

CONSTITUTIONAL LEGAL RESPONSIBILITY AS A GUARANTEE OF LOCAL DEMOCRACY IN UKRAINE

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The article is devoted to the study of constitutional and legal liability as a type of legal liability. The author of the article substantiates that constitutional and legal responsibility is a guarantee of local democracy and local self-government in Ukraine. The essential characteristics of constitutional legal responsibility are analyzed. The legal nature of constitutional and legal responsibility is revealed through the analysis of approaches to the definition of general and special features of constitutional and legal responsibility. The article presents an analysis of the theoretical and practical aspects of a constitutional tort, which is the basis for the onset of constitutional and legal liability. Scientific approaches to the definition of the concept of “constitutional delict” are disclosed. The interrelations of the constitutional delict and the constitutionally-legal responsibility are investigated. The author of the article states that constitutional and legal responsibility is an effective mechanism for ensuring the implementation of the sovereignty of the Ukrainian people. The role of constitutional and legal responsibility at the present stage of development of Ukrainian statehood is determined. It is determined that the main purpose of constitutional and legal responsibility is the protection of the Constitution of Ukraine, ensuring the stability of the constitutional order. The author draws attention to the predominant political nature of constitutional legal responsibility.

The basic constitutional and legal norms of Ukrainian legislation are given and analyzed, which determine the constitutional foundations of local self-government; analyzed the latest legislative changes to introduce into the relevant legislation the definition of the concepts of “administrative center of a territorial society”, “territory of a territorial society”. The author proved the relevance of the topic of constitutional and legal responsibility in local self-government for further scientific research.

Some especially problematic and debatable questions about the circle of subjects of constitutional and legal responsibility in local self-government, its grounds and peculiarities of sanctions are investigated. The article pays special attention to administrative-territorial units, in particular, settlements (village, settlement, city). The author’s position is given that the city is the subject-bearer of constitutional and legal responsibility, however, the legal responsibility of the city does not manifest itself directly, but indirectly in the form of the constitutional and legal responsibility of the city government. The author’s opinion is substantiated that through the institution of legal responsibility, the state ensures the effectiveness of the rule of law and guarantees the legal order in Ukraine. The author notes that constitutional and legal responsibility is an effective factor in improving the mechanism for exercising state power and local self-government. It is concluded that responsible local government ensures the possibility and reality of local democracy.

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