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ANALYSIS OF THE MAIN PROBLEMS OF ADMINISTRATIVE AND TERRITORIAL SYSTEM OF UKRAINE

Review of the book: Guban R. Legal Regulation of the Administrative and Territorial Structure of Ukraine during 1917–2015 / R. Guban. – Kyiv : National Pedagogical Dragomanov University, 2016. – 510 p.

Twenty-five years of the independence of Ukraine proved that local government reform and decentralization of public power are not possible without updating of the constitutional regulation of the administrative and territorial organization of the state, development of a number of laws on the settlement of administrative and territorial structure. The full-scale administrative and territorial reform will have a positive impact not only on the processes of the organization and the operation of state and local governments, but also on a number of relevant areas: financial and economic, budget and finance, social and cultural, etc.

Global experience proves that those European countries (as well as old and new members of the European Union), who successfully implemented a comprehensive administrative and territorial reform and strengthened the system of local government, managed to achieve a high level of social and economic development and civil society.

Ukraine, being a post-communist country with transitional economic system, has to reform its administrative and territorial structure aimed to strengthen the foundations of local government, to bring it in line with European standards. Unfortunately, the situation prevailing in our country shows that we are significantly behind other former socialist countries in the field of systemic transformation. In Ukraine, instead of complex administrative and territorial reform we observe recurrent discussions between

representatives of different views, approaches and concepts about its implementation, but there are no concrete steps to be done.

Searching of reasons for this situation, recommendations on finding mechanisms for reforming the administrative and territorial structure, especially pointing on national experiences are represented in the monograph «Legal regulation of the administrative and territorial structure of Ukraine during 1917–2015» authored by R. Guban. The author rightly points out that only the complex character of legislative support of local government reforming together with the introduction of new state regional policy and the optimization of the administrative and territorial structure will allow to put into action all structural reforms necessary for Ukraine.

The implementation of this reform will help to solve such fundamental for the development of the political and administrative system tasks as the streamlining of administrative and territorial units, the implementation of standardization and systematization; the efficient use of budget funds while stimulating the growth of revenues of the local budgets; the improvement of the quality and accessibility of social services; the interruption of the degradation within rural settlement network, the reducing of social and cultural differences between urban and rural areas; the solution of such infrastructure issues as transport connection, removal and disposal of waste, water supply, road maintenance and repair; the creation of spatial foundation for the regional development; the improvement of spatial development planning; the improvement of land resources administration, the reduction of the corruption vulnerability of land transactions; the improvement of the system of territorial.

The basis for these findings are considered to be detailed analysis of the works of national professionals, a wide array of attracting of foreign sources and workings of the author; all these facts provide a unique work against the background of similar publications on this subject.

It should be mentioned that the study of issue about administrative and territorial structure, its history, current condition and prospects of the reformation, the study of foreign experience related to administrative and territorial reforms have attracted the attention of many modern scientists, legal scholars, political scientists, experts in the field of public administration, economists, geographers and others. However, it should be emphasized that in the sphere of the national science basic researches devoted to

general theoretical, historical and legal aspects of the formation, development and reform of administrative and territorial structure in the context of the current constitutional reform public administration in a part on its decentralization are currently non-available, which determines the relevance and timeliness of the monographic study by R. Guban, the candidate of legal sciences.

The monograph represents the historical and legal analysis of administrative and territorial structure of Ukraine and approaches to its reformation. The dependence of administrative and territorial reform on the level of development of democratic institutions, civil society, its impact on the realization of political, economic and social reforms in the country are also put into regard. Objective laws of cyclical patterns of the development of the administrative and territorial structure are distinguished within historical retrospective.

It should be pointed out that the author does not avoid contentious or controversial issues of the administrative and territorial division and local government in modern Ukraine, but rather expresses their arguments concerning this matter, trying to argue them thoroughly, including with reference of both positive and negative foreign experience of administrative and territorial reforms. Coming to conclusion and making suggestions, the author realizes that the science is not static, but dynamic system, without any claim about the ultimate truth.

Combining analytical, descriptive and evaluative means in the study of national experience of administrative and territorial reforms, their causes, consequences, characteristics of their realization, forms and methods of interaction between subjects of the reformation such specific matter as administrative and territorial divisions, the author does not abstract from the statement of complex theoretical and methodological problems of the constitutional development, the condition of legislation in the field of administrative and territorial system of state and local governments, as well as the necessary background into the history of administrative and territorial structure of Ukraine.

Also it should be noticed the availability in understanding of the style of the material. Successful structure of the monograph and adequate substance of the content allowed the author to move easily from the analysis of issues relating to the history of the administrative and territorial system to the actualness, to teach complex scientific concepts and problems affordably, to define basic categories and

concepts, to make the classification of important processes, phenomena and so on.

Therefore, the refereed monographic research has not only scientific value – it is a publication that can be used both in educational process and practice of experts in constitutional and municipal law, comparative law, political science and so on.

Presented monograph is aimed at fairly wide audience, especially it will be useful and informative for lawyers, political scientists, experts from government administration and principals of all levels, as well as for teachers and students of higher educational institutions, wide range of public readers who are interested in the state development of Ukraine.

Summarizing, we make a point that the reviewed monograph «Legal regulation of the administrative and territorial structure of Ukraine during 1917–2015», authored by R. Guban, largely withdrawn on fundamental issues of our time, reflects the dynamics of the development of the administrative and territorial structure and status of individual administrative units in the transitional period, the complexity and contradictions of reforming in the field of local government and public administration; it also contains proposals on the necessity of the improvement of legislation and organizational measures in the researching area, providing of permanent doctrinal and organizational attention to the problem of state development. Therefore, it can be concluded that we have relevant, highly professional scientific research, which regarded to be an important contribution to the national science of law.

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