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LOCAL SELF-GOVERNMENT: BASIC BASES AND MODELS OF FUNCTIONING IN MODERN SOCIETIES

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МІСЦЕВЕ САМОВРЯДУВАННЯ: БАЗОВІ ЗАСАДИ ТА МОДЕЛІ ФУНКЦІОНУВАННЯ У СУЧАСНИХ СУСПІЛЬСТВАХ

It is proved that the system of local self-government, its competence is determined by law, where it is based on Ukrainian legislation, in particular, the Constitution of Ukraine, laws "On ratification of the European Charter of Local Self-Government", "On Local Self-Government in Ukraine", etc. ; international legal acts: note that at the end of the twentieth century. a common view on local government has been embodied in the Universal Declaration of Local Self-Government and the European Charter of Local Self-Government of October 15, 1985; local legislation - statutes of territorial communities, regulations of local councils and other acts adopted by local self-government bodies.

Доведено, що система місцевого самоврядування, його компетенція визначаються законодавчо, де її основою слугують українське законодавство, зокрема Конституція України, закони «Про ратифікацію Європейської хартії місцевого самоврядування», «Про місцеве самоврядування в Україні» та ін.; міжнародно-правові акти. Відзначено, що наприкінці ХХ ст. спільна думка про місцеве самоврядування знайшла втілення в Загальній декларації про місцеве самоврядування та Європейській хартії про місцеве самоврядування від 15 жовтня 1985 р.; локальне законодавство – статуту територіальних громад, регламенти місцевих рад та інші акти, які приймаються органами місцевого самоврядування.

Key words: *public administration, local government, democratization of public life.*

Ключові слова: *державне управління, місцеве самоврядування, демократизація суспільного життя.*

Problem solving in general and its connection with important scientific or practical tasks. As a social phenomenon, "local self-government" has excessive historical roots, because it actually reaches congeneric times. A different matter is that its present formation as a more important tool for local communities' life management actually began to occur in the Middle Ages, and legally constituted even later.

Since in the system of power, power relations, their distribution, local self-government still now plays a very important role, first of all there is a need for its theoretical justification and explanation.

An analysis of recent researches and publications in which the solution to this problem was initiated and based on the author, the allocation of previously unsettled parts of the general problem to which this article is devoted. We will specify fundamental achievements of specialists in different branches of knowledge in

this respect the: a) abroad (O. Gierke, A. Heinrich, N. Gerber, R. Gneist, R. Drago, G. Edineck, P. Laband, P. Limisfold, E. Meyer, R. Mohl, I. Redoih, O. Ressler, G. Spencer, P. Suchka, P. Slaw, A. Tocqueville, L. Stein, etc.); b) in Russia (S.Avakjan, G.Barabashev, V.Bezobrazova, A.Vasil'chinova, A.Gradovs'kij, L.Gumplovich, O.Kutafin, M.Piskotin, A.Cherkasov, B.Chicherin, F.Fadeev, etc.); in) In Ukraine (V.Averianov, M.Batmuratov, P.Bilenchuk, I.Butko, N.Isaieva, M.Kampo, I.Koziura, M.Korniienko, V.Kuibida, V.Malynovskiy, P.Nadolishnyi, N.Nyzhnyk, M.Onyshchuk, M.Orzikh, F.Pohorilko, B.Svytskyi, A.Tkachuk, M.Pukhtynskiy, etc.).

We will also point out a significant aspect of the problem as follows. Local self-government is the phenomenon of the political, regional nature, and therefore we take into account the fact that the regional factor in the political processes and regional politics are the subject of such authors as R. Dahl, D. Elazar, M. Keating, S. Rokkan, N. Nijent, V. Agnasov, V. Gelman, V. Panov, R. Turovskiy, I. Kuras, I. Kresin, V. Kuchabsky, T. Kucherenko, A. Matvienko, P. Nadolishnyi, N. Nizhnik, T. Panchenko, N. Pukhtynskiy, V. Rebkalo, S. Rymarenko, T. Titarenko, etc. Separately here we will lay the emphasis on the thesis (candidate of political sciences) of T. V. Kucherenko "Regional factor in the political process of Ukraine" [5]. Stressing the importance of regional processes, the author believes that the relevance of the proposed topic is also in urgent need of regional peculiarities study in order to neutralize the consequences of the disintegration processes probable occurrence [ibid, p. 1].

Formulating the goals of the article (task statement): to study theoretical and methodological principles and specifics of the scientific substantiation of the phenomenon of "Local Self-Government" in the context of issues of public administration

Presentation of the main research material with full justification of the received scientific results. And secondly, the local self-government is a communication process in politics and therefore it is necessary to take into account the works of such foreign scientists as K. Deutsch, J. Habernas, P. Lazarfeld, G. Laswell, M. McLuhan, R.-G.Schwarzenberg, in Russia - M.Vershinin, T.Gromova, in the present – day Ukraine – V.Bebyk, Yu.Levenets, H.Pocheptsov, O.Sosnin, O.Starish, D.Iakovlev, etc.

Now, regarding the individual and the most prominent theoretical definitions of the phenomenon of "local self-government". Russian scientists, authors of the "Socialist encyclopedic dictionary" (M. 1998, language - Russian) gave it the following definition: "Self-government: 1) Autonomous functioning of any organized system or subsystem. 2) Management of the affairs of the territorial community, organization or "collective", independently carried out by their members or through elected bodies, or directly " [8]. We focus on paragraph 2 of this definition.

Quite "simplified", but accessible and understandable explanation of the phenomenon of "local government" is given by experts in the field of public administration. Ukrainian political scientist V. Ya. Malynovskiy writes: "Local governance (eng. "local government") - the exercise of political, economic and administrative powers in the management of public affairs at the local level " [3, p.441].

In fact, local government is: a) mechanisms; b) processes; c) institutions through which citizens not only express and realize their interests, but also interact with each other as individuals – members of the group, society and the like.

Quite originally and, in our opinion, accurately the meaning (subject-matter) of local self-government is explained by Ukrainian researcher O.V.Batanov, who in his study "Municipal power in Ukraine: theory and practice" (2010) points to basic principles on which it is carried out:

- * combination of institutions of direct and representative democracy;
- * providing all members of the territorial collective with ample opportunities to defend and implement their own interests;
- * political and legal association of local self-government bodies activity to the indigenous needs of the residents [1, pp.397-433].

The deep meaning, the essence of local self-government can be known and understood through the basic functions that it implements (carries out) as well. Ukrainian researcher O.D.Lazar successfully formulates such functions and presents them in such a way:

- * political function – local self-government accumulates a special independent form of public power – the public power of the territorial collective;
- * general democratic function - since local self-government is by nature a democratic system. Unlike state power, which in some countries is hostile to the individual, authoritarian or totalitarian, local self-government, even during feudalism, was almost always based on democratic principles. This function is also manifested in the decentralization and balance of power in the state;
- * economic function – local self-government provides an appropriate level of services for each of the members of the local territorial collective (community);
- * integration function – local self-government stabilizes political processes, guides their development in the less conflict-like direction, it unites people who live within the administrative formation, provides equal opportunities to solve common problems, regardless of social status, nationality, political views, etc.;
- * cultural function – by teaching people to be responsible for the conduct of common affairs, local self-government helps to overcome common problems, local self-government helps to overcome state paternalism, and thus – it contributes to the formation of civil political culture and its active initiative personality type as well;
- * selective socialization function –recruitment of management personnel, helping to overcome the alienation of the person from power, their involvement in management, to address both local and national affairs, etc. [6, pp.312-327].

Systematizing the research of the local self-government problem, carried out by Ukrainian authors, they can be also submitted in the following way:

* formation, institutionalization and further reformation of local self-government in the world and in Ukraine: V.Hladin, V.Denysenko, V.Kuibida, M.Latsyba, Yu.Panchenko, etc.;

* essence and specifics of functioning of separate local self-government models: V.Vakarchuk, L.Hulak, O.Ievtushenko, V.Zablodskiy, V.Nakonechnyi, I.Pohorielova, etc.;

* main political and legal basis for the functioning of local authorities: O.Batanov, M.Lahunova, Yu.Kovbasiuk, V.Utvenko, etc.;

* problems of power decentralization and self-government development: B.Andresiuk, O.Babkina, O.Boryslavska, I.Drobut, R.Kolyzhko, T.Kostiuk, I.Tsurkanova, P.Shliakhtun etc.;

* influence on civil sector government: .Bodrova, V.Hrobova, I.Ilov, M.Lendl, O.Novikova, etc.;

* European component of integration processes in the public administration: T.Bezverkhniuk, M.Holovaty, V.Kovach, Ya.Malyk, V.Marchuk, V.Reutov, A.Chyrkin, etc.

In addition, the works of Ukrainian scientists regarding the problems of local government, ways of its development at the present stage of Ukrainian statehood formation can be systematized in a following way:

* historical origins of the formation, development and improvement of local self-government (V.Denysenko, I.Drobut, V.Kuibida, M.Latsyba, Yu.Paneiko, Ye.Perehuda, etc.);

* models and features of local self-government forms (K.Vakarchuk, Ya.Hulak, V.Hladii, O.Ievtushenko, V.Zablotskiy, O.Lozer, V.Malynovskiy, V.Nakonechnyi, M.Rebryk, etc.);

* political and legal basis (especially modern ones) of the local self-government bodies functioning (O.Batanov, Yu.Kovbasiuk, F.Medvid, Yu.Sodel, etc.);

* political power decentralization (O.Babkina, R.Kolyshko, T.Kostiuk, V.Kotiuk, I.Pohorielova, M.Pukhtynskiy, I.Tsurkanova, P.Shliakhtun, etc.);

* civil society and its role in the development of local self-government (S.Bula, I.Drobut, H.Zelenko, M.Latsyba, O.Sushynskiy, N.Chorna, A.Shapovalova, etc.);

* practice and local governments formation and activity experience abroad (I.Bodrova, V.Hrobova, I.Ilov, M.Lendl, O.Novikova, etc.);

* European experience in local self-government functioning (T.Bezverkhnyk, V.Hladii, V.Kovach, V.Marchuk, Ia.Malyk, V.Reutov, O.Sosnin, A.Chyrkin, etc.).

It should be emphasized that the concept (sententia, phenomenon) of "local self-government" is always defined legally, in the constitutions, laws of individual countries. Thus, according to the Constitution of Ukraine, local self – government is the right of a particular territorial community – residents of a village or voluntary association in a rural community of residents of several villages, towns and cities – to independently resolve issues of local importance within the Constitution and Laws of Ukraine [4, pp.53-54].

It is fundamentally important that the executive power, according to the Constitution of Ukraine, performs the functions of control (observation) over the policy, which is embodied in the life by municipal government. But it is only constitutionally certified, so-called versatility of local government, and in fact it is not as real as we think. We focus on this because local self-government, which is represented by councils, has a significant limitation of its powers and this limitation is "given" by public administrations that control the most important sectors of local self-government, such as budget, which is more controlled by the administration, using the funds for the so-called improvement of the region, district, etc. [9, pp.68-72].

"The concept of local self-government," as stated by Ukrainian researcher I.S.Pohorielova, "arose for Ukraine after independence declaration, and now this term is only included in our political and legal dictionary" [7, p.14].

Conclusions. The system of local self-government, its competence are determined by law, where it is based on Ukrainian legislation, in particular the Constitution of Ukraine, the laws "On ratification of the European Charter of local self-government", "On local self-government in Ukraine", etc.; international legal acts: note that at the end of the twentieth century, the general opinion on local self-government is embodied in the universal Declaration on local self-government and the European Charter of local self-government dated October 15th 1985; local legislation - territorial communities statutes, local councils regulations and other acts adopted by local governments [10].

Those, in our opinion, are the fundamental principles of theoretical and methodological substantiation of the "local self-government" phenomenon, which should be taken into account in the process of its explanation.

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