is one of the phenomena of the 1950s; there is a justification for its determination in the 70s of the last century; according to Arnold Toynbee "postmodern" began in 1875; Jean-François Lyotard believes that Aristotle was a postmodernist. Interestingly, Lyotard found postmodern trends in the socio-cultural space before the advent of any modernism [3].

Fourth, the term "postmodern" is controversial in meaning. For some postmodernism is the era of new technologies. For others, under the sign of postmodernism, there is a farewell to the dominance of technocracy. Others expect the pluralization, fragmentation and chaos of society to deepen [4].

Understanding of postmodernism is characterized by dynamism, fundamentality, conceptual diversity, multidisciplinary. This is evidenced by the studies of P. Anderson, SA Bochkarev, NV Varlamova, VP Gorbatenko, F. Jamison, AV Pavlov, D. Harvey, IL Chestnov and others.

One of the important results of their research efforts was the development of proposals for a conceptual vision of postmodern society. The presented concepts are characterized by a wide range of approaches aimed at describing and explaining changes in the mechanisms of influencing social relations, understanding the prospects for the transformation of the processes on which the lives of individuals depend.

In particular, F. Jamison does not consider postmodernism as a new stage of evolution, but interprets social change as a continuation of the logic of the development of the already existing society of capitalism.

According to Z. Bauman, modern societies have already gone through two stages in their development: a) premodern and b) modern. Now we have entered a new stage – the postmodern stage. Premodern and modern societies were stable due to the monolithic religious culture and a stable hierarchy of power relations.

Postmodern is their antagonist. It is based on radical pluralism, which introduces insurmountable differences between people and all other actors in society. Coherence arises only as a result of negotiations, firstly, case-oriented negotiations, and secondly, negotiations aimed at eliminating ambiguity, ambivalence and uncertainty.

Ideally, postmodernism should create a decentralized, fragmented social order that leaves institutional space for discourses, disputes, and negotiations in the face of general and inevitable socio-political conflicts.

In this series it is appropriate to mention Manuel Castells. He is the author of the concept of a network society. Her main thesis is that modern society is increasingly organized on a network basis. As a result, there is a network structure of society, in which the subjects are decentralized units and operate autonomously. In fairness, Castells himself has a negative view of the term "postmodernism", but his concept of a networked society is quite postmodern.

It is natural that the study of postmodernism led to the determination of its principles, features, characteristics, properties and other attributes. They reflect the postmodernist understanding that any unity is "repressive" in nature and linked to totalitarianism; any form of unity is unacceptable and must be rejected; impartiality is manifested in total discursiveness; only discourse leads to understanding and coherence; the discourse cannot end because there is always the opinion of the opponent; phenomena do not have universal preconditions for their origin and existence; it is impossible to comprehend the truth, because the plurality (plurality) of connections and spheres is boundless.

Thus, everything that before postmodernism was considered stable, reliable and certain (man, mind, philosophy, culture, science, progress) was declared insolvent and uncertain, everything turned into words, arguments and texts that can be interpreted. Postmodernism cannot, in principle, exist as a holistic and general worldview or philosophy. After all, the chaos of life cannot be integrated into any theory. In this regard, we note that in the study of postmodernism, the term and concept of "chaos" [5].

Under the dominance of postmodernism, the legal reality is undergoing significant transformations. First of all, the opportunities for the authorities to realize the desire to create a holistic and unified system of government are becoming more difficult, as the government is gradually losing its previous socio-cultural base – people capable of implementing the will that comes from a single center.

At the same time, the objective reality is the evolution of legal relations. So the question is, how do evolutionary ideas or projects gain practical perspective in the postmodern context? We believe that their implementation is carried out through a kind of "melting pot" of endless discourses. In this "boiler" face on the one hand generated by postmodernism: denial of any subordination or hierarchy; fetishization of decentralization and fragmentation of society structure; proclamation of man's inability to know and change the world. On the other hand – the semantic constructions of legal projects, concepts, doctrines, which are based on the prospect of being confirmed by legal practice.

From their integration "semantic vectors of overcoming the postmodern era" are "melted", the main of which are: a) identification of mechanisms of evolution of law; b) substantiation of his official role in relation to society; c) the rule of law; d) legal guarantees to the subjects of public relations, etc [6].

These locations systematize the prospects for the analysis of the legal space, in particular, in identifying the mechanisms of the evolution of law, its official role in relation to society and more. However, these fruitful ideas need not only to be concretized in the empirical legal material, but also to be equipped with theoretical knowledge of the "middle level", which ensures their adaptation to the specifics of legal reality.

Theoretical knowledge of the "middle level" is the knowledge of the level of the legal field. One of the carriers of such knowledge is administrative law, which takes on postmodern risks and forms legal meanings in the segment of interaction between government and civil society.

The identification of the presence of administrative law in the "melting pot" of postmodernism begins with the emergence and scientific design of the concept of administrative reform [7] and the concept of administrative law [8].

These concepts appear in times of postmodern chaos in the doctrine (essence) and subject (content) of this legal field. Systematically related between themselves, they formed a new paradigm for the development of administrative law, its subject (relations), institutions, relations with other branches of law.

First of all, the concepts, first, outlined the most important promising areas of research in the field of administrative law in the format of a new ideology of executive power and local self-government (as activities to ensure the rights and freedoms of citizens, public and public services); secondly, they focused the vector of research efforts: a) on the delimitation of public administration and other management activities; b) determination in the subject of administrative law of relations of administrative proceedings, administrative liability, administrative services; c) the expediency of establishing administrative liability of legal entities.

Having received official recognition and support from administrative scholars, they effectively ended the dominance of the Soviet concept of administrative law in its purely state-administrative nature and gave its followers the role of marginals of the administrative-legal space.

The concepts focused on the systemic nature of administrative law, which was opposed to postmodern chaos. The existence of a systematic approach to administrative law research marks the overcoming of postmodernism in administrative law and entering the paradigm of a new reality [9].

Systematics is an existential format of administrative law. It is in this format that administrative law, firstly, overcomes postmodern disintegration and fragmentation of its essence and content, and secondly, evolves: a) from the right of satellite of public administration, b) through service law, c) the right to form legal meanings in the field of interaction between government and civil society [10].

By the formation of legal meanings we mean the ability of administrative law to generate normatively expressed motivation in government and civil society to turn the knowledge directed to them into practical law enforcement activities.

The most meaningful system of administrative law is manifested in the system of its subject (set of administrative and legal relations). His understanding on the basis of the concepts of administrative reform and administrative law reform led to the recognition in the structure of the subject of administrative law of the following types of relations: first, public administration relations, which consist of: a) public administration; b) managerial relations of local self-government; c) relations of public administration; secondly, the relationship of appeal, which consists of the relationship of a) administrative appeal; b) court appeal; third, the relationship of administrative services; fourth, administrative-tort relations.

The central issue in the analysis of these relations as a set that forms the subject of administrative law was to determine the presence or absence of integrative qualities in this set.

Its fundamental importance is due to the fact that the lack of such qualities made this set a conglomerate formation and in fact questioned their unity, and hence the existence of the subject in a new format. The presence of integrative qualities unequivocally testified that this set is a system and has every reason to be considered as a subject of law.

In this regard, it should be noted that in Soviet legal doctrine, the subject of administrative law is presented by a systemic entity. The integrative nature of the interaction of its components, researchers have argued on the basis of the following features: a) all relations of the subject – are the same type of relationship; b) all relations of the subject are relations of power and subordination; c) all relations of the subject arise as a result of the implementation of public administration by strictly defined structures of public administration.

None of the above integrative features is found in the set of structural components of the subject of modern Ukrainian administrative law. The relations of administrative services and the relations of responsibility cannot be called the same. Nor are they relations of power and subordination. Not all relations of the updated subject arise as a result of public administration.

The set of relations, which in the updated dimension are governed by administrative law, turn into a system, and hence into the subject of the industry, other factors. These categories are: "public administration", "public administration", "relations of administrative obligations".

An important system-forming component of modern Ukrainian administrative law has been the public administration since about 2002 in the public interest.

In official documents, this term is probably the first to appear in the "Recommendations of Parliamentary Hearings" Decentralization of Power in Ukraine. Enhancing the Rights of Local Self-Government "(2005).

Today, the category of "public administration" actually occupies a place that in Soviet administrative law belonged to the category of "public administration". This fact indicates that the scientific understanding and further development of the theory of public administration: a) is one of the main directions doctrinal renewal of administrative law of Ukraine;

b) an important basis for its transformation into a modern legal field of European content.

This movement is not a simple change of timing. The theory of public administration has fundamental differences from the theory of public administration, both in legal content and ideological essence. Its formation and recognition put an end to the still existing recent attempts to adapt the Soviet doctrine of public administration to the doctrine of a democratic state governed by the rule of law28 – a state where its responsibility to man is normatively recognized, where human rights and their guarantees determine the content and direction of its activities.

Public administration in the administrative law of European countries, in most cases, is defined as a set of bodies and institutions that exercise public power through the implementation of laws, regulations and other actions in the public interest. This understanding is also relevant for the Ukrainian legal system.

It should also be noted that the concept of public administration is not new to Ukrainian law. It is present in the works of Ukrainian administrators who worked outside the Soviet law school, for example, in the works of Yu. L. Paneiko, who wrote in "Theoretical Foundations of Self-Government" (1963) that the basis of administrative law is that it regulates organization and activity of public administration.

Public administration, as a legal category, has two dimensions: functional and organizational-structural. At the functional approach it is activity of the corresponding structural formations on performance of the functions directed on realization of public interest.

Such an interest in Ukrainian law recognizes the interest of the social community, which is legalized and satisfied by the state. Thus, for example, the performance of a public administration law enforcement function means the systematic activity of all structural entities that have such a function. This activity is called "public administration". In the organizational and structural approach, public administration is a set of bodies that are formed for the exercise (implementation) of public authority.

In Ukrainian law, public power is recognized: a) the power of the people, as direct democracy; b) state power legislative, executive, judicial; c) local self-government. It follows from the above that public power in Ukraine is exercised by: first, the Verkhovna Rada of Ukraine (Parliament), the President of Ukraine (as a government institution), local councils. They exercise the power of the people, which finds expression in the electoral process; secondly, all bodies and institutions that exercise state power. For example, executive bodies, courts and others; thirdly, all bodies and institutions that implement local self-government. For example, executive committees of local councils, public associations, bodies of self-organization of the population, etc.

The next system-forming factor in relations governed by administrative law is public administration. Public administration is the activity of a subject of public administration to exercise public authority. It occurs: through the use of management tools, the provision of administrative services, participation in the relationship of administrative appeal, participation in the relationship of judicial appeal (administrative proceedings), participation in administrative-tort relations.

All the above necessitates the consideration of the theory of public administration as a methodological basis of administrative law and use its concept as a basis in the formation of administrative and legal relations.

The dominant system-forming factor for the subject of administrative law is the category of "relationship of administrative obligations". This type of relationship is present in all other relationships that form the subject of the industry, due to their complex legal nature.

First, their essence correlates with the norms of the Constitution of Ukraine on: a) the responsibility of the state to man; b) recognition of the main duty of the state to establish and ensure human rights and freedoms; c) the rule of law; d) restriction of powers and actions of public administration by the Constitution and laws of Ukraine.

It follows from the constitutional provisions that the public administration in its formation undertakes to satisfy the interests of society and citizens. Among them are public obligations, the implementation of which requires the use of public administration powers. In the course of their implementation there are relations, which are called "relations of administrative obligations".

Secondly, the relationship of administrative obligations is derived from the standards (principles) that candidate countries must meet in order to bring their level of government closer to that of EU member states.

The document "European Principles of Public Administration. SIGMA Publication № 27, 1999", in the part on the principles of administrative law, explicitly states the requirement for these countries to apply the principle of protection of legitimate expectations at the national level.

In Germany, which belongs to the countries of continental law, the principle of trust (Vertrauensschuts) is included in the content of the rule of law (Article 20 of the Constitution of Germany). In addition, its implementation is ensured by other regulations, in particular the Laws of Germany on the administrative activities of state bodies, the procedure for conducting cases in administrative bodies and others34.

Third, a component of their legal nature are contractual properties. The legal relations arising from the promises are subject to the properties of the administrative contract.

By forming a separate (ideologically, politically or legally) composition of promises-obligations,

the relevant subject demonstrates the intention to form a legally significant relationship with the definition of their content of the object and subjects.

Thus, the acceptance of administrative obligations for public authorities means: a) participation in the relationship of administrative obligations; b) the obligation to carry out their activities taking into account the promises made by them; c) be responsible for their violations.

Hence the important requirement for holders of power: citizens, acting reasonably and within the established legal regulation, should be able to rely on such promises in relations with the authorities.

Of course, the relationship of administrative obligations requires separate research, and given their legal nature, not only within administrative law. After all, for the expectation to be "legitimate" in the legal sense, there must be positive grounds sufficient to recognize his status as objectively justified.

In this regard, the study of Pamela Tate's "Consistency of Legitimate Expectations with the Fundamentals of Natural Law" [11] draws attention, which determines four features of legitimate expectations: 1) established behavior that has not changed unreasonably; 2) explicit and obvious assurances on behalf of the authority and within the competence of this authority; 3) possible consequences of violation of expectations with the impossibility of restoring what was expected; 4) compliance with legal requirements.

Thus, the relationship of administrative obligations in correlation with the principle of protection of legitimate expectations (protection of trust) has become an important factor in the evolution of administrative law.

Their determination shows that administrative law has overcome the location of postmodernism in its space and is in the phase of renewal as the right to form legal meanings in relations between government and civil society.

In conclusion, it is appropriate to note that in administrative law the principle of protection of legitimate expectations (protection of trust) [12] is determined, which correlates with the relationship of administrative obligations.

Conclusions. Studies of administrative law in the ideology of postmodernism allow us to reach the following.

1. Being influenced by the peculiarities of the postmodern syntagm, administrative law, although it has undergone significant changes, has not lost its role as a regulator of relations between government and civil society.

2. Postmodernist currents have not always had a negative impact on administrative law. We can assume that the ideology of postmodernism is appropriate.

3. To some extent led to the emergence of progressive concepts of administrative reform and reform of administrative law. As a result, the industry has acquired a man-centered and service content. She got rid of totalitarian dependence on the doctrine of government. In the field of human rights protection, it has enriched its methodology and law enforcement with administrative justice. Democratized institutions providing administrative services to the population. Rethinking the sphere of administrative-tort relations.

4. Exit from the "embrace" of postmodernism is associated with research on the subject of administrative law and awareness of the need to update it. The point of bifurcation was to prove its systematicity. After all, inconsistency and fragmentation are one of the main features of postmodernism.

5. Studies of the systemic nature of the subject and administrative law doctrine have determined the recognition of the relationship of administrative obligations and the related principle of protection of legitimate expectations as a new principle of administrative law.

6. The entry of administrative law into the paradigm of systemicity determined, first, overcoming postmodern disintegration and fragmentation of the structure of the subject, and secondly, evolution: a) from the right of satellite of public administration, b) through service law, c) to the right to form legal meanings sphere of interaction between government and civil society.

7. By the latter we mean the generation of normatively expressed motivation of the government and civil society to turn the knowledge directed to them into practical law enforcement activities.

8. If we formulate this definition in expressive-emotional lexical format, we get a consistently determined by evolutionary logic expression: meanings in motives – motives in principles – principles in laws – laws in legal norms – legal norms in law enforcement – law enforcement in legal facts – legal facts in law. Thus, the modern administrative law of Ukraine, having undergone radical changes and transformations, is in the legal system the right to form legal meanings in the field of interaction between government and civil society.

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