

ACQUISITION AND VALUES OF EUROPEAN (WESTERN) MUNICIPALITY AS CONSTITUTIONAL VALUES OF HUMANITY AND THE STATE AND THEIR PERCEPTION IN THE POST-SOVIET LEGAL AREA

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The formation and development of the system of local self-government in Ukraine, the implementation of municipal reform in the context of the decentralization of the powers of public authorities, actualized the interest in researching the assets and values of European (Western) municipalism as constitutional values of humanity and the state and their perception in the post-Soviet legal space.

The conducted systematic analysis of the historical retrospective of the formation and development of European (Western) local self-government, and by and large, European (Western) values (basic principles) of municipalism, makes it possible to assert that: a) the latter arose and were formed on the basis of city self-government (about object identification criterion); b) their appearance was the result of collective actions, practice, decisions made by all members of the community, in their interests, on their behalf and for the purpose of solving the most important and urgent issues of urban life (communicative-intersubjective criterion); c) their result was the formation of appropriate behavioral and activity guidelines for each person, their groups and associations that existed, functioned and developed in the conditions of city self-government (organizational-formalizing criterion); d) such behavioral and activity guidelines were not only borrowed by other members and institutions of the local territorial society, but also passed on to other generations of city residents and their associations, taking root in everyday behavior and becoming their mandatory forms and norms (prospective-hereditary criterion; d') they determined the fundamental principles of human socialization and local society - i.e., the emergence and formation of a corresponding system of interests, which in the future were transformed into corresponding behavioral guidelines (attitudes), including legal ones, as well as corresponding practical forms of life (habits), that arose on the basis of the implementation of relevant attitudes, including legal ones (criterion of adjustment in local society); e) they developed according to the following subject-subject scheme: "primitive community in the ancient world (priority of existential and functional issues of the existence of the human community) - ancient Greek polis cities (building a local civilization that significantly influenced the formation of the phenomenology of statehood) - ancient Roman cities - municipalities (building a municipal economy and local society with democratic foundations within the boundaries of a single state / empire) - cities of the feudal period of the development of society (ecclesiastical, knightly, princely / Kurfuster / etc.) (a period of understanding and awareness of the possibilities and advantages of living together within the framework of local of society) - medieval cities governed by Magdeburg law (magistrates + burgomasters) (formation of the fundamental legal foundations of city self-government) - city-municipalities of post-revolutionary (New Times) and Napoleonic (post-Napoleonic) Europe (flourishing of municipal construction and becoming a prototype of the system array of modern competences municipalities, which became a guarantee of significant growth of their place and role in state construction) - city-municipalities of Modern times (definition of the important role and meaning of municipalities in the context of the municipal revolution of the late 19th - early 20th centuries. actually based on the approaches of "municipal socialism") - modern municipalities of united Europe (formation of the essential role of municipalities in the regional, state, macro-regional and pan-European integration movement in the context of the municipal revolution of the second half of the 20th century - the beginning of the 21st century) - borrowing of European (western) municipalism, its

assets and values by the post-Soviet states in their striving to join the European family of peoples and states (the last decade of the 20th century - the beginning of the 21st century)" (historical-retrospective criterion).

It is claimed that the modality of development of local self-government represents not only a scientific-doctrinal, but also a praxeological-axiological interest in determining its properties at the city level, and especially in relation to the emergence, formation and application of the values of municipalism, which: a) are decisive for a person, his groups and associations, and for the state (states), the international community, etc., and not only European states and the European international regional community, but taking into account the phenomenology of the reception of legal traditions, values, normative support and provision of European self-government by the countries of North and South America, Asia, of Africa (relationship of suzerainty-vassalage, colonial relations of the protectorate and colonies, use of tools of mandated territories, etc.), specifically for the latter, and hence for the entire international community of states, and both for borrowing and for studying and implementing best practices; b) thanks to which the institution of local democracy itself not only plays such an important role at the level of states and their international community, but also c) forms a broad and essential base of municipal values, which is d) a great and essential asset of humanity in the optimal organization of everyday life of every person - a member of the community and d') in fact, spreading to a lower level - rural, township, and a higher level of self-government - associated (district, regional) through borrowing the values of municipalism, - determine the existence, functioning and development of modern human civilization at all levels of local public management and has prognostic properties for the prospect of such existence and development, e) are recognized and legalized by the state through national legislation, as well as by signing international multilateral treaties and taking relevant international legal obligations regarding the recognition and functioning of the institution of local democracy on the territory of a specific state, e) legitimized by the population of each state acting as members of the relevant territorial community that exists and functions on its territory, g) moreover, directly contributes to the emergence and formation of the municipal consciousness (legal consciousness) of a person at its individual, group and collective levels of existence, as well as g) formation on the basis of the profile awareness (legal awareness) of municipal psychology, which determines, forms and corrects the relevant municipal behavior in accordance with the values of municipalism.

It is proved that it is the constitutional values that lay the normative foundations for the formation, existence, legalization, legitimization, improvement and expansion of the range of values of municipalism, which is an immanent constituent part of the constitutional values - it is the values of municipalism that are detailed, concretized, segregated, separated, interpreted and interpreted at the local level, make constitutional values possible for everyday use and application.

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