

The issue of cooperation of local state government bodies and local self-government agencies is also affected by administrative and territorial structure of the European Union member states. The states build their system of local self-government agencies depending on their structure: complex structure – three-level (Italy), four-level (BRD), five-level (France) systems. However it fails to ensure settlement of conflicts between state bodies and community agencies, and, vice versa, aggravates them. In our opinion, competence could be quite successfully distributed according to the types of bodies. Thus, only a representative governmental body at the local level can make decisions on the main issues of local life and ensure management of local community's finances.

In European countries, local administration performs no functions of an executive local self-government body and receives no delegated powers from representative bodies; there is also no institution for impeachment of the head of local state administration on the part of local self-government agency. In the Netherlands, mayors are formally appointed by the Queen in accordance with recommendations of a municipal council, but she usually doesn't reject the proposed candidates. At the same time, territorial state administrations in some cases can influence the appointment of separate heads of local services (Poland).

Thus, control of the state over local self-government and cooperation between them is implemented via state representatives at the local level. In Unitarian states, local-level administration is performed by bodies authorized by the central government, and in most federative states issues of self-government are referred to the competence of regions. They independently determine legal and organizational structure of local self-government, and thus each of them has its own municipal system.

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### **SOME ASPECTS OF THE HISTORICAL EXPERIENCE OF LOCAL SELF-GOVERNMENT IN UKRAINE**

The development of local self-government is a very important issue in terms of very acute social and political crisis in Ukraine. There is an objective need for the revision of Ukrainian legislation, a specification of the legal status and empowerment of local government in Ukraine in particular. Today the revision of Section XI (Articles 140-146) of the Constitution of Ukraine is of great interest.

150 years ago during the development of the Russian absolutist kingdoms during the reform it was possible to adopt the Zemska reform in 1864 - the creation of provinces and districts of rural institutions. Local self-gov-

ernment were created to management of local affairs, especially economic. Zemska reform in 1864 provided that the local self-government act only within the province or district.

A similar situation exists in the perestroika period. During almost 70 years of the USSR, Ukraine was banned local government, as it was contrary to Lenin's doctrine of the socialist state, which in essence was a centralized state.

15 October 1985 the EU adopted the European Charter of Local Self-Government. Because in the Soviet Union still functioned Article 6 of the Constitution of the USSR in 1977 the leading role of the Communist Party, so the translation of the Charter of certain concepts were not complete ("local government", "local government", "local government").

During the perestroika the recovery of local government was put on. April 9, 1990, the Law of the USSR "On General Principles of Local Self-Government and the local economy in the USSR" was adopted.

December 20, 1990 the Verkhovna Rada of the Ukrainian SSR adopted the Law "On Local Council of national deputies Ukrainian SSR and local government". In Article 3 fixed principles of local and regional self-government, including: democracy, autonomy and independence of the councils within their powers, transparency and consideration of public opinion, the combination of local and state interests, the interests of individuals and the whole population of the territory, self-financing and самозабезпечення, optimal decentralization binding decisions of local and regional self-government adopted in the within the law.

Some features of regional governments were introduced under the Zemska reform in 1864. On the level of provinces local governments - provincial zemska assembly was formed. They were elected by the Curial system at three election conventions. The elections involved three constituencies: the county landowners, city voters elected from rural communities. Rural and urban governments had their property and made a significant contribution to the development of culture, education, health, research, agriculture policy. Their effectiveness is confirmed by the fact that at the end of XIX century social spending per capita in rural provinces was twice higher than in those which did not have self-government.

As history shows, Ukraine has always had typical practice solving local affairs in the collegial manner. Zemska reform was introduced in the first place in the Ukrainian lands. Independence and self-financing of local government were the basis of it. Similarly, in the perestroika period after several decades of centralization of power and denial of local government in Ukraine, the country again returned to solving local affairs at the level of the local government area.