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**LOCAL SELF-GOVERNMENT IN UKRAINE IN THE 1990s:
THE SOVIET MODEL REJECTION, REFORM FEATURES**

Abstract. The purpose of the research is to elucidate a local self-government formation in Ukraine in the 1990s, to find out the issues of the Soviet model governance transformation into the European-style democratic structures. **The methodology of the research** is based on the principles of systematicity, specific historical approach, historical systemic and historical typological methods. The above-mentioned applied methods made it possible to single out the specifics of Ukraine's sovereignty formation, development and power structures democratization. The analysis of the “local self-government” category has been carried out using a logical method, which made it possible to reveal the objective patterns of this phenomenon development. In addition, there have been applied the following methods: general scientific methods of analysis and synthesis, comparative, structural functional, and generalization. **The Scientific Novelty.** The processes of a local self-government formation in Ukraine in the 1990s have been studied for the first time, and transformation issues of the Soviet model of governance into the European-style democratic structures have been revealed. **The Conclusions.** The study on a local

self-government institutionalization has proved the relationship with the processes of de-Sovietization and decentralization of public power in Ukraine at the transitional stage of the state formation. In the article there has been traced the relationship between the institution of a local self-government formation in Ukraine and the power vertical de-Sovietization processes. Changes in local self-government began during the last years of the USSR and Ukrainian SSR existence. However, a full development of municipal democracy took place after the adoption of Declaration on Independence of Ukraine. Local state administrations were established, which aimed at unifying the management system under the conditions of economic crisis and significant political disagreements between the President and Parliament. The conclusion of the Constitutional Treaty was an attempt to overcome the political crisis and balance attempts to centralize power by the President. The document laid the foundations for the constitutional approval of a local self-government. The adoption of the Constitution of Ukraine and relevant legislation in the following years was decisive for the further development of democracy and local self-government development, which basically combined democratic postulates and post-socialist centrism characteristic of this period.

Key words: local self-government, institution of local self-government, local elections, local self-government bodies, democratization.

МІСЦЕВЕ САМОВРЯДУВАННЯ В УКРАЇНІ (1990-ті рр.): ВІДХІД ВІД РАДЯНСЬКОЇ МОДЕЛІ, ОСОБЛИВОСТІ РЕФОРМУВАННЯ

Анотація. Мета дослідження – розкрити становлення місцевого самоврядування в Україні у 1990-х рр., з'ясувати проблеми трансформації моделі радянського управління у демократичні структури європейського зразка. **Методологія дослідження** ґрунтується на принципах системності, конкретно-історичного підходу, історико-системного та історико-типологічного методів. Використання цих методів уможливило виокремлення специфіки становлення та розвитку суверенізації України, а також демократизації владних структур. Аналіз категорії “місцеве самоврядування” здійснювався з використанням логічного методу, який дав змогу виявити об'єктивні закономірності розвитку цього явища. Також використано загальнонаукові методи аналізу і синтезу, порівняльний, структурно-функціональний, узагальнення. **Наукова новизна.** Уперше досліджуються процеси становлення місцевого самоврядування в Україні у 1990-х рр., розкриваються проблеми трансформації моделі радянського управління у демократичні структури європейського зразка. **Висновки.** Вивчення інституціоналізації місцевого самоврядування засвідчило взаємозв'язок з процесами дерадянзації та децентралізації публічної влади в Україні на перехідному етапі державотворення. У статті простежено взаємозв'язок становлення інституту місцевого самоврядування в Україні і процесів дерадянзації владної вертикалі. Зміни місцевого самоврядування розпочалися в останні роки існування СРСР та УРСР відповідно. Однак у повному обсязі розвиток муніципальної демократії відбувся після прийняття Декларації про незалежність України. З'явилися місцеві державні адміністрації, які мали на меті об'єднати систему управління в умовах економічної кризи та суттєвих політичних розбіжностей між Президентом і Парламентом. Спробою подолати політичну кризу та зрівноважити спроби централізації влади Президентом було укладення Конституційного договору. Документ заклав основи для конституційного утвердження місцевого самоврядування. Визначальним для подальшого розвитку демократії та розбудови місцевого самоврядування стало прийняття Конституції України і профільного законодавства у наступні роки, що, по-суті, поєднувало демократичні постулати та постсоціалістичний центризм, характерний для цього періоду. Однак адміністративно-територіальні одиниці, незважаючи на задекларовані широкі повноваження, не мали до кінця визначених важелів впливу на місцях, особливо щодо розв'язання соціально-економічних проблем.

Ключові слова: місцеве самоврядування, інститут місцевого самоврядування, місцеві вибори, органи місцевого самоврядування, демократизація.

The Problem Statement. A local self-government is one of the most important tools in a civil society. The main goal of this institution is territorial communities formation,

which directly and through representative bodies of a local self-government carry out effective management of affairs in the interests of a local community. The Soviet vertical was transformed gradually into a more modern system of authorities from the end of the 1980s. The process of a local self-government institutionalization took place in Ukraine, as an already independent state, which was inextricably linked with the socio-political context of state formation in the 1990s.

The Review of Recent Researches and Publications. The socio-political context of the era of Perestroika and the first years of independence of Ukraine is traced in a number of studies in detail. Numerous scholars covered the issues on the Soviet vertical of power transformation comprehensively, in particular the researches by the following historians: S. Kulchytskyi (Kulchytskyi, 2013), Yu. Shapoval (Shapoval, 2001), S. Plokyh (Plokyh, 2019). The following scholars A. Tkachuk were among the first to carry out a thorough analysis of the global and Ukrainian experience of changing a local self-government (Tkachuk, Ahranoff, Braun, 1997), B. Andresiuk (Andresiuk, 1997), T. Kuzio (Kuzio, 1998), Yu. Shemshuchenko (Shemshuchenko, 2005). Many Ukrainian scholars studied the process of building a democratic society through the prism of a local self-government, among them there were the researches by M. Baimuratov (Baimuratov, 1996, pp. 95–110; Baimuratov, 2001, pp. 115–150), O. Batanov (Batanov, 2001; Batanov, 2002, pp. 21–30), V. Kravchenko (Bilenchuk, Kravchenko, Pidmohylnyi, 2000), V. Zablotskyi (Zablotskyi, 2013). A related aspect of the research is the analysis of the European experience of implementing decentralization reform, in particular the studies by: M. Dolishny (Dolishny, 2006), O. Boryslavska (Boryslavska, Zaverukha, Shkolyk, etc., 2012), N. Kaminska (Kaminska, 2014), V. Barvinenko, N. Mishyna (Barvinenko & Mishyna, 2023, pp. 31–36). Foreign scholars also dealt with the establishment of democracy and local self-government systems in Central and Eastern Europe in the 1990s and in Ukraine in particular: A. Coulson (Coulson & Campbell, 2007) and A. Campbell (Campbell, 1995, pp. 115–127), T. L. Brown (Brown, 2000; Brown, 2001).

The purpose of the research is to elucidate a local self-government formation in Ukraine in the 1990s, to find out the issues of the Soviet model governance transformation into the European-style democratic structures.

The Results of the Research. Due to the process of Perestroika, the reforms of a local self-government began only under partial democratic changes in the USSR and Ukrainian SSR (Yevsieieva & Kryvchyk, 2019, p. 14). At the end of 1988, the constitutional reform was approved, and at the end of October of 1989, the law “On Elections of People’s Deputies” was adopted. Parliamentary elections of the Ukrainian SSR were held in March of 1990 (the last elections to the Verkhovna Rada of the Ukrainian SSR and at the same time the first “partially alternative elections to the Congress of People’s Deputies”) (Kruhliak, 2020, p. 9). On April 9, 1990, the Verkhovna Rada of the USSR adopted the law “On General Principles of Local Self-Government and Local Economy in the USSR”, according to this law, the formulation of a local self-government was presented for the first time in the works as “self-organization of citizens for the purpose of solving directly or through bodies elected by them, all issues of local importance, based on the interests of population and the characteristics of administrative territorial units, on the basis of laws and corresponding material and financial base” (Zakon SRSR, 1990b).

The first so-called democratic elections of 1990 changed the political composition of Parliament partly. The opposition forces did not win a complete victory over the communists, but they witnessed the formation of a new centre of power: for the first time, new representatives

entered Parliament and local councils (Kruhliak, 2020, pp. 60–61). Relations in the councils at different levels were regulated by the resolution of the Presidium of the Supreme Soviet of the USSR “On Model Regulations, on Chairmen and Presidiums of Local Councils of People’s Deputies” issued on October 20, 1989 and Law of the USSR “On General Principles of Local Self-Government and Local Economy in the USSR” issued on April 9, 1990. Local Councils elected the Head of the Executive Committee, who had the authority of the Chief official of the administrative territorial unit (Moroz, 2017, p. 244).

“Declaration on State Sovereignty” of July 16, 1990 was the defining document for the creation of a new management system. For the first time it recognized the legal personality of Ukraine and its people, because all power belongs to people and is exercised “directly and through the system of state authorities and local self-government” (Yevsieieva & Kryvchuk, 2019, p. 14). It should be noted that the main issues are to be considered in more detail. In the second part it was emphasized, in particular, that people’s power in Ukraine is implemented based on the Constitution, mainly through deputies of local councils of the Ukrainian SSR. At the same time, it was enshrined in part five of the Ukrainian SSR that there was the right to choose independently “the administrative territorial structure of the Republic and the order of the national administrative units formation”. In the following part there is described economic independence of the Ukrainian SSR and a local self-government: “Enterprises, institutions, organizations and production units located on the territory of the Ukrainian SSR pay fees for the use of land, other natural and labour resources, deductions from foreign exchange earnings, and also pay taxes to local budgets” (Deklaratsiia, 1990). Hence, there was envisaged the financial base creation to a local self-government owing to taxes payment (Kruhliak, 2020, p. 69).

The continuation of the Ukrainian SSR sovereignization process was the adoption of Law “On Economic Independence of the Ukrainian SSR” issued on August 3, 1990. According to Law the Ukrainian SSR “determines the economic status and strategy of socio-economic development in the interests of people of Ukraine independently”. The main principles of the economic independence of the Ukrainian SSR were based on the “property of people of the Republic to its national wealth and national income; diversity and equality of forms of ownership and their state protection”. But the most important thing was proclaimed “decentralization of property and denationalization of economy; full economic independence and freedom of entrepreneurship” (Zakon SRSR, 1990a). The above-mentioned law outlined the basis for the economic independence of a local self-government essentially, but it had a more declarative nature initially, because at the time Ukraine was still part of the USSR (Kruhliak, 2020, pp. 70–71).

There were several groups in the Ukrainian Parliament in 1990: the democratic opposition, which was aimed at independence, and the pro-government majority, part of which supported the autonomist sentiments, i.e. they advocated strengthening autonomy, but within the USSR. In June of 1990, Volodymyr Ivashko requested to be removed from the post of the First Secretary of the Central Committee. The XXVIII Congress of the Communist Party of Ukraine approved his request. Stanislav Hurenko was elected as the First Secretary of the Central Committee. Leonid Kravchuk was appointed the Speaker of the Verkhovna Rada of the Ukrainian SSR in July of 1990 (Kulchytskyi, 2013, p. 336). The “Soviet party local nomenclature” stopped relying on Moscow’s support due to the political struggle intensification in Russia, the strengthening of the “Democratic Forces and Nomenklatura Officials” block, led by Boris Yeltsyn. Hence, according to the scholar, Stanislav Kulchytskyi,

“the sovereign-communists began to increase among the nomenclature members of Ukraine. They considered the figures of the Narodnyi Rykh (People’s Movement) and other opposition deputies of the Verkhovna Rada not as opponents, but as situational allies regarding the issue of the Republic’s sovereignty” (Kulchytskyi, 2013, p. 337).

The main issue that remained undisputed was the need for further changes to the Soviet model of state and local governance. The above-mentioned need was not solely based on economic needs or the strengthening of local government structures. It was also fueled by individual aspirations of local council heads to gain some independence from the apparatus controlled by Moscow, especially since a significant number of them lost the elections (Kruhliak, 2020, p. 71).

The next important steps were to settle the situation at local administrations during the preparation of Law “On Local Councils of People’s Deputies of the Ukrainian SSR and Local Self-Government”, adopted at Session II of the Verkhovna Rada of the Ukrainian SSR of the twelfth convocation on December 7, 1990 (Kruhliak, 2020, pp. 71–72). The principles of a local self-government were defined in this law for the first time. The preamble stated, in particular, the following: “local self-government in the Ukrainian SSR is a territorial self-organization of citizens to solve all issues of a local life independently, directly (Zakon URSR, 1990b) or through the state and public bodies they choose, based on the interests of population, based on the laws of the Ukrainian SSR and their own financial economic base” (Law of the Ukrainian SSR “On Local Councils of People’s Deputies of the Ukrainian SSR and Local Self-Government”, 1990). According to the legal principles, local self-government was carried out within the relevant administrative territorial units of the Ukrainian SSR. The territorial basis is a village council, a settlement council, a town council, a district council, and a region council. According to Article 2, Part 2, the Council of People’s Deputies of all territorial levels and their bodies (Committees, Councils of micro-districts, residential complexes, etc.) are state bodies of the local self-government and represent the interests of citizens living in these territories. It should be emphasized that in Part 3 it is determined that the place of self-government is implemented on the principles of “people’s rule, legality and autonomy and independence of the Council of People’s Deputies within the limits of its powers in solving issues of local importance... self-financing, optimal decentralization”.

The Ukrainian scholar, Volodymyr Zablotskyi studied state-building processes and self-government development in Ukraine, noted that this law contributed to building the foundations of a democratic governance system in Ukraine and becoming one of the first states among the Soviet republics on the way to democratic transformations (Zablotskyi, 2013, pp. 179–180).

It should also be noted that, in addition to innovative provisions, the above-mentioned law included certain contradictions that resulted in attempts to combine the norms of the 1978 Constitution and the Soviet legislation with the need for rapid changes. Although the law emphasizes self-government, it also represented a dualistic theory of a local self-government, hence, it considered “the local Councils as both local self-government bodies and state authorities”. A lawyer Nataliya Kaminska noted the following that the abolition of such a dual subordination led “to violation of established management relations and a systemic crisis of an executive power in the state” (Kruhliak, 2020, p. 72).

The issue on financial and economic support was the next step for the administrative bodies network creation in the Ukrainian Republic. On December 5, 1990, Law of the Ukrainian SSR “On Budgetary System of the Ukrainian SSR” was adopted, which regulated

the issue of local budgets formation and their filling. Furthermore, the autonomous status of local self-government bodies relative to higher bodies was also emphasized. According to Article 11, “Local budgets provide necessary funds for the financing of economic and social development measures implemented by local state authorities and state administration bodies”. It is also worth noting that after the entry into force of this law, the interference of the Councils of higher levels and their executive bodies in the “the process of drawing up, approving and executing the budget” was not allowed (Zakon URSR, 1990a).

A vertical development of power, including the system of a local self-government, carried on after Declaration on Ukraine’s independence. The “Perestroika” reforms, which did not ensure the appearance of functional council power, the problem of re-subordination of the power system and economy brought the issue of changes in legislation to the fore.

On the initiative of the President of Ukraine, Leonid Kravchuk, Law of Ukraine “On Representative of the President of Ukraine” was adopted on March 5, 1992. The Institute of Representatives of the President was introduced, which became the highest official of the state executive power in the region and district. The Institute of Representatives of the President managed the local state administration, monitored compliance with legislation and the Constitution, was responsible for the execution of district and regional budgets (Zakon URSR, 1990a; Moroz, 2017, p. 244). The representatives of the President were authorized to create departments, administrations, other services of the local state administration, their heads, but did not have the authority to appoint heads of “the local bodies of ministries, state committees” (Zakon Ukrainy, 1992). However, Parliament did not give them the right to cancel the decisions of executive committees of local councils, even if they contradicted the law. Hence, there was an imposition of powers between local state administrations and local self-government bodies, which, as a result, led to a number of misunderstandings between the President’s representatives and the heads of the local councils (Steshenko, Verthelel & Kurtish, 2021, p. 72).

A new version of the law “On Local Councils of People’s Deputies of the Ukrainian SSR and Local Self-Government” was adopted on March 26, 1992. Executive committees were liquidated in the councils of People’s Deputies, so in essence they became purely representative bodies, it was envisaged that part of the powers would be transferred from the councils to representative of the President. According to a scholar Andrii Nikonchuk, a new version of the law helped to stabilize the mechanisms of state administration, but there was no communication at a proper level between local state administrations and the Government in the future (Nikonchuk, 2011, p. 51).

The law on the Representative of the President and a new version of the law “On Local Councils of People’s Deputies...” became a significant step in the development of a European-style democratic system of a local self-government formally. However, according to researchers H. Yevsieieva and H. Kryvchyk, the above-mentioned changes were rather declarative in nature, and in fact became a return to the Soviet model. The main management powers were concentrated, albeit not in the Communist Party bodies, but in “the representatives of the President and their apparatuses” eventually. The Ukrainian leaders did not have such ceremonial and controlling functions as the prefects and commissioners in France, or the government commissioner in Italy (Yevsieieva & Kryvchyk, 2019, p. 15). Alla Bortnikova, a scholar of a local self-government history also expressed the thesis that the development of such a local government apparatus led by the representatives of the President of Ukraine resulted in the emergence of a rigid vertical of power, which was subordinate to the President of Ukraine (Bortnikova, 2018, p. 11).

There were held parliamentary and presidential elections early against the backdrop of a social and political crisis in the country. The Verkhovna Rada adopted the law “On Formation

of Local Authorities and Self-Government” on February 3, 1994, which, after the elections of deputies, heads of village, settlement, town, city, district and regional councils, abolished the institution of the President’s representatives (Kruhliak, 2020, p. 78). Heads of councils at all levels were to be elected by population of a certain territory, powers of state administrations in districts and regions passed to restored executive committees (Nikonchuk, 2011, p. 51).

The issue of financing a local self-government and division of local and state budgets was acute during the period of 1992–1994. In July of 1994, there was the first reading of the draft law “On Local Councils of People’s Deputies” after the presidential and parliamentary elections, according to which the institution of a local state administration was liquidated, instead a local self-government was restored, the bodies of which were directly subordinated to the Cabinet of Ministers of Ukraine, the executive bodies of higher than those of rank, but only in matters of implementation of delegated powers (Steshenko, Vertheel & Kurtish, 2021, p. 72). It should be highlighted that in this draft law, in fact, further mechanisms for regulating the issue of powers and activities of a local self-government were not developed, but on the contrary, the provisions on “the territorial collectives of communities, on the principles of organizing relations between local self-government bodies on a “vertical” basis were removed. However, as a result of by-elections and the arrival of centrist constituencies in Parliament, this bill was not adopted (Kruhliak, 2020, pp. 79–80).

Leonid Kuchma, the newly elected President, was faced with the urgent need to reform the state power system of Ukraine. L. Kuchma represented himself as a supporter of the presidential parliamentary form of government, so he worked to consolidate broad presidential powers at the legislative level (Yevsieieva & Kryvchyk, 2019, p. 15).

On June 8, 1995, the “Constitutional Treaty” was adopted on the basic principles of the organization and functioning of state power and a local self-government in Ukraine for the period before the adoption of the new Constitution of Ukraine during the period of 1995–1996. In accordance with the law, the President headed the state executive branch of government, exercised his powers through the government and the system of central and local executive bodies (Bortnikova, 2018, p. 12). The Constitutional Treaty was supplemented later on by a series of decrees issued by the President of Ukraine “On Regulations of Regional, Kyiv, and Sevastopol City State Administrations”, “Regulations on District, District State Administration in the Cities of Kyiv and Sevastopol” issued on August 21, 1995. Decree of the President of Ukraine “On Delegation of Powers of State Executive Power to Heads and Executive Committees of Village, Settlement and City Councils Headed by Them” issued on December 30, 1995, updated version of Law “On Budgetary System of Ukraine” issued on May 28, 1995. According to these legal acts, part of the powers of the local councils was transferred to the state administrations, essentially reducing the financial independence of the former. Furthermore, the Constitutional Treaty also violated the democratic distribution of powers – the chairman of the council was elected by the territorial community, while at the same time he became the head of the state administration (Kruhliak, 2020, pp. 88–89).

The adoption of the Constitution on June 28, 1996 marked the beginning of a new important stage in the development of a local self-government. According to Article 7 of the Constitution a local self-government is recognized and guaranteed in Ukraine (Moroz, 2017, p. 245). At the same time, it should be emphasized that the items related to a local self-government were of a debatable nature in various drafts of the Constitution, while some of the norms in the adopted version of the Constitution also needed a significant revision. The following experts of the Ukrainian Parliamentary Assistance Programme: Anatoliy Tkachuk, Robert Ahranoff, Trevor Braun noted that the creators of the adopted project showed little interest in thorough work on the local self-government issues. Hence, according to these

experts, the adopted norms of the Constitution of Ukraine blocked the possibility of reforming the administrative territorial system for a long time, in particular, those on the budget system (Article 95) or on the regional and district councils (Part 4 of Article 140) were ambiguous and did not clearly prescribe the mechanism for filling budgets self-government bodies, the structure of district and regional councils (Tkachuk, Ahranoff & Braun, 1997, p. 145).

The norms of the Constitution of Ukraine were in need of further elaboration regarding the regulation of the activities of local state authorities and local self-government bodies. The Verkhovna Rada developed projects brought in by the researches, associations of self-government bodies (the activity of public organizations, as evidenced by the experience of European countries, contributes to the efficiency of state administration) in order to solve the above-mentioned problems (Maliarchuk & Kogut, 2021, p. 200), in particular, suggestions were made by the Association of Cities of Ukraine and the Association of People's Deputies of Ukraine of previous convocations of the Verkhovna Rada (Tkachuk, Ahranoff & Braun, 1997, pp. 147–148).

Some of these suggestions were taken into account when considering the new law on a local self-government. The Verkhovna Rada of Ukraine considered two drafts of Law “On Local Self-Government” on October 29, 1996. The authors of the first project were the working group of the Commission on state building, activities of councils and self-Government issued on September 18, 1996, the second was developed by a working group that united representatives of the Fund for Promotion of Local Self-Government of Ukraine, employees of the Ministry for Justice, scholars of various educational institutions of Ukraine, who worked on the order of the Association of Cities of Ukraine. The first project mainly consolidated the pre-formed situation of self-government, the second, instead, offered to borrow samples of modern models of European countries and the USA (Tkachuk, Ahranoff & Braun, 1997, pp. 152–155). The first project was taken as a basis, but the Conciliation Commission of the Verkhovna Rada was instructed to reconcile the project of the Association of Cities of Ukraine with the main project (developed on the basis of the proposals of the working group of the Commission on state building, activities of councils and self-Government). The work of the conciliation group was quite effective, but the final version of the law was quite controversial (Tkachuk, Ahranoff & Braun, 1997, pp. 155–161). The experts of the Ukrainian Parliamentary Assistance Programme (A. Tkachuk, R. Agranoff, T. Brown) noted that new developments of the project in the section on the local budgets contradict the articles of the project, which divide the powers of a local self-government into their own and those delegated by the state. Such a division is formal and only declarative, so there will be difficulties with the distribution of finances. There are also other problems “rather dubious parts of the project concerning the powers of district and regional councils” (Tkachuk, Ahranoff & Braun, 1997, p. 163).

Law of Ukraine “On Local Self-Government” was adopted on May 21, 1997. According to Article 6, Part 1 of the law, the “territorial community of a village, town, city” is recognized as the primary subject of a local self-government, the main bearer of its functions and powers (Zakon Ukrainy, 1997). The councils remained the representative bodies of a local self-government at the district and region level, and local state administrations were their executive bodies (Bortnikova, 2018, p. 12). The norms of the law provided for independence of local government bodies (including the budget formation), but the sphere of a local government was clearly regulated de facto, in particular, district and regional councils were preserved as an element of management in the regions, while filling and implementation of budgets remained within the competence of local state administrations (Kruhliak, 2016, p. 12).

Thus, the law “On Local Self-Government” became a compromise between the executive and legislative powers, and at the same time combined “declarative European norms of a

local self-government with the established order of the Soviet centralization of power in the state” (Kruhliak, 2020, pp. 106–107).

The Committee of Ministers of the Council of Europe adopted a resolution inviting Ukraine to become the 37th member of the Organization on October 19, 1995. The Verkhovna Rada of Ukraine adopted the Law “On Accession to the Charter of the Council of Europe” on October 31, 1995 (Dir, Palinchak & Steblak, 2018, pp. 119–120). On July 15, 1997, the Verkhovna Rada of Ukraine adopted the Law of Ukraine “On Ratification of the European Charter of Local Self-Government” (the law entered into force in 1998) (Tolkovanov, 2012, pp. 123–124). The Charter is one of the main guidelines in the development of municipal law in European countries. The document is based on the principle of subsidiarity. Its essence is that problems that can be solved efficiently at places where they arise and should be within the competence of municipal bodies. In other cases, preference is given to lower authorities, i.e. priority in solving the problem is given to the institution that is the closest to a citizen and more under control (Chudyk & Mudrak, 2013, pp. 149–150). There are other important principles of the Charter, which lay the foundation of democracy: the mechanism of decentralization, “the relationship between the state and local interests, guarantee of protection of the rights and freedom of expression of a territorial community, non-interference by the state authorities”, guarantee of participation in a local self-government, territorial organization of power (Kruhliak, 2019, p. 99).

Accession to the statute of the Charter provided for a gradual implementation of the postulates of the document, which served as a guarantee for democratization of power in Ukraine ultimately, and for the integration of its legal system into the European norms. However, the unconditional acceptance of the European Charter of Local Self-Government in its entirety led to crisis moments in the dialogue with the Council of Europe, because Ukraine could not fulfill the obligations (Melnychuk, 2019, p. 112).

On April 9, 1999, the Verkhovna Rada of Ukraine adopted Law “On Local State Administrations”. A number of changes were introduced from the submission of the President of Ukraine, L. Kuchma, which eventually allowed the heads of local state administrations to approve the composition of local administrations themselves based on state appropriations (Kruhliak, 2020, pp. 114–115). According to A. Bortnikova, a scholar, the state administrations became “sole executive bodies of general competence, the powers of which are exercised individually by their heads – the heads of the state administrations, who are appointed and dismissed by the President of Ukraine at the request of the Cabinet of Ministers for the term of office of the Head of the state”. However, due to the imperfect provisions of the organization of power at all levels, as well as the unconstitutionality of certain provisions of the above-mentioned law, it affected its further updating in the following years (Bortnikova, 2018, p. 12).

The Conclusions. The process of decentralization and development of a local self-government, which began in 1990, introduced a democratic model of governance gradually, which proved to be efficient in retrospect (Sharavara & Nekriach, 2023, p. 235). The relationship between the formation of a local self-government institution in Ukraine and the processes of de-Sovietization of the power vertical was traced. Changes in a local self-government began in the last years of the USSR and Ukrainian SSR existence. However, a full development of municipal democracy took place after the adoption of Declaration on Independence of Ukraine. Local state administrations emerged, which aimed at unifying the management system under the conditions of economic crisis and significant political disagreements between the President and Parliament. The conclusion of the Constitutional Treaty was an attempt to overcome the political crisis and balance attempts to centralize power by the President. The document laid the foundations for the constitutional approval of

a local self-government. The adoption of the Constitution of Ukraine and relevant legislation in the following years was decisive for the further development of democracy and a local self-government development, the Constitution and legislation, which basically combined democratic postulates and post-socialist centrism characteristic of this period.

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