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## ORGANIZATIONAL AND LEGAL ASPECTS OF MUNICIPAL GOVERNANCE: INNOVATIVE AND DIGITAL DEVELOPMENT, REGIONAL REGENERATION, GLOBAL INSTABILITY

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**Summary.** The article is devoted to the analysis of the organizational and legal foundations of municipal governance in the context of ensuring innovative and digital development, as well as the restoration of regions in conditions of global instability. It is substantiated that the current legal model of local self-government is mainly based on a procedural and regulatory approach, focused primarily on the separation of powers, which, in turn, limits its ability to effectively stimulate development processes at the level of territorial communities. It has been established that the existing regulatory and legal structures do not ensure the proper institutionalization of the intangible assets of the community – knowledge, competencies, digital resources, which are a key factor in innovative and digital transformation. The article identifies three critical areas of interaction between the organizational and legal mechanism of municipal management and intellectual potential: the formation of the human resource potential of executive bodies, the management of digital assets of territorial communities, and the development of intermunicipal partnerships in the field of knowledge exchange. Directions for improving regulatory and legal support are proposed, aimed at expanding the institutional capacity of local governments as subjects of innovative and digital development and regional renewal.

**Keywords:** municipal governance, organizational and legal aspects, innovative and digital development, intellectual potential, global challenges, innovative and digital transformation, regional development, intellectual potential, municipal governance, organizational and legal framework, global challenges, post-war recovery.

**Relevance of the issue.** In the context of modern global instability, the issues of municipal governance efficiency not only remain relevant, but also acquire new substantive emphases, especially in the context of ensuring innovative and digital development, as well as regional renewal.

Despite the presence of a developed regulatory framework that formally enshrines the broad powers of local governments, their practical implementation remains limited and unsystematic.

In the scientific and expert environment, such a situation is usually associated with a shortage



of financial resources and personnel problems. At the same time, these factors, although important, do not fully reveal the essence of the problem. A significant, but insufficiently understood reason is the peculiarities of the organizational and legal structure of municipal governance, which is mainly focused on regulating procedures, rather than stimulating development.

This is of particular importance in the field of innovative and digital development, where intangible resources play a key role – knowledge, competencies, information and digital technologies. The current legislation in the field of local self-government has historically been formed around the management of material assets and budget flows, while the intellectual potential of territorial communities, as well as the mechanisms for its reproduction and effective use, remain beyond due legal attention.

In this regard, rethinking the role of integration models as a tool for combining organizational, legal, and innovative and digital components of territorial development is of particular relevance. Therefore, the scientific task of identifying systemic limitations inherent in the current legal regulation and substantiating the directions of its transformation in order to ensure the ability of municipal management not only to function, but also to develop.

Thus, the relevance of the study is determined by the need for a comprehensive analysis of the organizational and legal foundations of municipal management through the prism of innovative and digital development and regional renewal, as well as the search for effective integration approaches in conditions of global instability.

**Analysis of recent research and publications.** The issue of organizational and legal support for local self-government traditionally remains within the focus of domestic legal and public administration research. Theoretical and methodological foundations of municipal governance, its constitutional and legal status, and institutional capacity are disclosed in the works of V. Campo, M. Baymuratov, O. Borislavska, and M. Orlaty [8; 9; 12; 13]. These studies formed the conceptual basis for understanding local self-government as an independent level of public authority and defined its functions, principles, and mechanisms of implementation in the context of decentralization reforms.

An important area of scientific research is related to the digital transformation of public administration and the development of e-governance. Theoretical and applied aspects of digitalization in the public and municipal sectors are presented in the works of N. Hrytsiak and V. Dreshpak [10; 11]. Particular attention is paid

to the development of digital public services, electronic interaction between authorities, and the transformation of management processes within the digital environment.

A separate direction of research concerns regional development, resilience of territorial systems, and the adaptation of public administration to crisis conditions. In this context, the studies of C. S. Holling are of particular importance, as they substantiate the concept of resilience of socio-economic systems as their ability to adapt and recover under conditions of instability [14]. International approaches to digital governance, open data, and institutional modernization of public authorities are reflected in the reports and analytical materials of the OECD and the European Commission [15; 16].

Issues of interorganizational cooperation and partnership in public governance were examined by S. Vangen and C. Huxham, who emphasized the importance of collaboration, trust, and network interaction in the formation of effective governance models [17]. At the same time, the problems of cyberspace and the digital environment as objects of public administration are disclosed in the monographic study by I. V. Diorditsya [18].

Despite the considerable number of scientific publications, the issues of integrating organizational and legal mechanisms of municipal governance with the objectives of innovative and digital development of territorial communities under conditions of global instability and post-crisis regional recovery remain insufficiently explored. Most studies focus either on the legal aspects of local self-government or on certain dimensions of digital transformation, while a comprehensive approach combining legal, organizational, and digital components of development remains underdeveloped.

This determines the necessity for further research aimed at substantiating an integration model of municipal governance capable of ensuring innovative and digital development of territorial communities and strengthening their resilience under global challenges.

**The purpose of the article** is a systematic analysis of the organizational and legal aspects of municipal management in ensuring innovative and digital development and renewal of regions from the standpoint of determining their impact on the formation and implementation of the intellectual potential of territorial communities, as well as substantiating the directions for improving the relevant regulatory and legal support based on an integration approach.

Achieving the goal involves solving the following tasks:

- identify the structural limitations of the current legal architecture of local government in the field of intangible asset management;
- analyze the impact of global instability on the institutional capacity and resilience of municipal governance;
- to substantiate the conceptual foundations of the integration model as a tool for combining legal, organizational, and digital components of development;
- to formulate scientifically based recommendations for improving the regulatory and legal support of municipal governance in the context of innovative and digital transformation and regional renewal.

**Research results.** In view of this, the presentation of the main material of the study focuses on identifying structural limitations of legal regulation and their impact on the ability of local governments to effectively use intellectual potential in the processes of innovative and digital development.

In this context, it is advisable to turn to the analysis of the organizational and legal architecture of municipal administration as a basic element of institutional support for these processes.

1. Organizational and legal architecture of municipal administration: systemic limitations. Analysis of the current legislation in the field of local self-government shows that, despite a long period of reform, its conceptual basis remains focused on the classical administrative and legal model [4; 5; 8; 12]. In this logic, the functioning of municipal administration is reduced to the regulation of actions and procedures, while the effective and developmental dimensions remain beyond proper legal specification.

Such a model is relatively effective in the field of material asset management, while in the sphere of innovative and digital development its limitations become evident [10; 11; 15]. At the same time, in the field of innovative and digital development, where intangible and resource-related factors become decisive for ensuring sustainable territorial development and management efficiency [2], such a legal construction reveals its limitations.

In order to conceptualize the identified features of legal regulation, it is advisable to present a comparative characteristic of the traditional procedural-oriented model of municipal management and the development-oriented approach that meets the tasks of innovative and digital transformation (see Table 1).

The organizational and legal architecture of local self-government, while formally developed, does not provide the proper conditions for realizing the development potential of territorial communities. This is especially true in areas where intellectual potential is a determining resource.

2. Key points of interaction of the organizational and legal mechanism and intellectual potential. The identified systemic limitations of the organizational and legal architecture of municipal management necessitate the specification of those segments in which the interaction of legal regulation and intellectual potential becomes crucial. Such specification allows us to move from a systemic description of the problem to the identification of its functional manifestations in the practice of local government.

In this context, it is advisable to highlight three critical points of interaction that determine the real ability of municipal administration to ensure innovative and digital development.

**Table 1 – Comparative characteristics of models of organizational and legal support of municipal management**

Criterion	Procedural and regulatory model (current)	Developmentally oriented model (targeted)
Focus of legal regulation	Division of powers and procedures	Achieving results and developing capabilities
Management objects	Material resources (property, finances)	Tangible and intangible assets (knowledge, data, competencies)
Nature of powers	List of functions and actions	Focus on results and effects
Human resources policy	Rigid employment model	Flexible forms of engaging competencies
Digital resources	Auxiliary tool	Key management resource
Institutional memory	Not systematically regulated	Institutionalized knowledge management
Intermunicipal interaction	Shared services and resources	Knowledge partnership and collaborative learning
Resilience	Not subject to systemic regulation	Defined through sustainability and adaptability standards
Management logic	Administrative execution	Innovation and development transformation

Source: formed by the authors based on [4-7; 10; 15; 16]

2.1. Formation of human resource potential of municipal administration. The human resource component is a basic condition for the institutional capacity of local government bodies. At the same time, the analysis shows that the problem is not only economic, but also systemic and legal in nature.

The limited legal instruments for attracting highly qualified specialists (project contracts, part-time employment, expert participation formats) significantly narrow the possibilities of municipalities in forming intellectual potential. In addition, institutionalized professional development mechanisms are not sufficiently focused on the formation of digital and innovative competencies, which is particularly important under the conditions of transformation of professional training systems and competency-based approaches in public administration [1], which creates a gap between regulatory functions and actual management capabilities [5; 10].

2.2. Management of digital assets of territorial communities. However, the realization of this potential is constrained by both infrastructural and legal constraints. On the one hand, the lack of an adequate technical and human resource base determines the formal nature of the implementation of open data policies. On the other hand, legal uncertainty regarding the data use regime (in particular, regarding their analytical application and partnership use) limits the formation of digital ecosystems at the community level [7; 15; 16].

Thus, digital assets are actually not integrated into the strategic management system for territorial development, which reduces the effectiveness of innovative digital transformation.

2.3. Intermunicipal interaction in the field of knowledge exchange. The third critical point is intermunicipal interaction, in particular in the field of knowledge exchange and management practices. Despite the presence of regulatory regulation of cooperation between territorial communities, its functional focus remains limited to the sphere of service provision and management of material resources.

However, the knowledge component – horizontal learning, exchange of experience, joint development of management decisions – has not received proper legal institutionalization. This leads to fragmented interaction and dependence on informal or donor initiatives.

Taken together, these three areas demonstrate that the intellectual potential of territorial communities is not properly integrated into the municipal governance system, which limits its development opportunities.

For a more detailed disclosure of the mechanisms of interaction between organizational and legal support and the intellectual potential of territorial communities, it is advisable to present them in the form of a structural model that reflects the relationship between management functions, legal instruments, and expected results (see Table 2).

The proposed model demonstrates that organizational and legal support covers all key areas of the formation and use of intellectual potential, but does not ensure their systemic integration into the developmental logic of municipal management. This necessitates the transition from fragmented regulation of individual functions to the formation of a holistic integration model capable of ensuring innovative and digital development and restoration of regions.

**Table 2 – Model interaction of organizational and legal mechanisms and intellectual potential in municipal administration**

Functional area	Element of intellectual potential	Management function	Available legal instruments	Expected development outcome
Human resources	Professional competencies, expert knowledge	Formation, development, and retention of personnel	Public service standards, advanced training	Growth of management capacity
Digital control	Data, digital platforms, information resources	Data collection, processing, use	Open data legislation, registries	Improving the quality of solutions, digital services
Institutional memory	Organizational knowledge, management experience	Knowledge preservation and transfer	Partially regulated office procedures	Continuity of management
Intermunicipal interaction	Collective experience, management practices	Knowledge exchange, cooperation	Law on Community Cooperation	Spreading innovation
System resilience	Adaptive knowledge, crisis competencies	Response, recovery, adaptation	Fragmented safety and management regulations	Resilience to external challenges

Source: formed by the authors based on [4–7; 13; 17]

An analysis of the practice of local government bodies' functioning shows an insufficient level of their institutional preparedness for crisis situations. In particular, there is a lack of:

- formalized mechanisms for ensuring the continuity of management processes;
- proper systems for protecting and backing up digital resources;
- clearly defined procedures for delegation of authority in emergency situations.

International experience demonstrates that resilience can be effectively ensured through institutional standards and adaptive governance mechanisms [14–16].

In order to specify the requirements for ensuring organizational resilience of municipal administration, it is advisable to present its key components in relation to legal support and functional characteristics (see Table 3).

The presented systematization shows that the organizational resilience of municipal management is multidimensional and cannot be ensured solely by organizational measures. It requires a holistic regulatory framework aimed at forming minimum standards of the system's readiness to function in conditions of uncertainty and crisis impacts.

4. Directions for improving organizational and legal support. Systematization of the research results allows us to distinguish two complementary levels of improving organizational and legal support: applied and systemic.

At the applied level, it is advisable to:

- institutionalization of knowledge management practices in executive bodies of local self-government;
- development of methodological approaches to identifying and assessing intangible assets of communities;
- introduction of intermunicipal knowledge exchange programs.

At the systemic level, it is necessary to:

- regulatory consolidation of the category of intangible assets of territorial communities;
- expansion of legal mechanisms for attracting intellectual resources through flexible forms of employment;
- development of legal foundations for knowledge partnership;
- establishing mandatory requirements to ensure the resilience of municipal governance.

In order to systematize the proposed directions for improving the organizational and legal support of municipal management, it is advisable to present them in the form of a structured model that takes into account the time horizons of implementation and levels of regulatory influence (see Table 4).

Special attention is required to transform the system for assessing the effectiveness of local government activities, which should be reoriented from procedural and budgetary indicators to indicators of the development of intellectual potential and digital capabilities.

**Table 3 – Key components of municipal governance resilience and their organizational and legal support**

<b>Resilience component</b>	<b>Content</b>	<b>Current status of legal regulation</b>	<b>Critical gaps</b>	<b>Necessary areas for improvement</b>
Continuity of management	Ensuring the functioning of bodies in crisis conditions	Lack of systemic requirements at the local government level	No mandatory continuity plans	continuity standards planning
Digital asset protection	Preservation and availability of data and digital systems	Partial regulation in the field of cybersecurity	No backup and restore requirements	Legislative consolidation of backup and recovery procedures
Personnel stability	Ability to function with the loss of personnel	General public service standards	Lack of mechanisms for substitution and knowledge transfer	Knowledge implementation transfer and duplication of functions
Management flexibility	Rapid adaptation to environmental changes	Strict procedural regulation	Limitations on delegation and redistribution of authority	Expanding discretionary powers in crisis situations
Institutional memory	Preservation of management knowledge	Fragmented regulation	Lack of knowledge management systems	Institutionalization knowledge management
Intersectoral interaction	Coordination with other entities (business, science)	Limited legal protection	Lack of rapid partnership mechanisms	Simplifying public-private interaction procedures

Source: formed by the authors based on [14–18]

It is advisable to present the generalization of the research results in the form of a systematized model that reflects the relationship between the identified organizational and legal restrictions and the directions for overcoming them (Table 5).

The summary of the research results, presented in the table, allows us to systematically outline the relationship between organizational and legal restrictions of municipal management

and their impact on the ability of territorial communities to ensure innovative and digital development and restoration of regions. It has been established that the key problems are of a complex nature and are primarily due to the dominance of the procedural and regulatory logic of legal regulation, which does not take into account the development potential of intellectual and digital resources.

**Table 4 – Directions for improving the organizational and legal support of municipal administration**

Level of change	Direction	Event content	Expected result	Implementation entity
Short-term (without changes in legislation)	Knowledge management	knowledge provisions management	Preserving institutional memory, improving management efficiency	Cabinet of Ministers, Ministry of Regional Development, local governments
	Inventory of intangible assets	Methodological recommendations for recording knowledge, data, and competencies	Formation of a basis for strategic resource management	Relevant ministries, local governments
	Intermunicipal exchange	Knowledge partnership pilot programs	Dissemination of best practices, community integration	Associations of local governments
Systemic (legislative changes)	Intangible assets	Introduction of legal category and management mechanisms	Institutionalization of intellectual potential	Verkhovna Rada of Ukraine
	Human resources policy	Legalization of flexible forms of employment (contracts, fellowships )	Attracting highly qualified specialists	Verkhovna Rada, CMU
	Digital resources	Determining the legal status of data and its use	Developing the digital economy at the local level	Legislative and executive bodies
	Resilience	Setting standards for system continuity and protection	Increasing resilience to crises	Verkhovna Rada, CMU
	Knowledge partnership	Expansion of the Law on Community Cooperation	Institutionalizing knowledge sharing	Verkhovna Rada

Source: developed by the authors based on the conducted research and sources [4-7; 15; 16]

**Table 5 – Generalization of organizational and legal restrictions and ways to overcome them**

Sphere / aspect	Problem detected	Manifestation in practice	Reasons (legal dimension)	Areas for improvement
Legal architecture	Dominance of the procedural approach	Focus on action rather than results	Lack of developmental function in legal regulation	Transition to performance-oriented regulation
Intangible assets	Lack of legal status	Failure to take into account knowledge, data, and competencies in the management system	The legislation operates only with material categories	Introduction of the category of "intangible community assets"
Institutional memory	Loss of knowledge during personnel changes	Disruption of management processes, duplication of decisions	Lack of norms for knowledge transfer	Introduction of knowledge management mechanisms

Table continuation 5

Sphere / aspect	Problem detected	Manifestation in practice	Reasons (legal dimension)	Areas for improvement
Human resources potential	Low service attractiveness	Shortage of specialists in the field of digitalization and analytics	Rigid employment model, limited forms of engagement	Legalization of flexible forms of employment, development of competencies
Digital assets	Underutilization of data	Formal nature of open data, weak analytics	Undefined legal status of data	Clear regulation of data use and circulation
Intermunicipal interaction	Limited knowledge sharing	Fragmentation of the spread of practices	Lack of legal mechanisms for knowledge partnership	Institutionalization knowledge-sharing networks
Management resilience	Low crisis preparedness	Business continuity disruption	Lack of regulatory requirements for system resilience	Introducing data continuity and protection standards
Performance evaluation	Orientation to procedures and budget	Ignoring potential development	Limited scorecard	Incorporating digital and intellectual capability indicators

Source: formed by the authors based on [8–18]

The systemic nature of the identified dysfunctions is manifested in the interconnectedness of such aspects as the lack of legal institutionalization of intangible assets, limited mechanisms for the formation of human resources, uncertainty about the regime for the use of digital data, as well as the insufficient level of development of intermunicipal interaction and institutional resilience. Taken together, this forms structural barriers to the transition from a functional to a developmental model of municipal governance.

At the same time, the proposed areas of improvement indicate the possibility of overcoming the above limitations provided that an integration approach is implemented that combines legal, organizational and digital development tools. Such an approach not only ensures increased efficiency of management processes, but also creates the prerequisites for the formation of sustainable, adaptive and innovative territorial systems in the face of global instability.

**Conclusions.** The conducted research allowed us to identify a systemic contradiction in the current organizational and legal support of

municipal governance in Ukraine, which consists in the dominance of procedural and regulatory logic over developmental logic. The legislation regulates in sufficient detail the procedure for the implementation of administrative functions by local government bodies, but leaves out of due attention the issue of forming their institutional capacity, in particular in the field of ensuring innovative and digital development and regional renewal. In this context, the intangible assets of territorial communities – knowledge, competence, digital resources – actually remain outside the scope of systemic legal regulation.

Prospects for further scientific research are related to conducting a comparative analysis of the legal regulation of intangible asset management at the municipal level in the countries of the European Union, as well as developing methodological approaches to assessing the legal and institutional readiness of territorial communities to implement an innovative and digital development model in conditions of global instability, military challenges, and post-crisis economic transformation processes.

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## ОРГАНІЗАЦІЙНІ ТА ПРАВОВІ АСПЕКТИ МУНІЦИПАЛЬНОГО ВРЯДУВАННЯ: ІННОВАЦІЙНИЙ ТА ЦИФРОВИЙ РОЗВИТОК, РЕГІОНАЛЬНЕ ВІДНОВЛЕННЯ, ГЛОБАЛЬНА НЕСТАБІЛЬНІСТЬ

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**Анотація.** Стаття присвячена комплексному аналізу організаційно-правових основ муніципального управління в контексті забезпечення інноваційного та цифрового розвитку територіальних громад, а також їх відновлення в умовах глобальної нестабільності та посткризових трансформацій. Актуальність дослідження зумовлена зростаючою роллю місцевого самоврядування як ключового інституційного суб'єкта формування адаптивних моделей розвитку регіонів, здатних до швидкого реагування на зовнішні виклики, зокрема в умовах воєнних та економічних криз. Обґрунтовано, що сучасна правова модель муніципального управління переважно базується на процедурно-регуляторному підході, орієнтованому на розподіл повноважень і функцій між рівнями влади, що обмежує її потенціал щодо активного стимулювання інноваційних процесів і цифрової трансформації на рівні територіальних громад. Доведено, що така модель не враховує належним чином роль інтелектуального та цифрового капіталу як визначального ресурсу сучасного розвитку. Встановлено, що існуючі нормативно-правові механізми не забезпечують достатнього рівня інституціоналізації нематеріальних активів громади, зокрема знань, компетенцій, інформаційних ресурсів і цифрових платформ, які формують основу інноваційної економіки.

У дослідженні виокремлено три ключові напрями взаємодії між організаційно-правовим механізмом муніципального управління та інтелектуальним потенціалом: розвиток кадрового потенціалу органів місцевої влади на засадах цифрових компетенцій, формування систем управління цифровими активами територіальних громад та активізація міжмуніципального партнерства з метою обміну знаннями та кращими практиками. Запропоновано напрями вдосконалення нормативно-правового забезпечення, спрямовані на трансформацію муніципального управління у бік підвищення його інституційної спроможності як драйвера інноваційного розвитку, цифровізації та стійкого відновлення регіонів, що передбачає інтеграцію нових підходів до управління знаннями, цифровими ресурсами та мережевою взаємодією громад.

**Ключові слова:** муніципальне управління, організаційно-правові аспекти, інноваційний та цифровий розвиток, інтелектуальний потенціал, глобальні виклики, інноваційна та цифрова трансформація, регіональний розвиток, інтелектуальний потенціал, муніципальне управління, організаційно-правова база, глобальні виклики, післявоєнне відновлення.

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