

# State Policy and Public Management of Economic Activity in the Context of the Military-Political Crisis (Analysis of the Construction and Other Spheres)

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**Abstract:** In the legal framework of the vast majority of countries, the regulation of the construction industry is recognized as a component of the structural and sectorial policy, which is subject to a set of incentive measures by the state. However, despite the high topical importance of capital construction, in most cases, it can be stated that there is a lack of high-quality clear strategic state regulation aimed at ensuring the promising innovative and industrial development of the construction complex. The article aims to identify the main trends and key principles of public law regulation of construction enterprises by public authorities. While examining the research object, the analytical and bibliographic method was applied to study the legal literature on the issues of state policy in the field of construction. To study and process the data, the authors employed induction, deduction, analysis, synthesis of information, systemic and structural, comparative, logical, and linguistic methods, abstraction, and idealization. Moreover, the authors of the study conducted an online questionnaire survey to clarify the most important issues related to the public law aspects of state regulation of the construction industry.

**Results:** Based on the results of the study, the authors systematize the main trends in the scientific literature on issues related to the regulation of the construction industry by public authorities. A viewpoint of legal scholars and scientists who specialize in construction management on the key aspects of this issue is investigated.

**Keywords:** Economic and legal optimization, sustainability of the construction industry, capital construction, urban planning, management of the construction complex, targeted programs for optimization of the construction industry, state control measures.

For the future development of the construction sector, the state authorities must pursue an appropriate economic policy aimed at restoring the potential of the construction industry at the initial stage and further developing it as a modern innovative industrial economic system. The economic and legal sciences have accumulated legal and technical means capable of solving the problem of optimizing the construction sector, but not all legal methods are suitable for use in crises. This necessitates the search for the most effective economic and public law ways to influence construction as one of the key elements of the country's economic system.

In the theoretical part of the article, the components and main trends of state policy in the field of construction are substantiated.

The practical part of the study includes an assessment of the key areas of legal and tax regulation of the construction industry by state authorities. It covers the economic and legal means of ensuring the competitiveness of the construction industry by the State, which needs to be strengthened in the context of modern challenges. The author identifies the most important criteria for the effectiveness of economic and legal optimization of construction by the State. The practical part outlines the strategic objectives of the work of governmental bodies in the field of construction reform which requires scientific and organizational refinement. In addition, the author examines the directions of the state-targeted programs

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for optimization of the construction industry, which allow for the most efficient development of capital construction.

Based on the results of the study, conclusions have been drawn on the issues raised. In particular, the main areas of legal and tax regulation of construction by government agencies are identified. These include the introduction and control of a special set of economic and legal means to ensure competitiveness, the use of public-private partnership contract structures, and state insurance of commercial risks in the construction sector. At the same time, the main economic and legal means of ensuring the competitiveness of the construction industry are government orders that stimulate the production of innovative and marketable products, as well as public procurement and import of the latest technologies for construction companies that need to be strengthened in the face of modern challenges. The most important criteria for the effectiveness of economic and legal optimization of construction are an increase in the profitability of construction activities and an increase in the volume of investments in capital construction. This is one of the most significant characteristics of the quality of public administration in this sector. The survey showed that the main strategic goals of the state's work in the field of construction reform are the sustainability of the construction industry, a high degree of innovation, and an appropriate level of competitiveness for construction companies. These goals require scientific and organizational refinement when developing programs in the future. At the same time, the areas of state-targeted programs to optimize the construction industry include public-private partnerships, information support, and economic and legal means to ensure the legality of economic activity.

The article aims to identify the position of lawyers and scholars conducting professional and scientific research on construction management concerning the public law features of state policy in this area.

## LITERATURE REVIEW

The need to study the economic and legal optimization of construction is caused not only by practical needs but also by the need to develop the theory of economic and legal means, to understand their place in the legal definition of state policy and their peculiarities of systemic application. In this regard, the formation of a special direction of economic and legal research aimed at identifying the peculiarities of regulation of relations in the field of capital construction ensures the theoretical relevance of the study (Pech, 2022).

In general, construction as an economic process is a continuous investment activity of capital owners throughout the entire life cycle of buildings and structures in which this capital was invested. It is important to note that the property requires restoration construction works to maintain it in working condition (Alvand et al., 2023; Tymoshenko et al., 2022).

A well-developed construction products market is a prerequisite for the normal functioning of both the industrial sector of the country's economic complex, the financial market, and the market for services related to the production and resale of finished construction products (Slobodanyk et al., 2022). Given the above, to revitalize the construction industry and

stabilize economic and social processes, there must be constant harmonization of the activities of the main participants in these processes. These include the state, business, and civil society organizations representing the interests of the population (Ehsanifar & Hemesy, 2019; Semenets-Orlova, 2022).

The solution to the problems of optimizing the development of the construction sector with the help of economic and legal means is to find a certain set of variables that correspond to the optimal value of the established criteria for its efficiency (Ogunsanya, Aigbavboa, & Thwala, 2021; Skuratovskii et al., 2022; Semenets-Orlova, 2022).

Sustainable development of capital construction is impossible without achieving high technical and economic indicators by construction companies since the implementation of modern economic solutions, "green" technologies, and resource-saving equipment at the initial stage requires significant financial resources (Sayyed, Hatamleh & Alaya, 2021; Mulka et al., 2022; Mia et al., 2022).

Scientists define the goal of construction management as the achievement of high technical and economic indicators, where the result should be the generation of economic income and profit, as well as the creation of conditions for its further growth, subject to specific conditions for the construction of facilities with minimal costs (El-Sayegh et al., 2020).

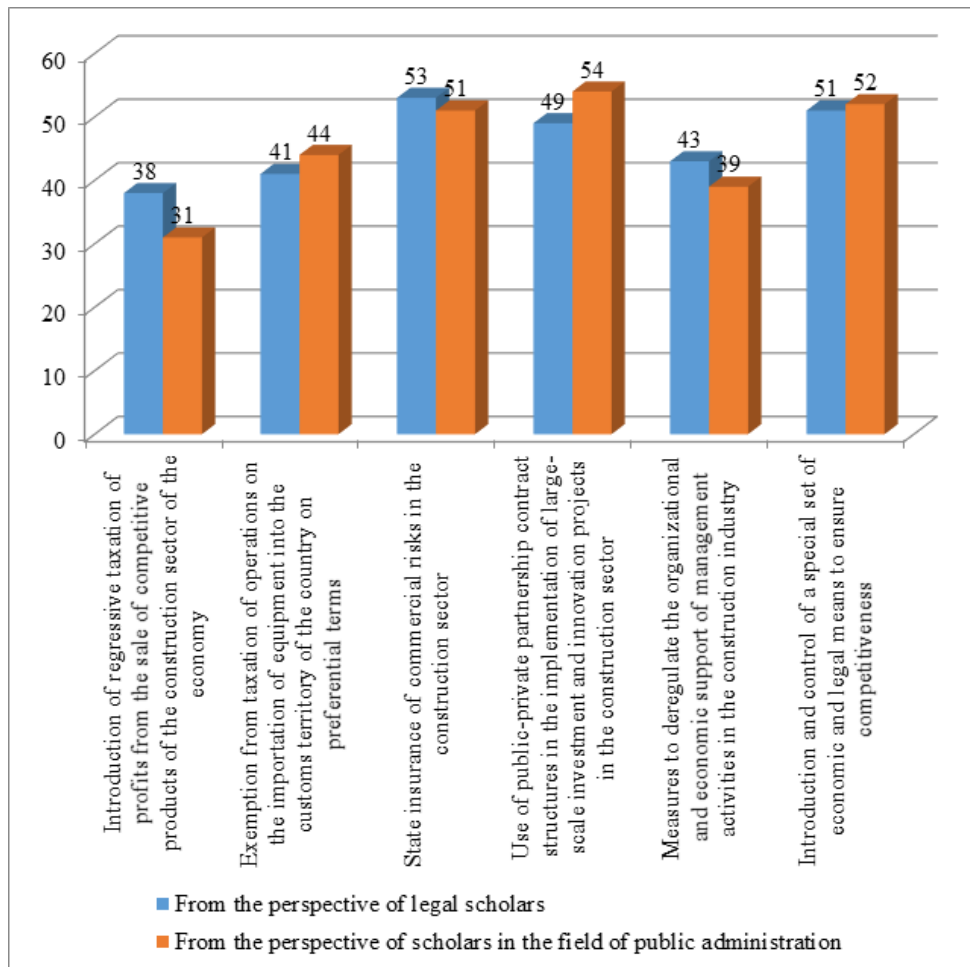
Economic and legal policies aimed at reducing the cost of reforming the industry should be aimed at creating conditions for the use of innovations in construction. An economy built on the principle of sustainable development should develop in line with an innovative economy based on the achievements of scientific and technological progress (Zayed et al., 2022). In this way, the high resource intensity and excessive energy consumption characteristic of the construction sector can be reduced (Ibim & Dimkpa, 2020).

Some scholars rightly emphasize the need for transition to new technological modes of scientific and technical support of an economic activity, the formation of the latest methods of economic activity. This is critical in the context of the extraordinary dynamics of the consumption of key raw materials and energy, and revolutionary changes (Wirahadikusumah et al., 2019).

Only modern technologies can ensure the sustainable development of capital construction. Innovative methods of designing and performing technical works at construction sites reduce production costs and energy consumption, increase the labor intensity of the structure, and ultimately affect its technical and economic efficiency (Nawaz et al., 2019).

Some researchers prove the need for economic and legal support of the state's innovation policy as an independent director of its economic policy, studying the national innovation system to ensure economic growth (Chileshe, Kavishe & Edwards, 2021), (AlSaggaf & Jade, 2021; Lytvyn et al., 2022).

Therefore, economic and legal promotion of innovative development of capital construction should be a component of innovation policy in coordination with the construction and economic policy of the State. This will provide an innovative



**Fig. (1).** Key directions of legal and tax regulation of the construction industry by state authorities, %.  
Source: built by the authors.

direction for economic and legal optimization of the development of the economic system of the state as a whole.

## METHODS

A practical study of current trends in the public law principles of state regulation of construction was conducted by interviewing 211 lawyers and 302 scientists. The respondents are specialists in the field of construction management who carry out professional and educational activities in Cherkasy, Volyn, Chernihiv, Lviv, and Kyiv oblasts of Ukraine. The study was conducted using the Google Forms service.

## RESULTS

The primary issue identified in the survey is the identification of key areas of legal and tax regulation by government agencies in the construction industry. According to respondents, these areas deserve the most attention, including the challenges and requirements of today (Fig. 1).

Fig. (1) shows that the main areas of legal and tax regulation of construction by government agencies are the introduction and control of a special set of economic and legal means to ensure competitiveness and the use of public-private partnership contract structures in the implementation of large-scale

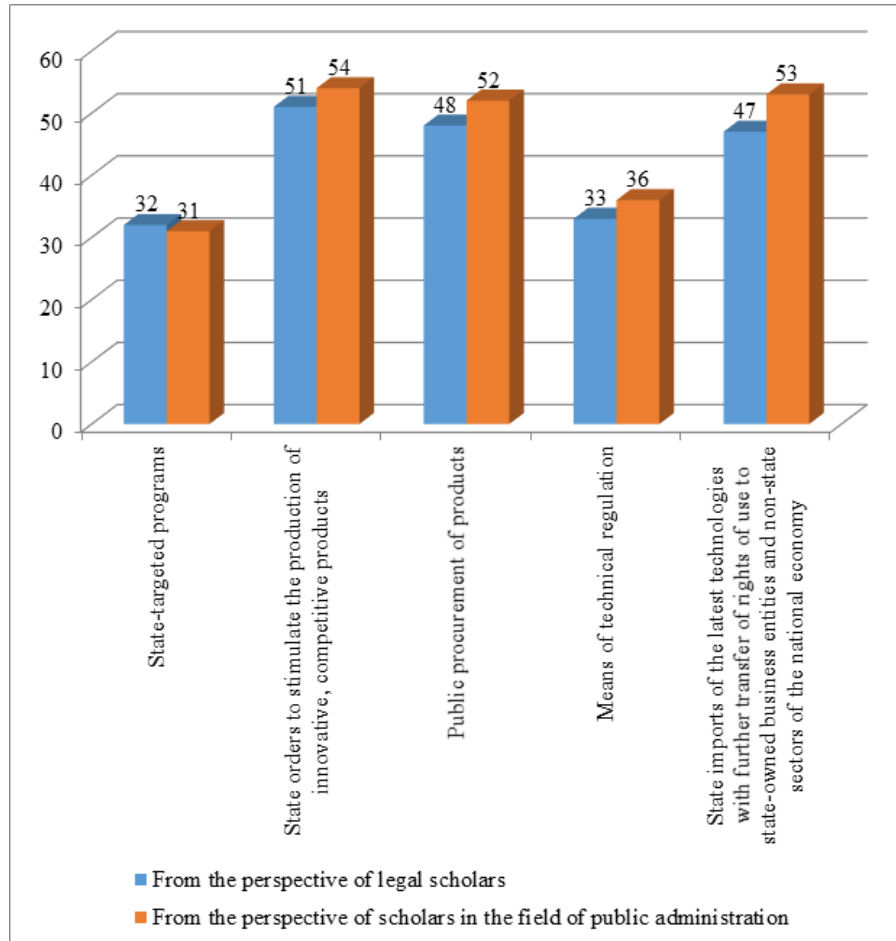
investment and innovation projects in the construction sector. Furthermore, the state provides insurance for commercial risks in the construction sector.

In the course of the survey, the respondents identified the main economic and legal means of ensuring the competitiveness of the construction industry that need to be strengthened in the face of current challenges (Fig. 2).

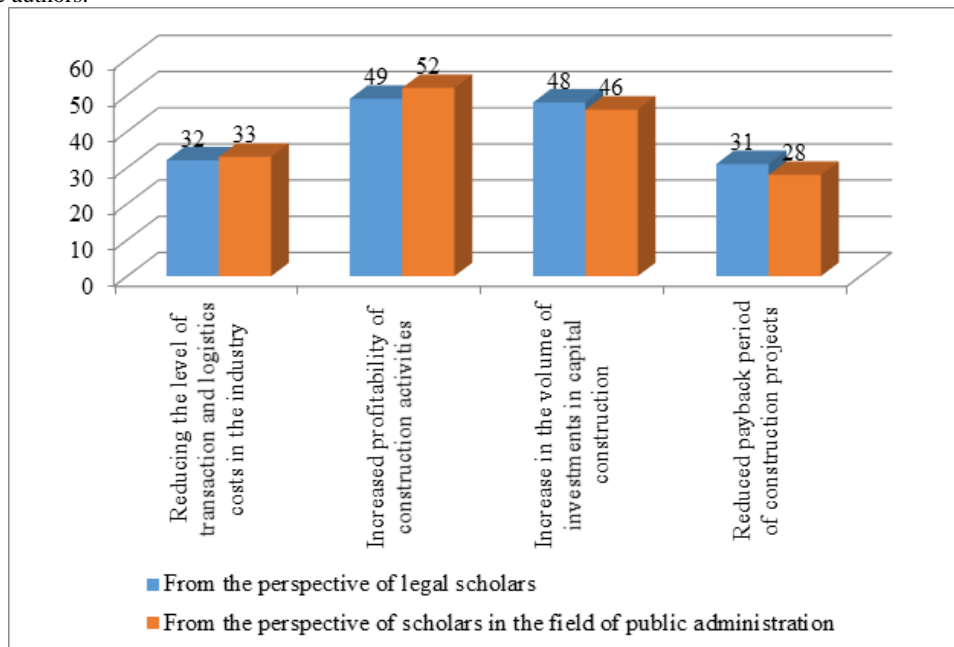
According to the survey, such means include state orders to stimulate the production of innovative, competitive products, public procurement, and state imports of the latest technologies for construction companies.

The respondents identified the most important criteria for the effectiveness of economic and legal optimization of construction by answering the questions. This is one of the most important characteristics of the quality of public administration in the construction sector, which is key to the country's economic complex (Fig. 3).

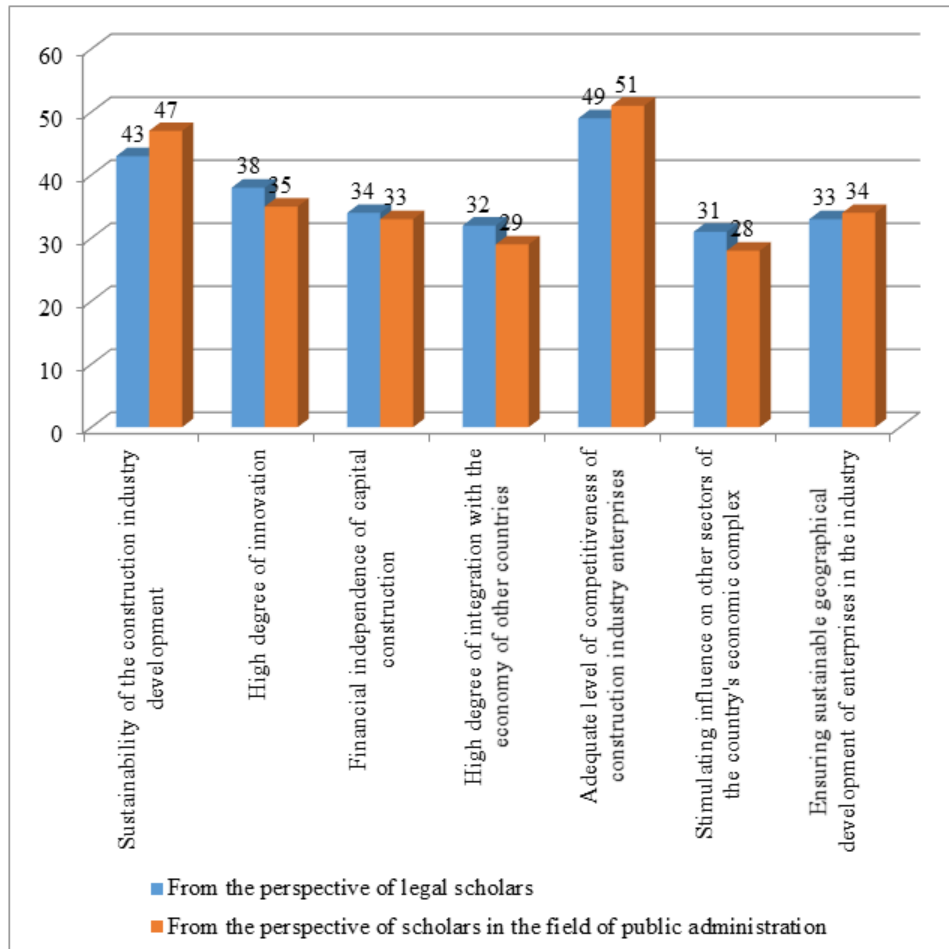
As can be seen from Fig. (3), the most crucial criteria for the effectiveness of economic and legal optimization of construction by the state are an increase in the profitability of construction activities and an increase in the volume of investments in capital construction.



**Fig. (2).** Economic and legal means of ensuring the competitiveness of the construction industry by the state, which needs to be strengthened in the context of modern challenges, %; Source: built by the authors.



**Fig. (3).** The most significant criteria for the effectiveness of economic and legal optimization of construction by the state, % Source: built by the authors.



**Fig. (4).** Strategic goals of the state in the field of construction reform that require scientific and organizational refinement in the development of programs for the development of the construction industry in the future, %.  
Source: built by the authors.

As the basis for an effective state policy in the construction sector, an important issue is to define the main strategic goals of the state's activities in the field of construction reform. These objectives require scientific and organizational refinement in the development of future programs (Fig. 4).

According to the results of the survey, these goals are the sustainability of the construction industry, a high degree of innovation, and an appropriate level of competitiveness for construction companies.

The study identified directions of state-targeted programs to optimize the construction industry and other socio-economic programs that indirectly contribute to the most efficient development of capital construction (Fig. 5).

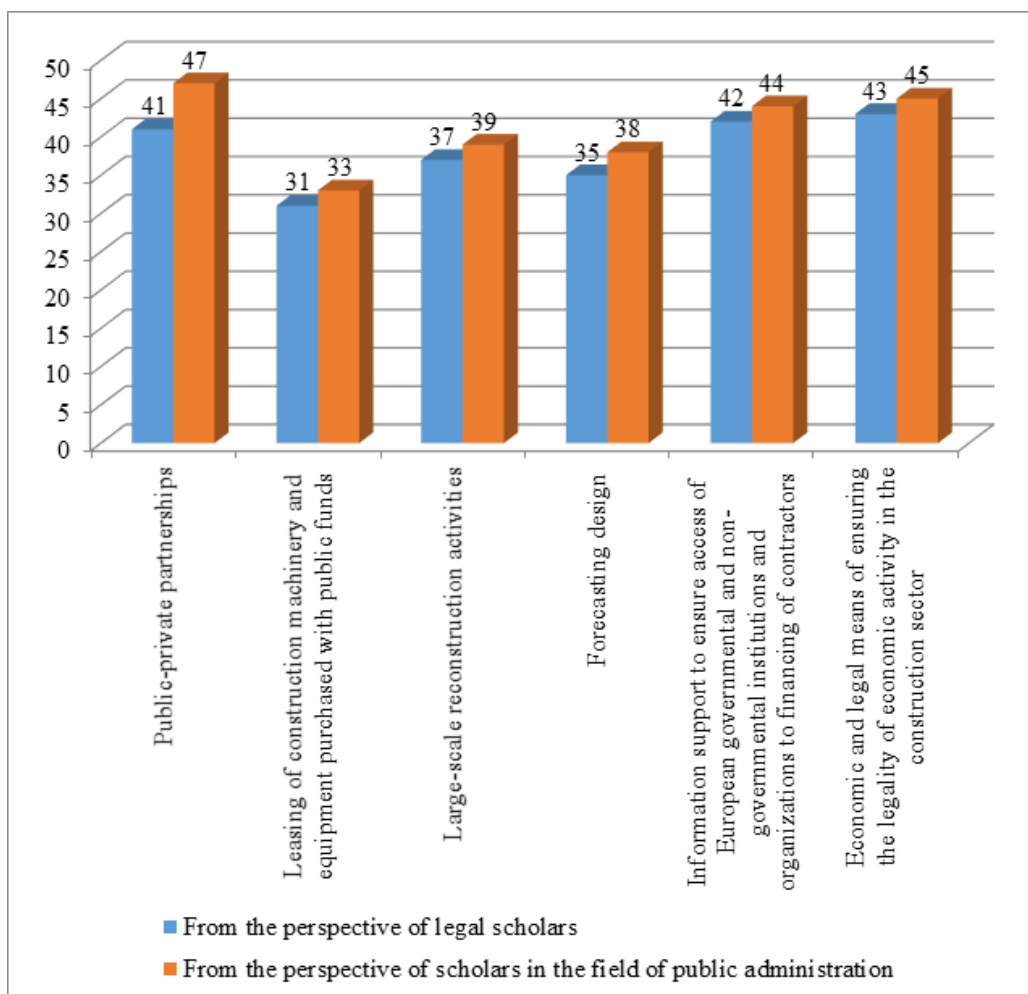
According to the survey, these directions include public-private partnerships, information support, and economic and legal means of ensuring the lawfulness of economic activity.

**DISCUSSION**

It is worth considering the existence of close economic ties between construction and other sectors and sub-sectors of the country's economic complex (Petrenko et. al., 2022). There-

fore, we can conclude that the state of development of the construction sector is an important factor in ensuring the formation of an innovative model of the modern national economy. Therefore, optimizing the development of construction is part of the goal of the long-term development of the entire national economic complex. Business entities in the construction sector, if effectively managed, can provide a significant portion of revenues to budgets of all levels through the payment of taxes and fees. This has a positive impact on their business opportunities and, consequently, on the state's ability to implement projects important for the development of society (Wan & Raju, 2022).

The construction policy should be implemented by the state at the macro- and microeconomic levels, and therefore the economic and legal means necessary for its implementation can be divided into two respective groups (Bondarenko et. al., 2022). The economic and legal means of macroeconomic influence on capital formation are applied directly only by the state. Meanwhile, the mechanisms of microeconomic influence are chosen by the state indirectly and only in certain cases (Bansal, 2020).



**Fig. (5).** Directions of state-targeted programs to optimize the construction industry, allowing for the most efficient development of capital construction, %.

Source: built by the authors.

However, in today's environment, we can observe that even at the state level, microeconomic means of influencing economic relations are used. The indirect optimizing impact of the state on the business level will be to create legal models. With their help, construction companies will be able to reduce their transaction costs by economic and legal means (Tidd & Bessant, 2018).

The economic and legal means of optimizing capital investments may include direct and indirect government subsidies, as well as the provision by the state of significant financial and material, and technical resources, mostly without their return in the form of grants, subsidies, etc. (Yılmaz & Kanit, 2018; Bazaluk et al., 2020).

Another direction of the state's economic and legal policy is to stimulate the use of financial resources in the field of capital accumulation in the construction sector. To do so, it is essential to create appropriate framework conditions for the economic attractiveness of construction investment within the framework of state policy (Machfudiyanto et al., 2022; Bakhov et al., 2021).

Trends in European integration open up additional opportunities for attracting investment funds, both private capital

from foreign investors and numerous EU grant programs and grants from international non-governmental organizations. The spread of investment is facilitated by increasing the consumption of the results of construction works, simplifying approval procedures in the field of capital construction, and ensuring transparency in the formation of state construction contracts. Equally important is the restriction of the rights of natural monopolies when connecting newly constructed facilities to the resource supply network, etc. (Lee et al., 2022), (Gunduz & Ahsan, 2018), (Ferakhim & Latief, 2019).

Construction is carried out through physical processes and is associated with work on material objects. However, ultimately, its efficiency is determined not only by the effectiveness of production and technical processes involved in the actual execution of construction works at construction sites but also by social factors (Tamara, Latief & Machfudiyanto, 2020; Akimova et al., 2020).

**CONCLUSIONS**

The analysis of the scientific literature and the results of the questionnaire survey have shown that public law optimization of capital construction is a set of measures aimed at

stimulating economic and legal influence on the capital construction sector. These measures are introduced by the state within the framework of economic policy in the field of construction to ensure the functioning of the industry as a dynamic, innovative, and industrial economic system. Such a system should meet the modern needs of people, attract investment, develop the industry and ensure the country's economic security. The purpose of such optimization is to integrate into global economic processes, considering the requirements of sustainable development.

An analysis of foreign experience in regulating capital construction shows that most countries lack a unified system of management of the construction complex, and regulation is based on numerous building codes.

Currently, the state's trends in regulating the construction sector are aimed at transferring a significant amount of authority to local governments, which can consider the specifics of each particular region when regulating construction.

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