



GLOCALIZATION AND THE DECENTRALIZATION OF PUBLIC POWER IN UKRAINE

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Abstract. This article explores the constitutional reform intended to promote decentralization in Ukraine. The reforms are currently being implemented and represent the manifestation of glocalization in the territorial organization of public power and local self-government. For the purposes of this article, glocalization is understood to mean a process of social development. Thus, in the context of globalization, regional and local differences are maintained or even strengthened rather than being dissolved. We assert that glocalization can be used to analyse – in-depth – the impact of reforms in the redistribution of power and financial resources on local (socio-political, legal, mental, and other) specifics. Notwithstanding, decentralization defines only the strategy and the main direction of relevant reforms, whereas their content, scope, consistency, and timing may vary depending on the tactics and ideology of the reformers. The article sets out the ways in which glocalization manifests itself in the decentralization of public power in Ukraine, in particular, how local self-government is being transformed by numerous factors. These include: conditions of “asymmetric” unitarism and social democracy; a combination of political and fiscal types of decentralization; specifics of power redistribution at the oblast (region), raion (district) and basic levels; as well as preference for bureaucratic forms of local self-government over municipal forms of direct democracy.

Keywords: globalization, glocalization, decentralization, local government, constitutional reform

Introduction

Since the turn of the twenty-first century the phenomenon of decentralization and glocalization have significantly impacted the territorial organization of power. Numerous legal reviews and article have explored decentralization, yet glocalization resides mostly in the study of sociology and/or political science, and is deemed not to meet the needs of modern statehood. The issue is particularly acute in Ukraine, especially in recent decades with the ongoing

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transformation of the territorial organization of public power and local self-government, although the specific directions and legal parameters of such reforms still need to be clearly defined.

This article explores the specifics of reforms implemented by Ukraine in the direction of decentralization, and asserts that these reforms are an example of glocalization in the system of territorial organization of power and local self-government. Further, the article contributes to the strengthening of the positive potential of decentralization in Ukraine and the ionization of its possible negative impact on the efficiency of public authorities and the provision of public services to the population.

The methodology applied was the analysis of fundamental documents that were developed as part of the constitutional reform on decentralization. These comprise, inter alia: the Concept of Reform of Local Self-Government and Territorial Organization of Power in Ukraine, which was approved by the Cabinet of Ministers of Ukraine in April of 2014 (hereinafter – the Concept); draft laws on amendments to the current Constitution of Ukraine of 1996 submitted to the Verkhovna Rada of Ukraine by Presidents Petro Poroshenko (in 2015) and Volodymyr Zelensky (in 2019); as well as the administrative practices of local self-government in Ukraine.

1. Globalization, Glocalization, Decentralization: Correlation of Concepts

Decentralization is an expression that captures a number of actions intended to have far-reaching consequences in terms of governance, specifically the transfer of power and responsibility from national/central government to subsidiary levels, which may be regional, municipal, or local. In the case of states with a federal structure, power is divided between a federal, central, or union government and constituent provinces, states, or cantons. In short, this usually means transferring power(s) – devolution – from the primary and/or secondary level of government to tertiary levels. In non-federal states, the transfer may be to secondary levels – to districts or regions or departments – as well as sublevels such as city, town, or village councils (Local Rule Decentralization and Human Rights, 2002, 5). Decentralization can also be understood as a process of transferring power to popularly elected local governments (Decentralization and Democratic Local Governance Programming Handbook, 2000, 6).

In recent years, the notion and practice of decentralization is increasingly common, and is being considered or attempted in an astonishing diversity of developing and countries in transition. This can include solvent and insolvent regimes, mature and emergent democracies, autocracies, regimes making the transition to democracy and by others seeking to avoid that transition, by regimes with various colonial inheritances, and by those with none. In fact, it is being pursued where civil society is strong, and where it is weak. It appeals to people with political leanings to the left, the centre, and the right, and to groups that disagree with each other on a number of other issues (Ahikire, 2002, 6).

Decentralization is a multidimensional process consisting of political, fiscal, and administrative reforms intended to strengthen local autonomy and political self-governance, thereby enabling a political decision-making process that is competitive. Successful decentralizations result in political decisions that are more democratic, political processes more open, and civil liberties that are expanded.

The decentralization of public power commenced in the final decade of the twentieth century and gathered pace thereafter, so that today has entered the mainstream of political and legal reforms, from Western Europe to South-East Asia. The combination of globalization and localization processes, resulting in a changing landscape of social development, has acquired the name “glocalization” in modern science (Khondker, 2005, 181).

R. Robertson defined glocalization as the universalization of particularism and particularization of universalism (Robertson, 1992, 100). H. Khondker regarded it as a process uniting double processes of macro localization and micro globalization (Khondker, 1994, 23). The latter term was widely used in the 1980s to refer to goods and services designed for the world market but adapted to local cultures. Subsequently, the term came to be used in state studies as well. With the emergence of the global nature of the decentralization of power, it was thought that

“glocalization” was the most appropriate summation. The expression best characterized the extent to which reforms on the redistribution of power and the transfer of financial resources to lower levels of public administration take into account local (socio-political, legal, mental and other) specifics. Decentralization articulates strategy and the main direction of relevant reforms, however content, scope, consistency, and timing may vary significantly depending on the tactics and ideology of those implementing the reforms.

Today, the process of decentralization is evident throughout the developed world, in particular member states of the European Union (hereinafter – EU). Central governments at a fiscal, administrative and political level continue to decentralize through the transfer of certain powers and material and financial resources to the governments or lower-level authorities and even to civil society institutions (public organizations, business structures, etc.).

In the EU, such reforms consolidate both the base level and strengthen regional and sub-regional levels of territorial self-government, which is unsurprising. The fact is, many countries carry an excess of local government bodies that are small in terms of geographical area and population, making it difficult to exercise administrative functions assigned to that level. Above all, this is a result of the broader application of the subsidiarity principle, i.e. tasks are assigned to the level of governance closest to citizens. “Simplifying” the administrative map of the municipalities has been a constant aim, pursued in many ways. Sometimes, this has meant the application of radical policies such as the merger of several municipalities in order to create a new and larger administrative body. There has also been policies to create associative, collaborative bodies vested with varying degrees of authority. However, the resulting weak associations leave the municipalities with separate administrations that coordinate their actions, or strong associations, which gives rise to unified local administrations operating according to directives given by associative governance bodies. If we consider the policies to merge the municipalities, this process (long-established in a number of European countries) was also pursued throughout the period 2007-2020 in Albania, the Czech Republic, Denmark, Greece, and Ireland (Merloni, 5).

The results are plain to see. In Denmark, there has been a drastic reduction in the number of local government bodies, with the number of municipalities having fallen from 275 to 98, and the 14 counties replaced by five regions, with completely new boundaries. Ireland has drastically reduced the number of municipalities from 114 to 31, and also removed one of the two tiers of supra-municipal government (the former 29 county councils). The single remaining tier comprises three regional assemblies (instead of the previous eight) whose main task is to coordinate and support development planning, but they do not have any active functions and are not directly elected.

In Spain, Act no. 27, passed in December 2013, strengthened the role of the diputaciones, the provincial councils. As second-tier local entities (whose bodies are elected by the province’s municipalities), they already perform functions specific to the municipalities, particularly in the case of the smaller ones. The new law, however, stipulates that municipalities with a population of less than 20,000 must exercise their more significant functions via the diputaciones. No real merger policy is likely unless direct provision for a policy of this kind is made by the comunidades autónomas (autonomous communities), which have this competence within their remit.

As for France, for some time now it has been pursuing a policy of strengthening inter-municipal associations (municipal, agglomeration, and urban communities). These are associations established in France’s largest conurbations. Recently, (2010) the metropolises have been given further prominence among the urban communities. However, the policy of gradually phasing out the intermediate level, corresponding to the department, is still only at the draft stage. Successful implementation should redistribute the functions hitherto performed by the local bodies, firstly to the regions, and secondly to the associations mentioned above. Local bodies are difficult to remove given that their territory coincides with that of the prefectures. However, one significant development, more symbolic than as having resulted in actual institutional change, was the adoption of the new Map of France in December 2014, with the number of regions reduced from 22 to 13. This reform cannot be included among territorial reorganization policies, because it is based not on a new set of competencies and powers, but on a more general desire to “strengthen” the institutions at the regional level (Merloni, 6).

This global trend is combined with a growing interest in the partners to government – civil society and the private sector – looking for fair, efficient and cost effective ways to provide public services to the population.

In recent years, the problems inherent in glocalization, including the relationship between the processes of globalization and decentralization, have received wide coverage in the sociological and legal literature (Ebel & Yilmaz, 2003; Yamashita, 2003; Swyngedouw, 2004; Khondker, 2005; Sharma, 2009; Porto, Porto & Tortarolo, 2015; Boadway & Dougherty, 2018; Marosevich & Bosnjak, 2018; Roudometof, 2018; Jurado & León, 2020, etc.). It is disappointing that constitutionalists in Ukraine have no similar locally-researched and published literature to inform their deliberations on glocalization. There is some urgency in encouraging wide and wider discussion in Ukraine, with a particular focus on specific manifestations of glocalization and their importance in terms of effective reforms of territorial organization. This will be discussed in the following section of our study.

2. Constitutional Reform of Decentralization in Ukraine as a Manifestation of Glocalization

2.1. Decentralization in the context of “asymmetric” unitarianism and social democracy: the Ukrainian model

Until about the mid-1980s there was heated discussion in the legal and political literature of Western Europe about whether to decentralize public power. Today, decentralization is no longer questioned, but rather the specific ways and forms that decentralization should proceed. There is no single, unambiguous answer to this question - each country chooses its own path towards decentralization, based on the experience of other countries and its own political and legal realities. Ukraine is no exception and has been pursuing decentralization for more than fifteen years, if we define as a starting point the Draft Law on Amendments to the Constitution of Ukraine of 8 of December 2004, which, having received preliminary approval in the first reading, was never finally adopted by the Verkhovna Rada of Ukraine.

The decentralization of public power in Ukraine is a clear example of glocalization of social and political life, and manifests itself through reforms that borrow from European standards of local self-government, which are reflected in various protocols, convention and practices. These include: the European Charter of Local Self-Government and its additional protocols; conventions adopted within the framework of the Council of Europe and ratified by the Verkhovna Rada of Ukraine (in particular, the European Framework Convention on Cross-Border Cooperation of Territorial Communities and Authorities); and the experience of municipal reforms introduced early in the twentieth century in other European countries, primarily in Poland and France (see.: Petryshyna & Kolodiazny, 2016, Krat&Sofii 2017, Hudz, 2020 and others).

Implementing the relevant reforms in Ukraine means addressing several fundamental issues: from the election of a specific model of local self-government and type of decentralization, to determining the list of powers to be transferred to lower levels and defining the amount of financial resources that should accompany the transfer of these powers. It is well to keep in mind the problem of correlation of the selected parameters of decentralization with the general principles of the constitutional order (in particular with the specific form of the political regime and the form of state structure). For Ukraine, this is about the correlation of decentralization to the principles of “asymmetric” unitarity and social democracy.

“Asymmetric” unitarism refers to the possibility that there may be differences in legal status among single-level administrative-territorial units. This concerns primarily the intermediate, regional level of administrative-territorial structure and manifests itself in the presence, along with 24 regions and one administrative-territorial autonomy (Autonomous Republic of Crimea), of two cities with special status - Kyiv and Sevastopol (Constitution of Ukraine, Article 133). Thus, the possibility of “asymmetric” decentralization cannot be ruled out, although none of the relevant projects on amending the Constitution of Ukraine has ever used such an option. At present, this issue is aggravated by the armed conflict in Donbas, the outcome of which under the Minsk agreements of 12 February 2015 involves the adoption of permanent legislation on the special status of certain districts of the Donetsk and Lugansk regions. In this context, the settlement of this conflict and the redistribution of power must

be carried out without violating the unitary nature of the Ukrainian state and without threatening its territorial integrity.

The balance between decentralization and the political regime is a complex and multidimensional issue. It should be noted that the problem of public power decentralization usually arises in a democratic political regime since authoritarianism objectively gravitates towards centralization. Generally, experts note a positive connection between decentralization and democracy, although this connection is not always causal and may vary from country to country (Pandey, 2005). In modern Constitutional and Legal Science, the prevailing opinion is that decentralization has many advantages, including positive results both in terms of democracy and social development, and by extending political representation to the local level and increasing political participation of the local population, democratic processes are strengthened and deepened. With decentralization, local governments are expected to be more responsive to citizens' needs and more accountable to the population. Extensive popular representation and active political participation at the local level can lead to better public service delivery appropriate to the local context, adding value to democratic governance. These doctrinal approaches are also reflected in the Concept of Local Self-Government Reform and Territorial Organization of Power in Ukraine (2014), where the above problems are intended to be solved, in particular, by maximizing the involvement of the population in decision-making, promoting the development of forms of direct democracy.

Given that democracy is a rather contentious category in jurisprudence, we can briefly define at least two basic democratic principles in the context of this study: people's control over public decision-making and political equality in exercising such control. These two dominants can be most effectively implemented in small groups or associations, where direct popular control allows everyone to directly discuss relevant issues in public life and vote for certain decisions. It is evident that in large associations, including national states or federal subjects, people's control should be carried out mainly indirectly through elected representatives (deputy corps), but at the same time there are continuous questions as to whether this control is comprehensive and effective.

We should emphasize that the present Constitution of Ukraine (1996), as the overwhelming majority of modern constitutions, does not define a specific model of political regime, limiting itself to the statement that Ukraine is a democratic state (Article 1), in which the bearer of sovereignty and the only source of power is the people (Article 5). However, the combination of these provisions with the principle of the social state (Art. 1 of the Constitution) gives grounds to assert the normative consolidation of the regime of social democracy, which, in turn, means the orientation of the state policy towards prioritizing the satisfaction of the social needs of citizens, support of vulnerable segments of the population, and influence on the distribution of material benefits following the principle of social justice, etc. (Serohin, 1999, 54). We concur that the concept of the social state is an attribute of European constitutionalism (Boryslavska, 2018, 92), so its comprehensive introduction into the political and legal practice of Ukraine is an important achievement on the way to European integration.

The principle of social democracy imposes an obligation on the state to develop and implement social programs aimed at improving the general standard of living of its citizens, support of socially vulnerable segments of society, and equalization of incomes of the population, implementation of measures to expand the network and strengthen the material and technical base of social institutions, i.e. the paternalistic function. Duties of the social state according to the Constitution and the current legislation of Ukraine are as follows: ensuring the social orientation of the economy; labor protection and establishment of a guaranteed minimum wage; healthcare; providing support for family, childhood, maternity, and paternity; development of a system of social services that provide social protection of citizens; and the establishment of pensions and other types of social payments and benefits. Accordingly, when implementing decentralization, it is necessary to decide which of these powers the state should retain, and which should be transferred to local self-government. Under any circumstances, we should state that decentralization in the conditions of social democracy presupposes finding consensus on the transfer of a considerably greater scope of powers than liberal democracy requires. Accordingly, the conceptual basis of this reform should be formed by the socially oriented model of local self-government, where territorial community, social interests, and social rights of its members are of priority importance (Drobush, 2017, 4). It should be

considered that the social activities of territorial communities in most countries of the modern world are implemented in various spheres (social protection of the population, housing and communal services, health care, etc.), while the bolstering of social activities of local self-government is a practical expression of general destination of municipal development and municipalization of local economies.

2.2. Decentralization in Ukraine as a combination of political and fiscal decentralization

Legal literature usually identifies three main types of decentralization:

1. Administrative decentralization or deconcentration, i.e. relocation of structural units of the central government to the local level, which entails the transfer of powers to local departments, offices, and sections that remain part of and are accountable to the central executive bodies.
2. Fiscal decentralization, i.e. transfer of financial resources and power to generate income, including power on budget and tax issues, to deconcentrated structural units of central power formed by the government or locally elected politicians.
3. Political decentralization or devolution, i.e. the transfer of power and resources from government bodies to those that are: a) largely or totally independent from the central government; b) democratically elected by the local population.

Therefore, when discussing the positive link between decentralization and democratization, it should be noted that the nature of the link between them depends primarily on the type of decentralization. Deconcentration is poorly related to democracy, as it can be carried out both in the conditions of democracy and full authoritarianism. Indeed, under the slogans of increasing administrative efficiency, deconcentration can serve as a tool for the central authoritarian government to try to take control of the periphery of the state through a greater presence at the regional and local levels, as well as a means for the ruling party to maximize its political support by granting political privileges.

On the other hand, political decentralization removes institutional and legal obstacles to self-organization and self-government and encourages innovative forms of solving local problems. Empowerment of local authorities allows finding various ways of solving the aforementioned problems. At the same time, it is easier to mobilize local resources for socio-economic development if relevant projects are adopted and implemented at the local level. When the government assumes the corresponding responsibilities, it also takes upon the responsibility - a critical element of democratic governance. In turn, responsibility provides for accountability - the duty of local governments to report and justify their decisions.

One of the more obvious advantages of decentralization is better awareness of local problems and needs among residents. But decentralization itself, even political decentralization, does not guarantee that leaders or deputies will act in accordance with these needs and preferences – what is required is a system of constitutional and legal forms of local democracy aimed at ensuring accountability of officials to the population. The most common and effective form of such accountability is local elections, but there are other mechanisms envisaged in Articles 7-9, 13 of the Law of Ukraine On Local Self-Government in Ukraine - local referendums, local initiatives, public hearings, and meetings of citizens at the place of residence.

Referring to the text of the above-mentioned Concept and the content of the presidential draft laws on amending the Constitution of Ukraine on decentralization, we can say that they refer to political decentralization. At the same time, the scientific discourse on the legal nature of local self-government has been relegated to the background. Indeed, in any approach to the understanding of local self-government – state-based, community-based or dualistic - the content of political decentralization remains unchanged: autonomous local bodies elected by residents and under their control and accountability must be vested with the maximum amount of powers they are able to exercise effectively.

Political decentralization is usually combined with fiscal decentralization, i.e. some powers of control over budget revenues and expenditures are transferred to lower management levels. At the same time, it is important to establish clearly at the legislative level when local governments can determine the distribution of expenditures, and simply when the center approves expenditures and local levels implement them. After all, one important factor in the implementation of decentralization is the measure that grants autonomy to regional and local authorities in determining their cost allocation. In this context, it is undoubtedly positive that one of the tasks of the constitutional reform of local self-government and territorial organization of power in Ukraine is to create appropriate material and financial conditions to ensure that local self-government bodies perform their own and delegated powers, which should be carried out, in particular, in compliance with such principles as the availability of resources necessary for the implementation of the powers of local self-government bodies determined by law, as well as the definition of the federal, regional and local levels of authority. Unfortunately, the share of local budgets in the consolidated budget of Ukraine over the past five years has increased by only 0.8% (from 21.8% in 2014 to 23.6% in 2020), although the share of local budgets (general fund) in local budget revenues for the same period has increased by 16.1% (from 2.2% in 2016 to 18.3% in 2020) (Monitoring of decentralization of power and local government reform). In such a situation it is premature to talk about the financial independence of local self-government in Ukraine.

2.3. The principle of subsidiarity as a key principle of the distribution of powers in the process of decentralization in Ukraine

A key role in the implementation of political decentralization is played by the principle of subsidiarity, which defines criteria for democratic and rational redistribution of power between the levels of public administration. It should be noted that for the first time in Ukrainian political and legal practice, this principle is expected to be enshrined at the level of the Basic Law. Its content is quite extensively documented in parts 2 and 3 of Article 4 of the European Charter of Local Self-Government: ‘local authorities shall, within the limits of the law, have full discretion to exercise their initiative concerning any matter which is not excluded from their competence nor assigned to any other authority; public responsibilities shall generally be exercised, in preference, by those authorities which are closest to the citizen’.

According to the Concept, the main powers of basic level local self-government bodies (i.e. community level), are as follows: local economic development (attraction of investments, development of entrepreneurship); development of local infrastructure, in particular roads, heat, gas, electricity, and water supply networks, information networks, social and cultural facilities; planning for community territory development; addressing issues of territorial development (allotment of land plots, issuance of construction permits, acceptance of buildings for use); provision of housing and communal services (centralized water and sanitation services, etc.); organization of passenger transportation on the territory of the community; maintenance of streets and roads in settlements; public safety; fire services; management of institutions of secondary, preschool, and extracurricular education; provision of emergency medical services, primary health care, disease prevention; development of culture and physical culture (maintenance and organization of houses, clubs, libraries, stadiums, sports grounds); provision of social assistance through the territorial centers; provision of administrative services through specified services provision centers. As evidenced by the list presented, local self-government of the basic level is positioned as the main provider of services to the population, the main provider of socio-economic and cultural rights and freedoms of citizens in Ukraine.

In turn, the main powers of raion level local governments under the Concept are to facilitate care and education for children in general boarding schools and the provision of secondary level medical services. It should be noted that under this ‘narrow’ approach, raions will soon lose the status of one of the main links of administrative and territorial division, turning into specialized educational and medical districts. In terms of glocalization, it should be noted that this approach is typical for some Northern European countries, in particular Denmark and Sweden, but its prospects in the Ukrainian political and legal realities remain rather vague due to the lack of similar

experience in the past. There is a potential risk that the mismatch of special districts with the basic administrative-territorial division could lead to the loss of manageability in the respective areas.

Finally, the main powers of local self-government bodies of the oblast level under the Concept are to provide: regional development; environmental protection; development of the oblast infrastructure (first of all, the roads, the network of inter-district and inter-regional routes of public transport); vocational education; and the provision of highly specialized medical care; development of culture, sport, tourism. A wide range of competences attributed to this level of public administration requires a rather ramified and highly organized local government apparatus, represented both by representative and executive bodies. However, today regional councils (as well as *raion* councils) do not have their executive bodies under the current legislation and are forced to delegate the implementation of their decisions to local executive bodies - local state administrations. Therefore, it is quite natural that the constitutional reform on decentralization in Ukraine provides for the restoration of full local self-government at the regional level: district and regional councils should receive their executive bodies of general and special competence, and the appropriate material and financial basis, while local state administrations are to be replaced by prefects built on the French model.

It should be noted that in each state the list of powers of local self-government, on the one hand, is the result of a social and political compromise, recognition of political expediency, and, on the other hand, a statement of what municipal bodies are capable of. If a decision of local authorities meets the needs and interests of local residents, public services are provided on a qualitatively higher level and residents are more willing to pay for them. As a result, decentralization may increase revenue mobilization and expand the tax network. We believe that under these conditions the distribution of powers among local governments of the basic, *raion*, and oblast levels envisaged in the Concept can be regarded as an invitation to a broader professional political discussion rather than as a final vision of how to address this problem.

2.4. Municipal Authorities or Municipal Forms of Direct Democracy: the Problem of Political Choice

Reforming the territorial organization of power and local self-government necessarily requires solving the key issue of who should be given preference in the organizational and legal mechanism for exercising public power at the local level: local self-government bodies (municipal authorities) or municipal forms of direct democracy. Every state undertakes a difficult but essential political decision for itself.

A systematic analysis of the presidential draft laws on amendments to the Constitution of Ukraine regarding the decentralization of power, as well as the current state of the legislation on local self-government, gives grounds to assert that in our case the choice was made in favor of local self-government bodies. Out of seven articles of Section XI of the Constitution of Ukraine titled, Local Self-Government, only two mention forms of direct democracy briefly. Among 79 articles of the current Law of Ukraine “On Local Self-Government in Ukraine” only 4 are devoted to the forms of direct democracy, and those are very concise. Back on November 22, 2012, due to the entry into force of the new Law “On All-Ukrainian referendum” (which was declared unconstitutional in 2018), the Law of Ukraine “On All-Ukrainian and local referendums” lost its force, but the new law on local referendums was never adopted. As a result, for eight years now, in a state that proclaims itself democratic and lawful, where local self-government is constitutionally recognized and guaranteed, direct democracy at the municipal level is impossible due to the lack of special legislation that would define the subject matter and procedure for organizing and holding local referendums. At the same time, the situation is quite remarkable: the legislator is not in a hurry to adopt the law on local referendums for lack of political will on this issue (probably due to the fear that local referendums can be used by destructive forces inside the country with separatist intentions), and territorial communities show complete indifference and do not even attempt to force the legislator to ensure their right to direct participation in local self-government (probably due to the lack of confidence in their ability to influence the situation in any way).

According to the Laboratory of Legislative Initiatives in Ukraine from 1991 to 2012, 178 initiatives to hold local referendums were recorded (Chernukha, 2017). Taking into account the fact that during this period in Ukraine, in addition to the Autonomous Republic of Crimea, 24 regions and two cities with special status, there were 490 more districts and almost 11,000 territorial communities, the above-mentioned number of initiatives indicates that local referendums, even with the appropriate legislative framework, were extremely rare, if not exotic. In our opinion, the reasons for such an attitude to the referendum by members of territorial communities can be divided into two groups. On the one hand, the reluctance to use the referendum as a constitutional form of direct democracy lies in the traditional disorganization of Ukrainian citizens and their inability to effectively use constitutional forms of political activity, and on the other hand, it has powerful historical grounds, because neither in the pre-revolutionary period nor under the Soviet rule, were local referendums held on the territory of present-day Ukraine. Thus, a referendum for an ordinary Ukrainian citizen remains a rather unreliable instrument to express the people's power. There is a willingness to participate only when specifically addressed to be a part of by the parliament or the head of state.

In the eyes of ordinary citizens, local self-government bodies and their officials are a somewhat bureaucratic, though traditional means to address local issues. Local self-government bodies and their officials also look more advantageous and convenient for the central government, as their activities are more predictable, and they are more susceptible to accept instructions 'from above'. Thus, we can state that the phenomenon of local bureaucracy is a "national tradition" in Ukraine, which should be considered when implementing any important reforms, including decentralization. Representative democracy, combined with municipal service, acts as the main elements of the legal and organizational mechanism of local self-government, and they should remain the main focus of decentralization reforms. This approach is also endorsed by the content of the European Charter of Local Self-Government, which in its definition of local self-government (part 1 of Article 3) proclaims it as the right and the ability of local authorities rather than the local population.

Conclusions

1. Ukraine's experience in reforming the territorial organization of power and local self-government is supported by the relevant draft law basis. This stands as a convincing example of constitutional and legal glocalization as a strategy of conscious social and political development in the context of globalization and European integration. The strategy has not always been flawless and miscalculations have been made from time to time, yet Ukraine shows that the adoption of international legal standards and learning from the foreign experience of state-building and local self-government are valuable, especially if they are used to achieve the desired ideals of a democratic, legal and social state. Naturally, the aforementioned must take into consideration the specifics of the national legal system and legal consciousness.

2. The sociological concepts of globalization in general, and glocalization in particular, are important if we are to understand the dynamic socio-political transformations taking place from Western Europe to South-East Asia, including the processes of public power decentralization. At the same time, we should guard against being carried away with 'methodological nationalism' where every country or society is explored through the appropriate national methodology. Such an approach may lead to intellectual closure and exclude dialogue and mutual understanding between societies. There is little room for such discourses in an increasingly globalized world. Of course, it is important to consider local contexts and variables and not to fall into the trap of merely copying Western ideas and concepts. Instead, Ukraine must choose a globally significant concept that will help in the processes of socio-political transformation, which is inextricably linked with globalization. Indeed, the use of such a concept implies careful, reflective, and balanced preservation and development of national, regional, and local specifics.

3. We should keep in mind that the success of decentralization reforms in Ukraine is strategically important. Failure to perform and deliver on its responsibilities at the local level by central government impacts the entire local population, especially the socially vulnerable - the disabled, women, and children. Indeed, failures in local self-

government harm the central government and the state as a whole. If a government cannot fix leaking pipelines or address the shortage of doctors in a local hospital, then citizens are unlikely to trust the central government to solve more crucial problems. The assessment of certain measures on decentralization from the point of view of glocalization should become one of the factors that ensure the efficiency of the proposed reforms. There is the expectation that it contribute to a more positive perception of the process of globalization by territorial communities, while strengthening the democratic foundations of local self-government. The outcome would be to bring government closer to the people, both territorially, but also in terms of an emphatic understanding of its citizens.

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