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THE VALUE OF A. VOLOSHYN'S STATE-LEGAL VIEWS IN CONDITIONS OF MILITARY AND POLITICAL SITUATION IN UKRAINE

In this article the basic principles of the statehood activity of A. Voloshyn as a part of a state and lawmaking traditions of Ukraine are researched. This article is also about the influence of leader views in defining the national identity of the population of Transcarpathia and Ukraine on the whole. It highlights actual daily questions related to strengthening of statehood in terms of upholding the independence, sovereignty and territorial integrity of the Ukrainian state.

Keywords: *A. Voloshyn, state, justice, unity of the nation, civil society, territorial integrity.*

Transcarpathia region stood out by the features of the national struggle for the unity of Ukrainian lands and their independence in the first half of the twentieth century, and the activities of political and public figures were aimed not only at the policy of slogans, journalistic propaganda, political reforms, but also on the practical implementation of the state ideals, accompanied by deeds. The distribution of the national idea, which in its internal dimension aims to promote the revival of national culture and strengthening of Ukrainian statehood, certainly requires an appeal to ideals and beliefs figures which have made a significant contribution to the state of Ukraine. This Voloshyn's activity is definitely one of those examples that should be the basis for raising national and patriotic feelings of the modern generation.

A retrospective view of events in Transcarpathia in the first half of the twentieth century allows to see their fateful role in the consolidation of Ukrainian society in general. The study of political and legal experience of the obtaining Ukrainian statehood, the history of the struggle for national unity and remains is still relevant today, considering the needs of the population in the awareness of belonging to a single Ukrainian nation. However, the formation and development of Ukrainian legal thought in Transcarpathia at different historical stages has its own characteristics associated with being Western lands in the different states. Public and legal ideology that was being formed in such difficult historical circumstances, was the first in the revival and development of Ukrainian statehood by the government of Carpathian Ukraine, headed by A. Voloshyn. Therefore the historical and legal analysis of Voloshyn's governmental policy and legal opinion today has a particular importance.

Therefore, the purpose of the article is to study and develop ways to use the experience of previous generations of state, including Voloshyn as a statesman, which is necessary for the formation of a clear national strategy for further development.

During the twentieth century, Ukrainian state has repeatedly become hostage to unfavorable foreign to his circumstances. Not an exception and the situation in early 1939, when the Ukrainian diaspora prewar life in Europe and worldwide stir events in Transcarpathia, marked by short-lived existence of Carpathian Ukraine and heroic struggle of Voloshyn for its independence.

The current state processes in Ukraine based on the pillars of state of all previous historical stages. Therefore, knowledge and understanding of these processes, their characteristics and patterns allows comprehensively to analyze the current period and to explore the differences and similarities of the state formation.

Therefore, the determining factor is the position of Voloshyn that internal and external political situation in the country doesn't affect the implementation of provisions protecting the rights, freedoms and interests set forth by applicable law and guaranteed by the state.

The issue of national security along with the positioning of the Carpathian Ukraine as a subject of international cooperation and of the international community were constantly rising by A. Voloshyn and were focused on the support and recognition of the declaration of the independence internationally.

A. Voloshyn believed that each individual state, in addition to its internal functions, should perform external too, as it allows the use of all available resources and increases the strategic potential. Proof of this is the work of Voloshyn as prime minister of autonomy since 1938 and its subsequent representation of Transcarpathia as the President of newly proclaimed Carpathian Ukraine.

As O. Bohyv has noted, Voloshyn and his government trying to preserve the integrity of the Czechoslovak federation, led Transcarpathians hopefully promising them the entry of the land to the Cathedral Ukraine. Voloshyn in difficult political circumstances acted carefully and tolerantly in the interests of Transcarpathian population, gradually reducing its national inferiority complex, within the secondary foreign states [1, p. 67].

Thus, in armed attacks and given the fact that the aggressive plans of other countries in the Carpathian Ukraine have been condemned internationally and not subjected to interference from other subjects of international law, the political leaders of the land, led by Voloshyn and tried to conduct the diplomatic dialogue aimed at preserving the proclaimed independence. However, as the number of researchers claimed, the negotiations with Hungary, Germany and Romania had been unsuccessful and hadn't given any reason for Voloshyn to hope for a peaceful solution to the situation.

In the struggle of the more developed and influential countries on the inclusion of Transcarpathian land in their composition, the establishment of diplomatic relations and international cooperation was difficult and at the same time extremely important. As it was repeatedly noted by Voloshyn in his "Recollection", the sociopolitical situation in the region "was dependent from the international environment" [2].

It should be noted that the issue of the establishing of diplomatic relations that would promote consolidation of independence, and territorial integrity of Ukraine as an independent, separate state is highly relevant today.

In particular, in March 2014 during the building of the Hungarian Foreign Ministry in Budapest were held meetings by the Hungarian nationalist party in order to get the autonomy of Transcarpathia and subsequent separation from Ukraine. Considering the military and political situation in our country, we believe that such actions can be considered as the incitement to separatism by representatives of some political forces in Hungary, and the initiative to grant autonomy to Transcarpathia confirms the similarity of the situation with historical events in Transcarpathia in 1938–1939.

As was noted by P. Biletsky "In Transcarpathia rusyn and hungarian movements were activated by professing the idea of separating the region from Ukraine. Using the weakness

of the state and with the support of Russia and Hungarian nationalists in the European Parliament, some members of the local rusynism full of the ideas of the entering of Transcarpathia to the "Great Hungary" had increasingly fanned the flames of separatism. It came to that in the so-called DNR was created Rusyn-Hungarian battalion, which is fighting against the Ukrainian ..." [3].

Although the declaration of certain Hungarian political leaders such slogans found no state support, and the official Hungarian position remains unchanged, currently in Ukraine there is a need to approach of Voloshyn's ideas, which will promote national unity and the desire of the people to preserve the independence and sovereignty of Ukraine.

We emphasize that the unfavorable international situation and aggression on the part of countries that are at the time believed that the land of Transcarpathia should be included in their composition, have become an obstacle to the establishment and development of newly proclaimed state, however, the President of Carpathian Ukraine Voloshyn continued to do everything possible to preserve the gained independence and building the land. In our view, such efforts of the statesman showed the whole world the willingness and desire of the Transcarpathians to form the united state to the next reunion of all Ukrainian lands.

Therefore, the development of the Ukrainian state and law in today's conditions should be also based on constitutional and legal opinion, ideological and legal heritage of Voloshyn, which were formed and implemented in the first half of the twentieth century.

The right thought of Y. Malyk is about the fact that one of the most important foreign policy goals after proclaiming of the independence of Ukraine was also joining the European international organizations. The policy of integration into European structures – the Council of Europe, European Union, NATO and other intergovernmental organizations, which are the basis of the political architecture of Europe, was clearly identified with the first stages of the foreign policy of a sovereign state. The process of Ukraine's integration into European political, legal, military and economic space in the past, and now there are some difficulties, slowing internal and external complications transition [4, p. 323].

Modern social and political-legal realities in the country necessitate analysis of national historical experience of establishing international relations and comparing it with the practice prevailing in the leading democratic countries. The introduction of advanced foreign experience to determine the conditions of cooperation at the international level on the basis of national interests, in our opinion is one of the most important tasks facing the Ukrainian government and society towards establishing of the interaction with the international community.

At the same time, the integration of Ukraine into the world space largely depends on the level of economic development.

As experts in this field, Ukraine has the main types of resources for the functioning of an independent economy and can compete in an open market environment. The transition to the market of the economic system fundamentally changed the development of the productive forces of the country and its individual regions. However, reforming of the Ukraine's economy requires a special approach to its knowledge, the study of the causes and consequences of social and economic processes which had been taking place in Ukrainian society for centuries. The peculiarity is in the specificity of the Ukrainian region in the natural territorial and in state and political terms. To the cognition of the current state of the Ukraine's economy should be considered historical and political processes that significantly

affect the further development of the country in the transition to an open economy [5, p. 356].

That is why, in our view, this experience is very important nowadays, including economic transformation that took place on the initiative of Voloshyn in Carpathian Ukraine in 1938 related to the separation of land that were agrarian and industrialized.

Analysis of archival documents allows us to define Voloshyn`s economic policies as an example of progressive and decisive action by his government to tackle the crisis of the economic situation at the time, solving economic problems of land reforming of the economic sector and the concentration of public and government efforts to revive the national economy.

As then, so today the availability of natural resources, a large number of working-age population, the potential of the agricultural sector and favorable geopolitical position, opens opportunities for foreign investments and investments that provided rational use of state and society and it can deprive Ukraine from the needs of the financial assistance, imports of the products, goods, services and therefore it can guarantee the economic independence of the country.

As the strategic goal of independent Ukraine was set as the European integration, however, the establishment of democracy, the rights of the state and development of civil society, it is expedient to appeal to the principles embodied Voloshyn him in the creation of various public entities that have been used to achieve this goal because they clearly demonstrate the importance of activating the political participation of the population in making certain legislative acts and decisions of national importance.

Thus, we can conclude that the development of the Ukrainian state and law under the conditions present in the first place should be based on Voloshyn`s constitutional and legal opinion and ideological heritage, which were formed and partially implemented in the first half of the twentieth century. In particular, the domestic jurisprudence requires nowadays appeal to the state-of ideas and state Voloshyn in an efficient legislative support of the state apparatus, increasing the level of influence and control the activities of associations of public authorities, the adoption of regulations to regulate the major areas of social life on the European model.

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Сабодош Т. І. Значення державно-правових поглядів А. Волошина в умовах військово-політичної ситуації в Україні.

У статті досліджуються основні засади державницької діяльності А. Волошина як частини державотворчих та правотворчих традицій української держави. Розглядається вплив поглядів діяча на визначення національної ідентичності населення Закарпаття та України в цілому. Висвітлюються актуальні на сьогодні питання утвердження державності в умовах відстоювання незалежності, суверенності та територіальної цілісності Української держави.

Ключові слова: А. Волошин, державність, правосвідомість, єдність нації, громадянське суспільство, територіальна цілісність.

Сабодош Т. И. Значение государственного-правовых взглядов А. Волошина в условиях военно-политической ситуации в Украине.

В статье исследуются основные принципы государственной деятельности А. Волошина как части государственных и правотворческих традиций украинского государства. Рассматривается влияние взглядов деятеля на определение национальной идентичности населения Закарпатья и Украины в целом. Освещаются актуальные на сегодня вопросы утверждения государственности в условиях отстаивания независимости, суверенности и территориальной целостности Украинского государства.

Ключевые слова: А. Волошин, государственность, правосознание, единство нации, гражданское общество, территориальная целостность.

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ЕВОЛЮЦІЯ АНТИКОРУПЦІЙНОГО ЗАКОНОДАВСТВА В УКРАЇНІ В ПЕРІОД НЕЗАЛЕЖНОСТІ

Статтю присвячено аналізу еволюції антикорупційного законодавства у вимірі соціально-політичної реальності в період незалежної України. Розкрито основні нормативно-правові акти, що визначають протидію корупції в Україні. Простежено головні суперечності щодо відповідальності за корупційні правопорушення. Висловлено пропозиції стосовно покращення законодавства з протидії корупції в Україні.

Ключові слова: корупція, нормативно-правові документи, адміністративні правопорушення, кримінальна відповідальність, протидія корупції.

Корупція є складним соціальним явищем, яке негативно впливає на всі сфери розвитку держави, загрожує реалізації принципів верховенства права та соціальної справедливості, визнаних у Конституції України базовими правами людини, перешкоджає розвитку демократії. Найбільшу шкоду ця проблема завдає відносинам між громадянами та державою, представленою уповноваженими органами. Протидія корупції є ефективним засобом зростання авторитету державної влади та суспільної