DOI https://doi.org/10.30525/2592-8813-2025-4-2

THE CONCEPT AND CHARACTERISTICS OF THE PRINCIPLES OF ADMINISTRATIVE LAW

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Abstract. The article examines the concept and properties of the principles of administrative law as a fundamental category that determines the content and development of administrative-legal regulation and guides the activities of public administration. The relevance of rethinking this issue is substantiated in the context of decentralization, the digital transformation of administrative procedures and services, and the implementation of good governance standards and e-government. Doctrinal approaches to defining the principles of administrative law are analyzed; common features and differences in their interpretation are identified; and a generalized understanding of these principles as universal provisions of normative, doctrinal, and judicial origin is formulated. The key properties of the principles of administrative law are outlined, demonstrating their system-forming, regulatory, and rights-protecting role in law-making and law enforcement. The article concludes that further theoretical elaboration of this category is necessary to improve the effectiveness of public administration.

Key words: principles; law; principles of administrative law; public administration; properties of principles; administrative-legal regulation; branch of law; good governance.

Introduction. Contemporary legal scholarship recognizes the principles of law as a key element that shapes the content of any branch of law by determining its structure, core concepts, functional purpose, and directions of development.

Given the significant changes taking place in Ukraine–particularly decentralization, the digital transformation of administrative procedures and services, and the implementation of good governance standards and e-government–there is a clear need to reconsider the essence of the concept of the principles of administrative law, as well as their features, functions, and system. Studying new approaches to their classification, normative consolidation, and practical application makes it possible to develop a more effective model of administrative-legal regulation that meets the requirements of a democratic society governed by the rule of law.

An indispensable prerequisite for the implementation and systematic development of Ukraine's administrative law is the formation of a clear and coherent understanding of its principles as foundational ideas that constitute the ideological basis of the entire field. The principles of administrative law determine the general orientation and development of administrative-legal regulation and serve as a methodological guideline for law-making, law enforcement, and scholarly research.

At the same time, despite the evident and far-reaching influence of principles on all levels of the functioning of administrative law, a lack of clear and systematic conceptual understanding can be observed both in national legislation and in academic literature. This necessitates an updated doctrinal analysis of the nature, essence, conceptual content, and characteristics of the principles of administrative law under contemporary conditions of state-building and legal practice.

Main Part. The purpose of the study is to provide a doctrinal clarification of the concept of the principles of administrative law and to identify their key characteristics as fundamental guidelines for administrative-legal regulation and for the functioning of public administration under the contemporary transformation of administrative law.

The research objectives are: to analyze the general-theoretical meaning of the category "principle" as it is used in administrative-law scholarship; to summarize and compare the approaches presented in academic literature to defining the principles of administrative law; to identify common features and differences among doctrinal definitions and to formulate a generalized definition of the principles of administrative law; and to characterize their properties and disclose their content.

The research materials consist of scholarly works and educational legal literature on administrative law and the theory of law, which reveal the content of the concept of the principles of administrative law, as well as their functions and characteristics.

The research methods include the formal-logical method (analysis, synthesis, generalization, classification) to systematize doctrinal definitions and distinguish the properties of principles; the systemic method to consider principles as an element ensuring the integrity of administrative law as a branch; the comparative method to compare scholarly approaches and identify their differences; the method of legal interpretation to clarify the content of definitions and ensure terminological consistency; and the doctrinal (dogmatic) method to assess scholarly positions and formulate the author's conclusions.

Results of the Study and Discussion. The term *"principle"* in its general-theoretical meaning is a category that encompasses both objective regularities underlying a particular phenomenon or system and subjective beliefs that determine the guidelines for the activity of an individual or a social institution. Within legal science, and in administrative law in particular, principles function as normative and value-based guidelines that ensure the internal orientation, coherence, and effectiveness of the system of legal regulation.

It should be noted that in Ukrainian legal scholarship the category *"principles of administrative law"* has still not received a sufficient level of systematic analysis, despite its fundamental significance for the functioning of this branch of law. The nature, features, and functions of the principles of administrative law are often presented fragmentarily and through different, sometimes contradictory, approaches, which complicates the development of a unified theoretical understanding of this concept.

Most academic definitions of the principles of administrative law demonstrate substantial differences in interpreting their normative content, significance, and essence. Some authors view principles as ethical guidelines of a recommendatory nature, while others regard them as legal norms of a higher level of abstraction that are imperative for law enforcement. Such diversity of scholarly positions does not contribute to the systematization of knowledge about administrative law and its principles; on the contrary, it complicates the formation of a coherent theoretical framework on which the modern doctrine of administrative law should be built.

For this reason, there is a particularly acute need to develop a unified and scientifically grounded approach to understanding the principles of administrative law. Such an approach should, on the one hand, rely on the achievements of legal scholarship and, on the other hand, correspond to the practical needs of public administration, serving as a guideline for both law-making and law enforcement.

An overview of academic sources shows that contemporary researchers propose a number of approaches to defining the principles of administrative law. For example, they are interpreted as fundamental ideas, provisions, and requirements that characterize the content of administrative law, reflect the regularities of its development, and determine the directions and mechanisms of administrative-legal regulation of social relations (Averianov, 2004). In this definition, V. B. Averianov emphasizes the fundamental nature of principles, their role in shaping the content of the branch of law, and in determining the vectors of its development.

In turn, V. Yu. Oksin defines the principles of administrative law as the basic, initial, objectively conditioned paradigms on which the rights and freedoms of the individual and citizen are based and ensured, as well as the normal functioning of civil society and the state (Oksin, 2016). A similar

position is shared by V. V. Halunko and V. I. Kurylo, who stress that principles are the basic, initial, objectively conditioned foundations on which the activity of the subjects of administrative law is based, ensuring the rights and freedoms of the individual and citizen and the normal functioning of civil society and the state (Halunko & Kurylo, 2015).

A value-and-normative approach is reflected in the definition proposed by N. I. Didyk, who describes the principles of administrative law as fundamental, generally accepted norms that express the properties of law and possess the highest imperative legal force, acting as unquestionable requirements imposed on participants in social relations for the purpose of achieving social compromise (Didyk, 2011).

R. S. Melnyk, in turn, effectively combines substantive and functional approaches, viewing principles as ideas and requirements that reflect the regularities of the development of administrative law and the implementation of its mechanisms. In his study, R. S. Melnyk notes that the principles of administrative law are the main ideas, provisions, and requirements that characterize the content of administrative law, reflect the regularities of its development, and determine the directions and mechanisms of administrative-legal regulation of social relations. The principles of administrative law thus cover all directions and spheres of the functioning of public administration, including those manifested within it (internal organizational relations) (Melnyk, 2012).

The analysis of these definitions makes it possible to identify a number of common features that characterize the understanding of the principles of administrative law in Ukrainian legal doctrine. First, their fundamental character: all authors emphasize that principles are foundational elements of administrative law that shape its content and structure. Second, their objective conditioning, reflecting the regularities of the development of administrative law. Third, their regulatory function, which guides administrative-legal regulation of social relations. Fourth, their focus on ensuring human rights and freedoms, since most definitions highlight the role of principles in guaranteeing the rights and freedoms of the individual and citizen. At the same time, there are certain differences in approaches. For instance, V. B. Averianov and R. S. Melnyk emphasize the connection of principles with the regularities of the development of administrative law. N. I. Didyk (and, in related doctrinal discussions, other authors who stress this line) emphasizes the normative nature of principles, their imperativity, and their закріплення within legal norms, whereas other scholars treat principles as more abstract ideas or foundations.

Based on the conducted analysis, a generalized understanding of the principles of administrative law, reflected in academic textbooks, may be formulated as follows: they are foundational, objectively conditioned, and stable guidelines, recognized by scholarship and practice, закріплені in legal norms or derived through generalization of legal rules, which determine the content, orientation, and functioning of the system of administrative law; ensure the managerial activity of public administration entities; protect the rights, freedoms, and legitimate interests of private persons; secure the normal functioning of civil society and the state; and serve as a connecting link between legal prescriptions and the ethical and moral dimensions of social consciousness.

Thus, the principles of administrative law are of fundamental importance for the functioning of the entire branch–from normative regulation to law-enforcement activity. They should be viewed as a complex and meaningful category that combines regulatory, system-forming, rights-protecting, and institutional functions of administrative law. Therefore, further scholarly elaboration of this category remains an important task for contemporary administrative-law science.

Conclusion. Summarizing the definitions presented in educational legal literature, it can be concluded that the principles of administrative law are objectively determined, universally binding, and universal provisions of a normative, doctrinal, and judicial nature. They serve as the ideological, substantive, and functional basis of administrative-legal regulation, determine the direction of development of public administration and the foundations of its practical implementation, ensure the integrity of administrative law as a branch, operate as a measure of the lawfulness of the activities of public administration entities, and guarantee the realization of the rights, freedoms, and legitimate interests of the individual (Hryshyna, 2025: 267).

The main characteristics of the principles of administrative law include the following:

1. Fundamentality – the principles of administrative law are fundamental in nature, as they define the content, limits, and orientation of sectoral regulation and law enforcement. They constitute the starting point for the formation of administrative-law norms and the conceptual basis for the development of administrative law, affirming it as an independent branch of law.

2. Objective conditioning – the principles of administrative law do not arise arbitrarily; they emerge as a consequence of the regularities of social development, the needs of the functioning of public authority, and the evolution of legal systems in democratic states.

3. Universally binding character – the principles have universal effect for all subjects of public administration regardless of their organizational and legal status and are subject to mandatory observance in law-making and law-enforcement activities.

4. Stability – principles retain their significance and effectiveness over time, serving as guidelines for law-making, law enforcement, and the interpretation of administrative-law norms.

5. Universality – principles have inter-branch significance, often extending beyond administrative law and manifesting themselves in related areas of legal regulation, including constitutional, European, and international public law.

6. Normative and doctrinal nature – principles may be either legislatively закріплені (enshrined) or derived from law-enforcement practice or legal doctrine; at the same time, no principle has inherent superiority in legal force over others within their practical application.

7. Functionality – principles perform not only a declarative but also a constructive role: they shape the logic of administrative-law norms, influence the content of managerial and administrative procedures, determine the conduct of public authorities, and form the basis for structuring administrative law.

8. Value orientation – principles embody the basic legal values of a democratic society and the proper exercise of public administration.

9. Integrative character – principles function as an instrument for harmonizing national administrative law with European standards and facilitate the implementation of common approaches to proper governance and administration.

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