

DOI <https://doi.org/10.51647/kelm.2023.1.21>

## DECENTRALIZACJA WŁADZY JAKO PRZEDMIOT BADAŃ PORÓWNAWCZO-POLITYCZNYCH

*Vasyl Kobylnyk*

*kandydat nauk politycznych docent Katedry Politologii i Filozofii Narodowego Uniwersytetu Narodowego imienia Iwana Ohienki w Kamieńcu Podolskim (Kamieniec Podolski, Ukraina)*

*ORCID ID: 0000-0001-6927-4219*

*vasyl.kobylnyk82@gmail.com*

**Adnotacja.** Uczciwość, efektywność i odpowiedzialność prawna urzędników samorządowych są kluczem do pomyślnego rozwoju społeczności terytorialnej. Kluczem do udanej reformy decentralizacji władzy jest to, że została ona stworzona na podstawie porównawczych badań najlepszych praktyk innych krajów.

Artykuł teoretycznie uzasadnia określenie sposobów poprawy niektórych aspektów reformy decentralizacji władzy w Ukrainie na podstawie wprowadzenia najlepszych praktyk światowych w tej dziedzinie. Wymaga to kompleksowego badania porównawczego, które pomoże określić aktualne opcje praktyk, które mają potencjał i będą skuteczne w ukraińskich realiach.

Okazało się, że najbardziej obiecującymi kierunkami badań porównawczych decentralizacji są:

- cechy wdrażania instrumentów demokracji uczestniczącej;
- kadra nowo powstałych hromad;
- regulowanie form sprawozdawczości publicznej i odpowiedzialności samorządów;
- Instytut prefektów i jego odpowiedniki.

**Słowa kluczowe:** decentralizacja, samorząd terytorialny, analiza porównawcza, Ukraina, władza, reforma.

## DECENTRALIZATION OF POWER AS A SUBJECT OF COMPARATIVE POLITICAL RESEARCH

*Vasyl Kobylnyk*

*Candidate of Political Sciences, Associate Professor of the Political Science and Philosophy Department, Kamyanets-Podilsky Ivan Ohienko National University (Kamyanets-Podilskyi, Ukraine)*

*ORCID ID: 0000-0001-6927-4219*

*vasyl.kobylnyk82@gmail.com*

**Abstract.** The decency, efficiency and municipal legal responsibility of local self-government officials are a guarantee of the territorial community's successful development. The effectiveness of the power decentralization reform is determined by the fact that it was created on the basis of other countries best practices comparative study.

The article theoretically substantiates the determination of ways to improve certain aspects of the power decentralization reform in Ukraine based on the implementation of the best global practices in this area. This requires a comprehensive comparative study that will help determine relevant options for practices that have potential and will be effective in Ukrainian realities.

As a result, it was found that the most promising areas of comparative research on decentralization:

- peculiarities of the implementation of participatory democracy tools;
- personnel support of newly created communities;
- regulation of public reporting forms and local authorities responsibility;
- Institute of prefects and its analogues.

**Key words:** decentralization, local self-government, comparative analysis, Ukraine, power, reform.

## ДЕЦЕНТРАЛІЗАЦІЯ ВЛАДИ ЯК ПРЕДМЕТ ПОРІВНЯЛЬНО-ПОЛІТОЛОГІЧНОГО ДОСЛІДЖЕННЯ

*Василь Кобильник*

*кандидат політичних наук, доцент кафедри політології та філософії Кам'янець-Подільського національного університету імені Івана Огієнка (Кам'янець-Подільський, Україна)*

*ORCID ID: 0000-0001-6927-4219*

*vasyl.kobylnyk82@gmail.com*

**Анотація.** Порядність, ефективність та муніципально-правова відповідальність посадових осіб місцевого самоврядування є запорукою успішного розвитку територіальної громади. Запорукою успішної реформи децентралізації влади є те, що вона створена на основі порівняльного дослідження передового досвіду інших країн.

У статті теоретично обґрунтовано визначення шляхів удосконалення окремих аспектів реформи децентралізації влади в Україні на основі впровадження кращих світових практик у цій сфері. Для цього потрібне комплексне порівняльне дослідження, яке допоможе визначити актуальні варіанти практик, які мають потенціал і будуть ефективними в українських реаліях.

Виявлено, що найбільш перспективними напрямками порівняльного дослідження децентралізації є:

- особливості впровадження інструментів демократії участі;
- кадрове забезпечення новостворених громад;
- регламентація форм публічної звітності та відповідальності місцевих органів влади;
- Інститут префектів та його аналоги.

**Ключові слова:** децентралізація, місцеве самоврядування, порівняльний аналіз, Україна, влада, реформа.

**Introduction.** The reform of power decentralization made it possible to significantly strengthen the existing system of local self-government in Ukraine and to form effective and independent territorial communities. Newly created communities received a number of new powers and increased material base for their implementation.

The effectiveness of the power decentralization reform is determined by the fact that it was created on the basis of a comparative study of the best practices of other countries. Today, this reform is not fully completed. Some of its elements need to be refined. And the full-scale war highlighted a number of problems that will need to be resolved. Therefore, further comparative research of this topic remains relevant.

The purpose of this article was to determine the future prospects and key features of the decentralization of power in Ukraine as a subject of comparative political analysis.

**Main part.** An urgent issue today is the determination of ways to improve certain aspects of the power decentralization reform in Ukraine based on the implementation of the best global practices in this area. This requires a comprehensive comparative study that will help determine relevant options for practices that have potential and will be effective in Ukrainian realities.

The basis for the research was the works belonging to Ukrainian scientists O. Bodnarov, H. Zelenko, M. Kirichenko, A. Romanyuk, O. Tkach, V. Shapoval, etc. And to foreign researchers of the comparative studies: E. Willis, A. Montero, L. de Melo, D. Samuels, S. Haggard, G. Almond, J. Blondel, M. Weber, S. Verb, R. Dahl, E. Durkheim, H. Erman, J. Sartori, E. Freeman, etc.

Achieving the specified study goal involved the fulfillment of a number of tasks:

- to find out the relevance comparative studies of the power decentralization in Ukraine;
- to single out the main features of power decentralization as a subject of comparative research;
- determine the main possibilities of implementing the results of decentralization comparative studies for the development of territorial communities.

The research presented in this scientific article was conducted using a number of general scientific and special scientific methods.

Among the key ones, it is worth to mention:

- political – a number of scientific sources were analyzed, which made it possible to form an idea about the features of the power decentralization in Ukraine and the potential of its further scientific research;
- comparative – the key prospective directions of the study improvement of the Ukrainian reform of power decentralization are highlighted on the basis of research and comparison of foreign experience;
- systemic – allowed to determine the changes in the system of local Ukraine self-government since 2014 and to determine the potential of its comparative study.

**Results and their discussion.** Decentralization of power has become a real ambassador among the reforms implemented in Ukraine during the last decade. And the matter is not only in its scale and serious qualitative changes that followed it. And also in active support from the authorities and civil society and international partners of Ukraine.

This reform is not complete, the country's constitutional and legal reincarnation is ongoing, but positive changes as a result of its implementation are already noticeable. Among the key ones:

- creation of a decent material and technical base for the functioning of local self-government,
- increase of local budgets and the establishment of communities financial independence,
- voluntary unification of territorial communities,
- improvement of the infrastructure of united territorial communities,
- expansion of the local self-government power bodies,
- creation of conditions for increasing the efficiency of the local councils work.

All these changes are aimed at guaranteeing the provision of high-quality and affordable public services to the population, which is especially relevant today in the crisis period of the pandemic, and the reform is also aimed at providing local self-government with everything necessary so that they are able to ensure local economic development and at the same time maintain a high level integrity. After all, it is the decency, efficiency and municipal-legal responsibility of local self-government bodies and officials that guarantee the successful development of the territorial community.

Comparative political science, as one of the most relevant areas of research into political phenomena and processes, is particularly effective in the analysis of democratic phenomena. That is why the comparative approach should be one of the central ones in the study of decentralization modern processes and development of local self-government.

The comparative approach intensified the use of behavioral and institutional scientific methods and their combination in the process of studying socially determined systems. This provided a deeper insight into the essence of political processes and allowed more successful modeling of potential changes in existing political systems.

The application of the specified tandem of methods in the study of the interaction between the government and civil society, when the interrelationships of state structures and individual social groups were investigated (Боднарів, 2010: 68).

At the end of the 20th century, political decentralization became one of the most studied subjects in comparative political science. Numerous studies aimed to explain the spatial unevenness of the implementation of these political reforms for further democratic progress (Долженков, 2022: 70-77).

In particular, the scientific works of such scientists as A. Montero, L. de Melo, D. Samuels, and S. Haggard are devoted to this issue. Some researchers saw the interaction of national and subnational political actors as the key to success in correcting the dominance of economic decentralization theories, and concluded that cross-national variations in fiscal decentralization patterns were shaped by and depended on the level of political party centralization among national to subnational systems. Studying intergovernmental fiscal relations in the context of decentralization based on the experience of several dozen countries, scientists concluded that new subnational policies can challenge national economic policy and, thus, put national macroeconomic stability at risk (Кобильник, 2015: 115).

Decentralization was expected to improve governance at the local level by reducing the distance between politicians and citizens. The subnational approach proved that the consequences of decentralization depend to a great extent on the nature of the informal institutions relations at the local level. Studies of the deployment of national economic policy and reforms at the local level have demonstrated the importance of subnational units, their powerful influence on the prospects of national political and economic projects.

J. Sartori and his followers found a correlation between the democratic regime in the country and the nature of the development of local self-government. In general, three variants of correlations were determined:

- if the regime is democratic, then local self-government is strong and functions effectively;
- if the regime is autocratic, then local self-government becomes a formal continuation of the central government;
- if the regime is hybrid, local self-government can become successful, neutral or formal (Sartori, 1976: 380).

After all, the ability of citizens to exercise their political rights depends on the democratic nature of the political regime. Key political rights include:

- the right to citizenship;
- the right to legal personality;
- the right to participate in the formation of representative bodies of state power and local self-government;
- the right to state protection against violations of human rights and freedoms;
- the right to participate in the creation and activity of public associations (Рабинович, 2013: 120).

In democratic political systems, the possibilities of influence on the executive power from the side of the society are not limited only to periodic manifestations of the will of the voters, since a number of structures are created and operate in them, which make it possible to bring the interests of various groups of civil society to the executive bodies and defend these interests in a legal manner. In the same way as putting forward evaluations of the activities of certain representatives of the executive power in the mass media, their criticism or support by political parties, public organizations, social movements as integral components of modern civil society, can significantly affect the prospects of their further career in the structures executive.

Thus, the executive power in political systems of the democratic type is always limited in its activities by the principle of responsibility. It is the provision of political rights of a person that gives him the opportunity to take a real part in the political process, expanding the participative component.

Today, many democratic states are actively developing and introducing socio-political tools and institutions to expand the powers and role of citizens in local-level policies. Some Western scholars call this trend a "participatory revolution." In turn, political practice is reflected in scientific research designed to clarify the origins and consequences of such participatory experiments. Participatory budgeting at the local level, the referendum as a tool of participatory politics, and many other participatory mechanisms have been the focus of many comparativist analysts. These tools are effectively implemented only if there is a strong decentralized system of local self-government. For Ukraine, their implementation can become an active incentive for the development of communities.

L. Avritzer, having studied health care councils in Brazil, came to the conclusion that the success of participatory institutions depends on the interaction of a strong civil society and a coherent political community, which welcomes the growing participation of ordinary citizens in local policy-making (Avritzer, 2015: 3). P. Heller found that local planning councils in India, panchayats, provide conditions for the possibility of participatory consultations and implementation of development projects developed by participatory mechanisms.

In addition to participatory tools, solving a number of problematic aspects of decentralization remains relevant for Ukraine:

- establishment of a form of control over the activities of local authorities (a study of France's experience in implementing the institute of prefects may be promising here);
- lack of professional personnel (requires a comparative study of training systems and self-education of civil servants of different countries, the principle of "lifelong learning" of Great Britain can be taken as a basis);

– implementation of an effective system of reporting and accountability of representatives of local self-government (here the experience of Estonia, Lithuania and Latvia will be indicative).

As we can see, decentralization has significant potential in the context of comparative studies. The list of listed problems that need to be solved is not exhaustive, and a full-scale war opens new and new needs for the development of territorial communities.

The reform of decentralization of power became a salvation for the outdated Ukrainian system of local self-government, which was finally brought closer to the standards of the European Charter of Local Self-Government. The principle of recognition and guarantee of local self-government in accordance with Article 2 of the European Charter of Local Self-Government is enshrined in the Constitution of Ukraine (Європейська хартія місцевого самоврядування, 1997). This means that the independence of local self-government bodies in terms of their activities aimed at solving issues of local importance was nominally already enshrined in legislation, however, this principle began to be translated into reality only in 2014, when the first stage of power decentralization began. But in order to ensure their effective development and real independence, it is necessary to continue the work on a comparative study of the best practices of decentralization in different countries.

**Conclusions.** Consequently, the reform of decentralization of power contributed to the expansion of the material and technical base and powers of local self-government. However, further development of the newly created united territorial communities is impossible without solving a number of problematic aspects of decentralization. The best way to effectively solve these problems will be the implementation of leading and relevant global practices, which will be selected based on the results of a comparative analysis.

Currently, there is a real prospect for the development of self-government in territorial communities, the establishment of a uniform development of territories and the relief of the central government through the resolution of local issues on the ground. Therefore, it is important to develop specific steps to improve the decentralization of power.

And, although decentralization still continues to be one of the relevant subjects of research among comparativists, however, recently, the scientific emphasis is increasingly moving towards recentralization. The latter usually means the process of strengthening individual central functions accompanying decentralization (the transfer of political and economic powers and responsibilities from the state to the regional and local levels).

Among the most promising areas of comparative research on decentralization, it is worth identifying:

- peculiarities of the implementation of participatory tools of democracy;
- personnel support of newly created communities;
- regulation of forms of public reporting and responsibility of representatives of local authorities;
- Institute of prefects and its analogues.

#### Список використаних джерел:

1. Боднарів О. Г. Методологія порівняльно-політичних досліджень / Наукові записки : зб. наук. пр. Кіровоград : КНТУ, 2010. Вип. 10, ч. 1. С. 68–69.
2. Долженков О. О. Методологічні проблеми порівняльного аналізу політичних інститутів та процесів. Політичне життя. 2022. Вип. №2. С. 70–77.
3. Кобильник В. В. Особливості субнаціонального компаративного дослідження сучасних демократичних процесів Гуманітарні студії : зб. наук. пр. Київ. нац. ун-т ім. Т. Шевченка. Київ, 2015. Вип. 25. С. 111–120.
4. Рабінович П. М. Основи загальної теорії права та держави. Навч. посібник. Вид. 9-е, зі змінами. Львів: Край, 2007. 192 с.
5. Європейська хартія місцевого самоврядування від 15 жовтня 1985 р., ратифікована Законом України від 15 липня 1997 р. № 452/97 ВР. Відомості Верховної Ради України. 1997. №38. URL: [http://zakon5.rada.gov.ua/laws/show/994\\_036](http://zakon5.rada.gov.ua/laws/show/994_036) (дата звернення: 27.03.2023)
6. Avritzer L. Civil society / The International Encyclopedia of Political Communication. Wiley-Blackwell, 2015 P. 1–6.
7. Sartori G. Parties and Party Systems: A framework for analysis. Cambridge University Press, 1976. 370 pp.

#### References:

1. Avritzer L. (2015) Civil society. *The International Encyclopedia of Political Communication*. P. 1–6.
2. Bodnarov O. (2010) Metodolohiya porivnyal'no-politychnykh doslidzhen [Methodology of comparative political research] *Scientific notes: coll. of science pr.* - Kirovohrad: KNTU, issue. 10, part 1. P. 68–69 [in Ukrainian]
3. Dolzhenkov O. (2022) Metodolohichni problemy porivnyal'noho analizu politychnykh instytutiv ta protsesiv [Methodological problems of comparative analysis of political institutions and processes]. *Political life*, issue. 2. P. 70–77 [in Ukrainian]
4. Kobylnyk V. (2015) Osoblyvosti subnatsional'noho komparatyvnoho doslidzhennya suchasnykh demokratychnykh protsesiv [Peculiarities of subnational comparative research of modern democratic processes]. *Humanitarian studies: coll. of science Ave.* Kyiv, issue 25. P. 111–120 [in Ukrainian]
5. Rabinovych P. (2001) Osnovy zahal'noyi teoriiyi prava ta derzhavy. Vydannya [Basics of the general theory of law and the state. 5th edition, with changes] Tutorial. K.: Attica. p. 12 [in Ukrainian]
6. Sartori G. (1976) Parties and Party Systems: A Framework for Analysis. Cambridge: *Cambridge University Press, Political Science*. 383 p.
7. Yevropeys'ka Khartiya mistsevoho samovryaduvannya [European Charter of Local Self-Government] from 03.04.2015 – Available at: [http://zakon5.rada.gov.ua/laws/show/994\\_036](http://zakon5.rada.gov.ua/laws/show/994_036) [in Ukrainian]