

Research on the Evolution and Transformation of Administrative Discretion Regulation: A Systematic Review of Literature



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Abstract: This study discusses the development history, recent research, and future directions of regulating the exercise of administrative discretion. Through a systematic literature review, we identified 47 papers published between 1983 and 2025. These studies primarily analyzed the evolution of administrative discretion, the relationship between administrative discretion and the administrative environment, and regulatory approaches for subjects at different levels of administrative discretion. Based on the analysis, we identify a future normative logic for regulating the exercise of administrative discretion that will emphasize a legal focus supplemented by rationality. Administrative discretion is increasingly integrated with ICT, leading to a separation between its consideration and implementation, necessitating a corresponding distinction in its regulation. This study further summarizes current research challenges, including instrumental fragmentation, a lack of evaluation, and insufficient adaptability. We recommend strengthening theoretical integration, empirical research, and localization to promote the systematic development of administrative discretion regulation. This study is the first to systematically integrate multi-dimensional normative research findings at the micro, meso, and macro levels, constructing an interdisciplinary holistic analytical framework for the normative exercise of administrative discretion. By revealing the intrinsic connections and evolution of normative logic at different levels, this study not only enriches the theoretical foundation for the rational exercise of administrative discretion but also provides new explanatory paths and operational insights for institutional design and practical improvement of discretion in the context of digital transformation.

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JEL Classification: D73; J18; Y40.

Introduction

From its inception, administrative discretion has often been associated with negative concepts such as arbitrariness, corruption, and procedural impropriety (Gao, 2019; Adinda *et al.* 2024; Bhagwat, 1998). As a result, it is frequently labeled as “unnecessary.” However, legal norms can be either strict and explicit or adopt an “open-ended” formulation, leaving room for interpretation and requiring administrative officials to make decisions without prior, explicit, and binding legal standards (Gardner, 1987; Leenes, 2003). This provides a legitimate basis for administrative agencies to retain discretionary power in actual implementation (Galligan, 1990; Sigma, 1999). From the perspectives of legal theory and administrative management, eliminating discretion is nearly unattainable (Galligan, 1990; Hart, 1961). In any power system, discretionary authority plays an indispensable role (Varavithya and Esichaikul, 2006). Therefore, the research focus has gradually shifted from “whether it should exist” to “how to restrict and regulate it.” In the coexistence of traditional bureaucratic and post-bureaucratic models, governments

still rely on administrative discretion to address complex and dynamic governance challenges (Banerjee and Chau, 2004). Thus, regulating the exercise of administrative discretion has become an unavoidable research issue. With the advancement of digitized governance and diversified oversight mechanisms, research on its regulation has continued to evolve. Against this backdrop, it is necessary to systematically organize and analyze existing fragmented studies through a comprehensive literature review.

1. Research Background

The term “regulation” as used in this study is briefly explained here. Derived from *regulatio*, meaning “to adjust” or “to manage,” it is related to the Latin word *regula*. Originally, *regula* referred to a “ruler” - an instrument used to restrain objects and materials - and later extended to signify a restraining force on thought and behavior (Oxford University Press, 2024). Beyond laws and discipline, doctrines, theories, and mathematical models are also regulatory in nature, and even ethics can be considered a form of regulation. In this study, “regulation” functions as both a verb and a noun, consistently referring to the restraining force or action exerted on thought and behavior.

This study aims to achieve two specific objectives through a systematic review and meta-analysis of the current scientific literature: first, to systematically organize academic achievements related to the normative use of administrative discretionary power, clarifying the different levels of normative approaches and methods proposed and adopted by the academic community to date. Second, to systematically assess relevant experiences and empirical evidence on a global scale in order to construct a more comprehensive theoretical framework, thereby gaining deeper insights into the various pathways and mechanisms for regulating administrative discretionary power. This will help identify areas for optimization, promote continuous improvement of the regulatory framework, and ultimately enhance governmental governance capacity while safeguarding citizens' rights. To achieve these objectives, this study poses the following three core research questions:

Q1 What are the current means of regulating the exercise of administrative discretion, and what stage of development are related studies at?

Q2 How has the underlying logical framework for regulating administrative discretion evolved?

Q3 What areas for improvement exist in current research regarding regulatory pathways or analytical methods?

The structure of this study is as follows: Chapter 1, Introduction, outlines the research background and formulates the research questions. Chapter 2, Methodology, details the specific processes and results of literature retrieval and screening. Chapter 3, Discussion, addresses the first and second research questions, examines the current discourse on regulating administrative discretionary power, and traces the evolution of its regulatory logic. Chapter 4, Exploration, summarizes the key issues in existing research and proposes corresponding improvement pathways. Finally, the study offers suggestions for future research, focusing on enhancing the normative framework for administrative discretionary power and providing practical insights to improve government governance and safeguard citizens' rights and interests.

2. Methodology

2.1. Systematic Literature Review

There are two main reasons for conducting this literature review. First, the standardization of the use of administrative discretion is still in the process of continuous improvement in the field of public management and public administration. Particularly, in the course of the COVID-19, which was a global public emergency, a large number of emergencies requiring administrative discretion to resolve emerged, and the frequency of the use of administrative discretion has never been higher. Therefore, a comprehensive review is necessary. Organize relevant concepts and methods to consolidate what we know as the current state of what is often considered to be a fragmented discourse. Second, to date, no systematic literature review of the norms governing the exercise of administrative discretion exists, despite the need for more systematic research. Even in research focusing on a single relationship, differences in adopted methodological components and research procedures can lead to varying degrees of congruent and heterogeneous outcomes (Babalola and Nwanzu, 2021), further underscoring the need for systematic reviews. A systematic literature review helps to consolidate the conceptual foundations and clarifies unclear logical relationships in previous studies. This consolidation will help guide future research to more effectively inform policy. The goal of a systematic literature review is to present the current state of knowledge in a given field of study, emphasizing the most central and widely shared concepts and conclusions, and highlighting important gaps in the discourse and unresolved issues from previous research (Tranfield *et al.* 2003).

The review reports on the regulation of the exercise of administrative discretion are very limited and tend to be intentionally limited in scope as a way to achieve the effect of refining and focusing the subject matter of the

study. For example, Agostino et al. (2020) conducted a systematic literature review of 232 articles from an e-government perspective, exploring emerging issues of digital accountability and identifying future research directions, with a focus on administrative discretionary authority, accountability, and inclusion in a digital context. Busch and Henriksen (2018), from a digital bureaucracy perspective, reviewed 44 articles on digital discretion, discussing the intrinsic characteristics of technology and concluding that the scope of street-level bureaucracy is shrinking, with many transforming into digital bureaucracies. This review frames administrative change through the lens of e-government, whereas other literature reviews on administrative discretion often adopt a judicial perspective. Prek and Lefevre (2019), categorize administrative discretion into “discretion” or “assessment power” and “technical discretion” or “margin of appreciation” granted to the executive branch by treaty or legislature, emphasizing the need for different levels of judicial review. “or “margin of appreciation”, emphasizing the need for different levels of judicial review. Leonelli (2021) defines the precautionary principle as an inherent limitation of the broad discretion of the EU institutions in the field of EU risk regulation, concluding that it is difficult for judicial review to do justice to the precautionary principle as it applies to the risk management process and underpins the EU legislative framework.

This study differs from previous studies in that it synthesizes existing normative research findings on various levels of administrative discretion without being bound to a single normative approach or a single discipline. The practicality emphasized in this study provides a new framework for thinking about the regulation of the use of administrative discretion. By integrating the norms on the exercise of administrative discretion at the micro, meso and macro levels, exploring the logical changes in the norms, and improving the research on how administrative discretion can be used rationally, it will provide empirical support for the norms on administrative discretion after the digital transformation.

2.2. Inclusion Criteria

The literature search for this systematic review included scholarly studies published in peer-reviewed academic journals up to December 1, 2025. The search strategies and databases used in this review included Web of Science, Scopus, and JSTOR. To ensure that no core studies were overlooked, multiple databases and sources were searched to maximize coverage and reduce the risk of omission bias, thereby enhancing the reliability of the retrieved data. The search combined two key themes: first, administrative discretion as identified in the literature, and second, explicit normative research. Theme 1 search terms included "administrative discretion" and "executive discretion." Theme 2 search terms included: normative, norm, control, regulatory, standard, code, regulation, management, supervision, governance, enhancement, constraint, restriction, bound, guidance, instruction, evaluation, assessment, reform, reconstruction, law, mechanism, ethic, and morality. The initial dataset was obtained by applying the Boolean operator “AND” across these related terms, resulting in 1,632 studies on the norms governing the use of administrative discretion.

Table 1. Search strategies

Databases	Theme 1	Theme 2	Search Results
WoS			361
Scopus	administrative discretion and executive discretion	normative(norm), control, regulatory, standard, code, control, regulation, management, supervision, governance, enhancement, constraint, restriction, bound, guidance, instruction, evaluation, assessment, reform, reconstruction, law, mechanism, ethic and morality	355
JSTOR			1,030

Source: Authors' elaboration

Based on the preliminary screening of literature, this study applied four inclusion criteria to identify relevant studies that meet the requirements for a systematic review, thereby forming the final literature collection. The four inclusion criteria are as follows: First, only studies that focus on administrative discretion in the public sector as their core subject are included, specifically those that examine the constraints and boundaries faced by state institutions, administrative agencies, and their staff when exercising administrative discretion. Second, literature must include empirical content or evidence supporting the possibility or intent of regulating the exercise of administrative discretion, such as laws and regulations, ethical norms, institutional mechanisms, or supervisory methods. Studies that are purely conceptual discussions are excluded, as are those that only partially address

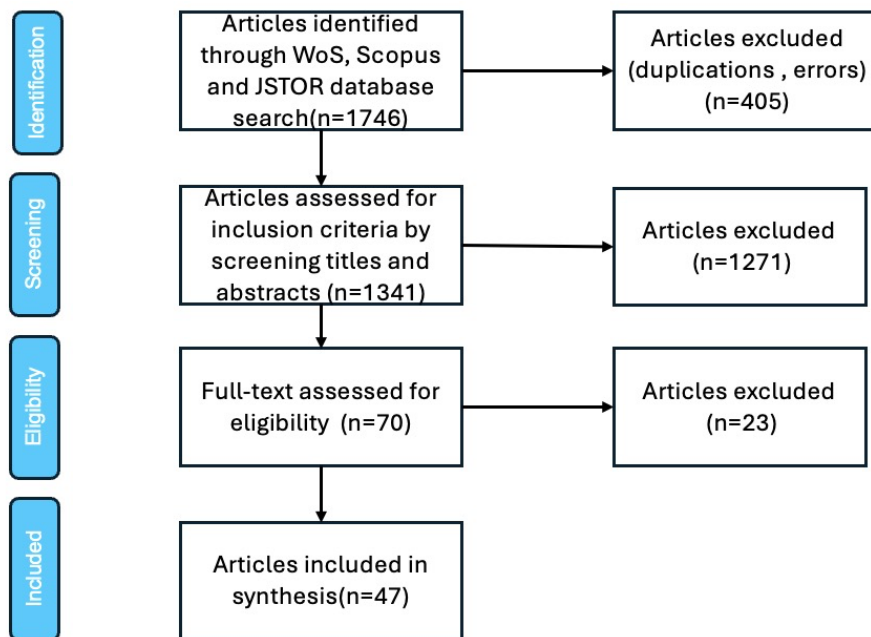
administrative discretion as one of several regulatory objects. Third, the literature must focus on specific regulatory measures aimed at refining the rules governing the exercise of administrative discretion and preventing its abuse. Fourth, there is no restriction on the starting year for the search in terms of time, but only academic publications in English are included, excluding theses, book chapters, and other literature reviews, to ensure that as many core research findings in this field as possible are covered.

2.3. Study Selection and Analysis

Through database searches, a total of 1,746 relevant literature records were initially identified. After data cleaning, 1,341 records were retained following the removal of errors and duplicates. Subsequently, based on predefined inclusion criteria, titles and abstracts were reviewed, resulting in the exclusion of 1,271 records, leaving 70 that initially met the inclusion criteria. As the full texts of all 70 records were available, an in-depth assessment was conducted to further confirm their eligibility. Through rigorous content analysis and full-text evaluation, 47 studies were ultimately determined to fully meet all inclusion criteria and were formally included in this systematic literature review. These studies are systematically presented in the text, focusing on the mechanisms and impacts of the exercise of administrative discretion, and offering valuable theoretical insights and practical references for future research directions.

To ensure the robustness and reliability of the screening process, two authors (authors 1 and 3) independently conducted the literature screening following thorough discussion and agreement on the inclusion criteria (Hoon, 2013; Linneberg and Korsgaard, 2019). In cases of disagreement or uncertainty, a third independent researcher was invited to intervene and help reach a consensus. The specific results of the entire screening process are detailed in the PRISMA flowchart below (Moher *et al.* 2009).

Figure 1 PRISMA flow diagram for literature review process, adapted from <http://www.prisma-statement.org/>



Source: Authors' elaboration

2.4. An Overview of Literature

This section provides an overview of the literature included in the systematic review, covering trends in the field of research, publication outlets, geographical distribution, methodologies, theoretical frameworks, and the evolutionary trajectory of research on administrative discretion (Agostino *et al.* 2020).

The 47 studies included in this review span a period of 42 years, with the earliest being Boyer (1983), published in *Law and Policy*, marking the first study on the regulation of administrative discretion. Among the selected studies, four papers were published in both 2019 and 2025, while five papers appeared in 2020. Notably, publications from the past five years account for nearly 30% of the total, indicating a sustained rise in research activity within this field in recent years. Research on this topic has persisted over time, with a gradual increase in studies conducted in recent years.

The 47 articles were sourced from 45 distinct journals, with Administration and Society and Studia Iuridica Lublinensia each publishing two articles, while all other journals contributed one article each. The majority of these journals fall within the fields of public administration and public policy.

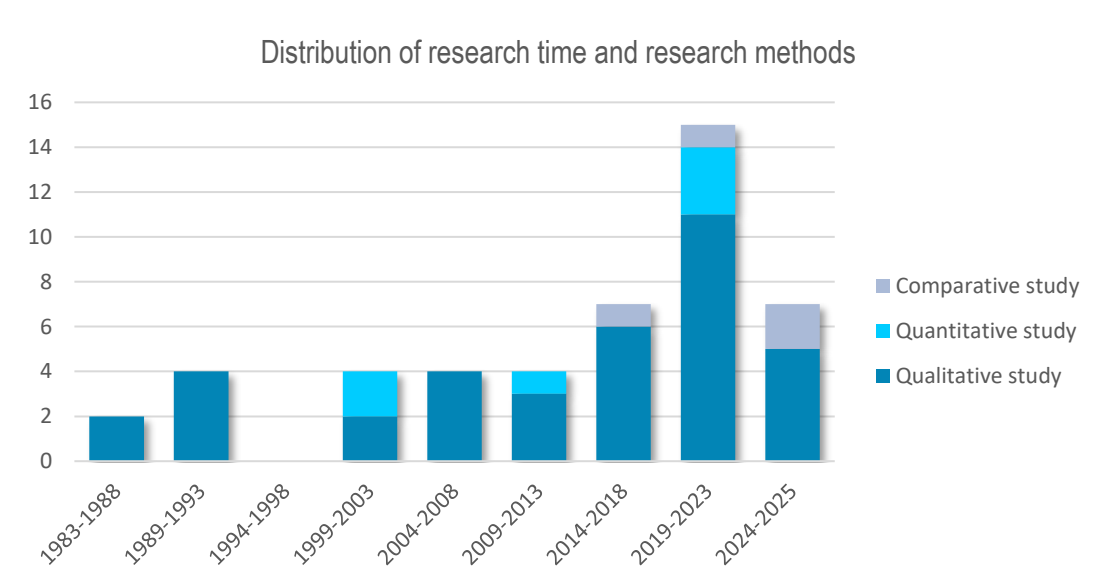
Among the 47 included studies, research subjects were primarily concentrated in the United States (30%) and European countries (43%). Earlier studies included relatively few documents on developing countries; however, in recent years, research focusing on these regions has gradually increased and is often closely linked to the development processes of specific countries. For example: Nigeria emphasizes human rights protection in the exercise of discretionary power; China's legislative, judicial, and administrative reforms concerning administrative discretionary power have drawn attention; Thailand and Egypt highlight the impact of e-government development on administrative discretionary power; Malaysia requires that the grounds for prohibiting publications ensure ministers' discretionary power aligns with legal and natural justice principles (Badamasiuy and Bello, 2013; Chan, 1992; Gao, 2019; Reddick *et al.* 2011; Varavithya and Esichaikul, 2006; Mohd Safri *et al.* 2025). Notably, comparative studies between continents and countries also constitute a portion of the sample, reflecting the broad applicability and research value of administrative discretion regulation across different national systems and governance contexts.

Of the 47 studies included in the literature, only about 13% employed quantitative research methods. These quantitative studies utilized tools such as questionnaires, data collection, statistical analysis, modeling, and joint experiments (Bolton and Thrower, 2019; Dietrich *et al.* 2023; Humphries and Songer, 1999; Reddick *et al.* 2011; Van Rompuy, 2022). In contrast, qualitative research methods dominate literature, incorporating a variety of approaches such as literature reviews, theoretical analysis, case studies, and interviews. Notably, one study adopted ethnographic research methods (Cinque, 2011). Additionally, comparative studies are also represented, including comparisons between developed countries and cross-country comparisons between developed and developing nations (Adinda *et al.* 2024; Bakhtina, 2023; Ip, 2014; Covilla, 2024).

Among the 47 included studies, most studies emphasized the critical role of the legal framework in regulating administrative discretion. Only a few discussions were grounded in theoretical frameworks, including proposals to establish management models and apply the principle of proportionality (Adinda *et al.* 2024; Margulies, 2023). Notably, one study highlights the urgent need for new theoretical and methodological support in current research but does not offer specific theoretical constructs or methodological approaches (Kravchuk, 1991).

The forms and exercise of administrative discretion discussed in the literature have evolved over time. Early studies primarily focused on transparency, procedural fairness, and accountability mechanisms in the exercise of administrative discretion by specific departments or local governments (Boyer, 1983; Crook, 1989; Box, 1992; Humphries and Songer, 1999; Franchino, 2000).

Figure 2. Number of Papers Published Per 5 Years



Source: Authors' elaboration

Table 2. Number of Papers by Geographical Area¹

Geographical area	Percentages	N Papers
Developed countries		
Europe	4%	2
European Union (EU)	13%	7
German	6%	3
Netherlands	4%	2
Poland	2%	1
Spanish	4%	2
Sweden	2%	1
UK	8%	4
USA	28%	15
Canada	6%	3
Japan	2%	1
Australia	2%	1
Developing country		
Egypt	2%	1
Ukraine	2%	1
South Africa	2%	1
Nigeria	2%	1
Indonesia	2%	1
Thailand	2%	1
Iraqi	2%	1
China	4%	2
Malaysia	2%	1
Pakistan	2%	1
Brazil	2%	1

Source: Authors' elaboration

After 2000, research gradually introduced the individual freedom of citizens and public officials, treating “people” as a key variable influencing administrative discretion. Although most studies still take departments or governments as the unit of analysis, there has been a marked increase in attention to the behavior and subjective judgment of public officials (Sossin, 2005; Haraway and Kunselman, 2006; Alexander and Richmond, 2007; Bernick, 2019; Ignacio Criado *et al.* 2020; Bakhtina, 2023). With the rise of e-government, the exercise of administrative discretion has also undergone significant changes, with studies beginning to link it to organizational change, technological embeddedness, and the evolution of governance structures (Varavithya and Esichaikul,

¹ Note: 4 articles exist that are comparative studies, so the final design of the Geographical area will be more than the number of papers studied in this dissertation. Due to rounding, the total percentage exceeds 100%.

2006; Reddick *et al.* 2011). In recent years, big data and AI have started to reshape how power is exercised, prompting a shift in focus from face-to-face discretion to issues of algorithmic transparency and checks and balances (Covilla, 2024).

3. Discussion

A review of the literature indicates that, with the passage of time, the forms and scope of administrative discretion have continuously evolved, and even the definition of administrative discretion itself has undergone certain changes. Correspondingly, the regulatory measures governing its exercise have also been consistently updated and expanded. The following section provides a systematic analysis of the process of standardizing the exercise of administrative discretion.

3.1. Macro, Meso and Micro Actor Norms: Hierarchical Differences in Practice

The discussion on the regulation of administrative discretionary power at different levels aims to explore how the hierarchical level of power holders influences regulatory mechanisms. Regulatory approaches at the national level and those at the individual level differ significantly in terms of objectives, methods, and implementation strategies. This analytical perspective also raises a critical question: As power holders become more specifically defined - from the national to the organizational to the individual level - should regulatory mechanisms be refined accordingly? Should regulatory measures be adjusted to align with these distinctions in order to achieve more targeted and effective oversight of administrative discretionary power?

The macro level refers to the state as the normative subject governing the exercise of administrative discretion. Comparative studies between countries (including within the EU) mainly emphasize the framework, complemented by the rule of law. By comparing the political and legal frameworks between different countries, discussions are made in terms of standards of review, judicial control and the construction of the rule of law (Adinda *et al.* 2024; Bakhtina, 2023; Eklund, 2024; Ip, 2014). Country-based studies, on the other hand, focus more on "law", such as legal frameworks, legislation, law reform, and inclusion in the scope of charter review (Ali *et al.* 2022; Badamasiuy and Bello, 2013; Binder *et al.* 2018; Bovens and Zouridis, 2002; Chan, 1992; Kravchuk, 1991; Morgan, 1987; Sossin, 2002; Covilla, 2024) From this perspective, the macro-level regulation of the exercise of administrative discretion is more of a top-level structure, in the hope of constructing a sound legal framework, the exercise of administrative discretion into the framework, so as to constrain its exercise. Of course, these studies are not purely framework construction, but add various supplements on the basis of framework construction, such as judicial review, soft law (policy guidelines, training materials, and other non-legislative tools), ethics, etc. (Appleby and Reilly, 2017; Engster, 2020; Haraway and Kunselman, 2006; Sossin, 2002). These supplements to some extent can make up for the rigidity of the framework. These supplements can make up for the overly rigid characteristics of the framework, and to a certain extent, they have guided the direction for the refinement of the specific contents of the framework. Some scholars have also proposed new theoretical frameworks, such as administrative justice legislation, management models, legal mechanisms (Type A), external incentive mechanisms (Type B), and internal value mechanisms (Type C) (Morgan, 1987), as well as constructing the theory of "authorized discretion" - these are some of the more remarkable attempts (Bertelli *et al.* 2025).

The meso-level refers to the organization as the normative subject regulating the exercise of administrative discretion. Due to significant differences in political systems across countries, the identification of organizations varies widely. For the purposes of this study, the government, judiciary, and various departments are classified as meso-level organizations. Administrative discretion arises from the need for policy implementers to adapt policies to societal realities, making administrative organizations its primary bearers. In meso-level studies, the sources of regulatory power over administrative discretion can be categorized as internal and external. Internal regulation stems from within the administration itself. Research on internal regulation is relatively dispersed, covering areas such as organizational change and collaboration, improving procedural efficiency and transparency, respecting legal standards in administrative reviews, and integrating administrative decision-making with the experience and values of decision-makers (Boyer, 1983; Humphries and Songer, 1999; Konstant, 2016; Mendes, 2016; Reddick *et al.* 2011; Sossin, 2005; Van Rompuy, 2022). These studies approach internal regulation from the perspectives of organizational structure adjustments, process optimization, internal administrative review, and coordination among staff and departments. They draw heavily on public management principles, including planning, organizing, leading, coordinating, and controlling. External normative research primarily revolves around the law and is divided into three dimensions. In terms of legislation, the focus is on balancing legislative procedures with preference distributions and uncertainty factors, legislative and practical reforms, and the construction of the rule of law (Crook, 1989; Gao, 2019). In terms of law enforcement, the emphasis is on implementing legal constraints on administrative agencies, expanding the role of the law, and adjusting the effects of the law (Bornemann, 2019; Humphries and

Songer, 1999; Mendes, 2016; AllahRakha, 2025). In terms of the judiciary, the focus is on the use of judicial review tools, judicial control, and strengthening judicial intervention (Kaneko, 2020; Martinsen, 2011; McHarg, 2017; Winder, 2020). External norms at the meso level logically build upon norms at the macro level. The macro level focuses on top-level design, while the meso level refines specific institutional content. Additionally, some studies emphasize the synergistic effects of multiple normative mechanisms, such as the interaction between legal and political environments, transforming administrative discretionary power into mandatory functions through legislation, and combining the rule of law with performance management.

The micro level refers to the constraints faced by executors of administrative discretion when exercising such power. It is important to note that while both the macro and meso levels focus on normative subjects as the object of study, the micro level centers on the executors of power. This distinction arises because, although some of the reviewed articles discuss individual regulation in the exercise of administrative discretion, they treat individuals merely as components of the normative subject, limiting the potential for further exploration. As direct executors, individuals are mostly studied as subjects of norms, which means the discussion remains relatively constrained. Executors of administrative discretion are primarily administrative staff, including, in some cases, normative studies of the president as a unique government actor. Micro-level research does not focus on whether or how executive staff comply with laws and rules - an approach somewhat disconnected from macro- and meso-level analyses. Instead, it emphasizes morality and ethics, highlighting political constraints, the balancing of normative values, ethical leadership and reflection, the protection of personal freedoms of executors, and the cultivation of administrative ethics to enhance public employees' capacity for fair and balanced judgment in administrative dilemmas. These perspectives focus on how executors of administrative discretion can use ethics to guide their behavior and ultimately achieve normative compliance (Alexander and Richmond, 2007; Box, 1992; Cinque, 2011; Dietrich *et al.* 2023; Haraway and Kunselman, 2006; Ignacio Criado *et al.* 2020). It is also noteworthy that the study of the president's norms in exercising discretion is closely tied to ethics. Under the separation of powers, the president adheres to principles of faithful execution and respects the authority of Congress (Bernick, 2019; Bolton and Thrower, 2019; Price, 2014).

As a result, the regulation of administrative discretion spans the macro to micro levels, reflecting a systemic construction. The macro level establishes the framework and its supplements, the meso level refines its content both internally and externally within organizations, and the micro level externalizes ethics and morality to shape individual behavior.

3.2. Diversification of Normative Forms: Integration of Multiple Subjects and Multiple Means

A review of relevant literature reveals that the regulation of administrative discretionary power displays diverse characteristics, primarily reflected in the plurality of regulatory entities and the organic integration of regulatory measures.

In the context of pluralistic governance, the regulation of administrative discretion originates from a variety of actors, combining both "bottom-up" and "top-down" approaches. Congress, the President, and the High Court of Justice are involved in shaping the political and legal framework for administrative discretion (Chan, 1992; Bovens and Zouridis, 2002; Binder *et al.* 2018; Adinda *et al.* 2024; Ip, 2014; Eklund, 2024), defining legal concepts and roles (Mendes, 2016; Appleby and Reilly, 2017; Covilla, 2024), and establishing mechanisms for judicial control and review (Chan, 1992; Appleby and Reilly, 2017; Ali *et al.* 2022; Bakhtina, 2023; Covilla, 2024). Local governments, supervisory bodies, courts, and prosecutors contribute through the development of soft law (Sossin, 2002), procedural review (Boyer, 1983; Franchino, 2000; Leonelli, 2021; Van Rompuy, 2022), and judicial restraint (Kaneko, 2020; Winder, 2020; Leonelli, 2021). Public officials, street-level bureaucrats, politicians, and citizens engage in reflections on role differentiation (Box, 1992; Cinque, 2011), protection of individual freedoms (Ignacio Criado *et al.* 2020; Dietrich *et al.* 2023), and moral deliberation (Haraway and Kunselman, 2006; Alexander and Richmond, 2007; Cinque, 2011; Bornemann, 2019; Dietrich *et al.* 2023). These dynamics collectively result in a multiplicity of actors involved in regulating the exercise of administrative discretion.

In the previous section, analysis from the macro, meso, and micro perspectives revealed significant differences in regulatory forms at each level, yet law remains the common thread throughout. As the primary regulatory instrument, law operates both *ex ante* and *ex post*. *Ex ante* regulation involves developing a legal framework within the constitutional context and refining administrative discretion benchmarks aligned with practice, thereby enabling subsequent constraints and oversight. *Ex post* regulation includes procedural review, performance management enhancement, and the cultivation of judgment that promotes the externalization of administrative ethics during discretion execution. *Post hoc* norms manifest as judicial intervention, review, and regulation.

Regulatory approaches thus span legal, procedural, ethical, economic, judicial, and supervisory domains, reflecting a multifaceted blend of hard and soft mechanisms across economic, social governance, and scientific fields.

The methods by which multiple entities participate in the regulation of administrative discretionary power vary, with each entity focusing on different aspects and directions of regulation, thereby forming a clearly defined and well-structured distribution of responsibilities. To ensure effectiveness, regulatory measures must be implemented by entities equipped with the appropriate resources and mandates. As a result, multiple entities and diverse regulatory methods are organically integrated.

3.3. Evolution of Normative Logic: Transition from Multidimensional Integration to Center of Attention

The subjects of action and normative forms primarily represent the external manifestations of administrative discretion, yet these manifestations conceal an underlying logical evolution. A review of relevant research reveals that the normative trajectory of administrative discretion has followed a developmental path - shifting from multidimensional integration to the establishment of subject autonomy, and ultimately toward a focus on core mechanisms.

Multi-dimensional integration involves combining behavioral actors from various dimensions with diverse normative forms. Prior to 2000, scholars had already moved beyond reliance on a single approach, instead exploring multiple dimensions such as legislation, institutional design, environmental factors, and individual development. These studies reflect a trend toward divergent thinking centered on normative actors, emphasizing the interaction of multiple dimensions. They construct a comprehensive constraint system - like ropes extending from all directions - firmly binding the exercise of administrative discretion within normative frameworks and preventing it from arbitrarily straying from institutional tracks.

After 2000, with the advancement of information and communication technology and the rise of e-government, the impact of citizen participation gradually became more prominent, and the interaction between public officials and citizens emerged as a central research focus. Prior to this, "people" were merely one of many normative factors - and often overlooked. However, research during this period elevated the role of "people" to a core variable. How, then, do individuals influence the formation of discretionary norms? This involves the influence of factors such as the social context in which individuals are embedded, moral constraints, and value perceptions. As a result, the research logic of this stage places greater emphasis on rational reflection, value construction, and experiential accumulation, reflecting a shift from external institutional constraints to internal psychological construction. This signifies a normative trajectory in which intrinsic values drive external behavior.

Around 2018, research entered a new phase characterized by multi-dimensional integration, optimization, and restructuring. As the regulation of administrative discretion involves multiple forces, simple or random combinations proved ineffective in forming robust mechanisms. Consequently, studies began to adopt a "center-periphery" model to organize various elements. The hallmark of this phase was the integration of other factors around the core of the rule of law and legal systems. Research frameworks often took the form of a "rule of law/law + X" model, such as rule of law plus oversight and accountability, rule of law plus citizens' rights, law plus practice, and law plus training. These models emphasized strengthening the core while refining peripheral elements. Compared to the previous phase, the key difference lay in the clarity and coherence of the logical structure. While the earlier stage featured loosely connected elements, this phase centered on the rule of law, highlighting its integrative and expansive capacity. Anchoring the framework in legal principles provided a solid foundation, while complementary components enriched and enhanced the overall structure, forming a cohesive whole.

The above discussion requires clarification on two points. First, the division of stages is neither absolute nor static; even after the year 2000, many studies continued to follow the logic of the first stage, which emphasized "multi-dimensional integration." The three stages outlined in this paper aim to highlight the relatively mainstream or dominant research orientations within each period, rather than rigidly classifying all research. Second, within the integration logic centered on the rule of law or legal systems in the third stage, the emphasis on "rational thinking" proposed in the second stage remains a vital element. This concept is further absorbed and developed in the third stage, becoming a key intellectual resource that supports the integration of peripheral elements with the core.

Digital Discretion: Shifting Power to Create New Normative Systems

With the continuous development of ICT, e-government, and even AI, administrative enforcement methods have undergone profound changes, and traditional office models have been gradually replaced. Technological progress has driven the evolution of organizational forms, with street-level bureaucrats gradually giving way to system-level bureaucrats, and administrative discretionary power evolving into digital discretionary power (Bovens and Zouridis, 2002; Reddick *et al.* 2011; Varavithya and Esichaikul, 2006). A comparison reveals that the rise of digital discretionary power has led to a noticeable shift in authority. When administrative actions are based on

established e-government procedures or AI-generated analysis, the discretionary decision-making once held by public officials is partially or entirely transferred to the designers of these systems. This shift risks rendering traditional norms regulating administrative discretion ineffectively. Consequently, in recent years, how to regulate digital discretionary power has emerged as a new research hotspot. This paper focuses on the normative framework for the exercise of traditional administrative discretionary power, while digital discretionary power, by fundamentally separating decision-makers from executors, presents a distinct structure. Although final implementation remains in the hands of public officials, the decisions and guidance they follow originate from system designers. Thus, while digital discretionary power is relevant to this study, due to its fundamentally different power structure and regulatory logic, this paper offers only a brief discussion and summary of it. In the era of digital discretionary power, the legal-centered regulatory model remains intact. However, for emerging procedures and systems in the decision-making process, the relevant regulatory framework is still in its infancy and has yet to form a comprehensive and mature constraint mechanism.

According to the inclusion criteria, the literature meeting the requirements of this study primarily focuses on how institutions adapt to technological change through innovation. The core of institutional innovation lies in integrating the discretionary power of system designers into the regulatory framework to ensure procedural legitimacy and decision-making fairness (Bovens and Zouridis, 2002). Although the division of power and responsibility between those exercising discretionary authority and system designers remains unclear, research attention is increasingly shifting toward system designers. The introduction of systems helps reduce the abuse of administrative discretionary authority, with relevant regulations mainly emphasizing procedural transparency and public participation. Additionally, similar to the regulatory logic of traditional administrative discretion, such research also underscores the importance of supporting legal framework and supervision mechanisms for personnel behavior.

In the future, digital discretionary power represents an inevitable direction of development. Regarding its regulatory path, research will gradually differentiate the respective responsibilities of procedural makers and procedural users in the exercise of power, thereby achieving a clearer and more rational institutional arrangement. As a result, the regulation of administrative discretionary power will involve more regulatory entities, a transformation in regulatory forms, and even the establishment of mutual supervision mechanisms among different power holders. However, institutional change is not a leapfrogging process; the existing regulatory system will continue to play an important role in the transition and integration process.

4. Exploitation of Current Research

As administrative discretion plays an increasingly prominent role in public governance systems, academic attention to its regulation has steadily grown. Numerous studies have explored legal systems, ethical frameworks, procedural fairness, and related topics, producing a wealth of findings. However, a systematic review of 47 relevant studies reveals that current academic research still faces a disconnect between theoretical construction and practical guidance, reflected in fragmented regulatory tools, the absence of evaluation mechanisms, and limited adaptability to specific contexts. These issues urgently call for resolution and breakthroughs in future research.

4.1. Fragmentation of Standardization Tools

Current research on the regulation of administrative discretionary power tends to focus on specific aspects such as legal constraints, institutional design, or ethical norms. While each of these areas has its own value, the overall picture is one of “fragmented tools and fragmented theories.” There is often a lack of cross-disciplinary dialogue between different studies, leading to a lack of a unified theoretical framework and systematic logic for regulatory approaches. Although a legal-centric model has gradually emerged, some studies emphasize using legal frameworks to define the boundaries of discretion but fail to delve deeply into how legal norms are implemented in specific administrative practices. Other studies focus on the use of auxiliary tools but lack effective safeguards for their institutionalization. The resulting “center-periphery” model has failed to truly integrate and coordinate various tools, and different models operate independently, undermining the explanatory power of theory and the applicability of practice.

4.2. The Lack of An Evaluation Mechanism

Current research on the effectiveness of regulations governing administrative discretionary power remains significantly underdeveloped. Most literature focuses on “how regulations should be” or “how regulations may be,” but lacks systematic quantitative or qualitative assessments to verify the actual impact of existing regulatory pathways. There is a notable shortage of empirical studies addressing whether legal regulations effectively

constrain administrative abuse of power or whether ethical education genuinely enhances officials' awareness of discretionary responsibility. This absence of robust evaluation mechanisms not only weakens the scientific rigor of regulatory frameworks but also limits policymakers and practitioners in optimizing and refining policies based on empirical feedback.

4.3. Insufficient Situational Adaptability

Current research on the regulation of administrative discretion, governance theories and institutional frameworks from developed countries - particularly those in Europe and the United States - predominate. A systematic review of 47 English-language studies reveals that some research has yet to sufficiently consider the significant differences in political systems, administrative cultures, organizational structures, and public service practices across countries and regions in their normative designs.

Developed countries typically possess more comprehensive legal systems, stronger administrative accountability mechanisms, and higher levels of citizen participation. Their regulations on discretionary power primarily emphasize procedural fairness, transparency, and the establishment of accountability mechanisms. In contrast, administrative systems in developing countries often face challenges such as resource shortages, unclear delineation of responsibilities, and broader discretionary space at the grassroots level, resulting in more flexible and context-dependent discretionary practices. The allocation of discretionary authority among multi-level governments follows an "emotion-reason-law" interactive logic, presenting more complex challenges for normative design. Ignoring these differences in governance contexts and mechanically applying normative models across countries or regions can easily lead to "theoretical incompatibility."

5. Future Research Directions: Integration, Deepening, and Transformation

In summary, future research on the regulation of administrative discretionary power can proceed from the following aspects:

First, theoretical integration. Bridging theories across disciplines to construct a multi-perspective analytical framework for regulating discretionary power enables the organic integration of legal norms, ethical guidance, and institutional design. By taking law as the core, and rationally incorporating other elements, the practical functions of various regulatory tools can be effectively realized.

Second, empirical deepening. The practical value of norms must be validated through research methods that combine qualitative and quantitative approaches. Comprehensive investigations and analyses of the logic, regulatory pathways, and actual outcomes of discretionary power can enhance the real-world explanatory power of theory. Norms should not only aim to solve problems but also depend on objective evaluation systems to provide feedback and enable optimization of their effectiveness and operability.

Finally, localization and transformation. Future studies should further strengthen contextual sensitivity by identifying the characteristics of different governance systems at the macro-institutional level while also examining the discretionary logic and behavioral patterns of frontline officials at the micro-operational level. This will facilitate situational adjustments and the localization of regulatory pathways, improving their applicability and practical value across diverse governance environments.

Concluding Thoughts and Ways Forward

Administrative discretion profoundly influences policy formulation, implementation, and oversight. While it is employed throughout the administrative process, it is also subject to regulatory pressures from various actors. Since the 1980s, a growing number of scholars have focused on how to regulate its use. This paper synthesizes that body of work, systematically reviewing 47 studies on the regulation of administrative discretion to provide a detailed overview of the field's current state, highlight key regulatory challenges, and propose new directions for future research.

While acknowledging that administrative discretion is an inevitable aspect of government administration, this study aims first to summarize and outline the evolution of administrative discretion, and then to examine how different types of discretion have been regulated across different periods, highlighting that its exercise must always occur within constraints.

Previous studies on the regulation of administrative discretion have conducted varying degrees of analysis and summary. This study adopts a systematic literature review approach, differing from earlier works by not limiting its focus to a single department or specific aspect. Instead, it offers a comprehensive analysis from a global perspective, integrating macro, meso, and micro levels, and closely linking the evolution of administrative discretion with broader administrative reforms. It is a review that combines both breadth and focus.

This systematic review aims to encompass a broad range of topics, and as a result, certain details may be overlooked. Administrative discretion is continuously evolving, and its regulation will inevitably be further refined and innovated in the future. The underlying logic of regulating the exercise of administrative discretion should involve extending a center-focused model, enhancing the relationship between the core and other influencing factors, while also reinforcing the role of individuals in normative considerations.

This study breaks through the limitations of previous research, which often focused on a single dimension or disciplinary perspective of administrative discretionary power. For the first time, it systematically integrates multidimensional normative findings across micro, meso, and macro levels, constructing a holistic analytical framework for the normative exercise of administrative discretionary power on an interdisciplinary basis. By revealing the intrinsic connections and evolution of normative logics across different levels, this study not only enriches the theoretical foundation for the rational exercise of administrative discretionary power but also offers new interpretive pathways and operational insights for institutional design and practical improvements of discretionary power in the context of digital transformation. This literature review provides practical theoretical support and practical implications for optimizing the quality of administrative decision-making, enhancing governance capabilities, and addressing the complex ethical and normative challenges posed by digital administration. It is worth noting that administrative discretionary power represents only one form of administrative authority. Research on its exercise norms possesses distinct characteristics while also offering valuable reference points. Summarizing the norms governing the exercise of administrative discretionary power can provide support for future studies on the norms of power exercise.

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Credit Authorship Contribution Statement:

Liang ChunMei: Conceptualization, Investigation, Methodology, Project administration, Software, Formal analysis, Writing – original draft, Data curation, Validation, Writing – review and editing, Visualization

Nadhrah A Kadir: Supervision, Data curation, Validation, Writing – review and editing

Zhang WenRui: Software, Formal analysis, Writing – original draft

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