

**THE INSTITUTIONAL DIMENSION OF EUROPEAN INTEGRATION
POLICY OF UKRAINE
(FOR EXAMPLE, THE PRESIDENCY)**

The article is devoted to the issue of institutional transformation of the political system of Ukraine in the context of European integration vector of development. It is noted that the direction of European integration foreign policy strategy of Ukraine, which today has become dominant, led to new challenges in the functioning of key political institutions and particularly of the presidency. On the basis of comparative analysis the presidency is compared to similar institutions in the EU, especially those with mixed form of republican government. The focus is drawn to the status and the specific role of the President as head of state, his rights and responsibilities, relations with the government, conditions of his resignation and constitutionally determined number of terms of appointment. The article specifies that despite some common political and legal principles of formation and development, national presidency has not met the requirements of the European level yet. There is a need to optimize its activities through the widest possible implementation of democratic standards, the refusal of informal practices inappropriate for European countries in the functioning of political institutions in general and the presidency in particular. Backtracking on reforming of the presidency delegitimizes this political institution as an important factor of social change, radicalizes public mood, and considerably impedes the integration of Ukraine into the European political, legal and economic space.

Key words: *integration, European Union, the presidency, republican form of government, mixed republic*

European integration foreign policy direction that became dominant in modern civilization development strategy of Ukraine outlined promising ways of transformation of the national political system in line with European democratic standards. First case of compliance Ukrainian political institutions with European counterparts. In this context, the important role of the presidency. In the framework of its President (President) acts tend to guarantee its sovereignty and territorial integrity, observance of rights and freedoms. Powers of the President in public administration depend on a variety of models and Republican state legal rules governing the functionality of presidential power and politics president as head of state. Analyzing the status and the specific role the president should pay attention to its rights and responsibilities, relations with the government, provided early retirement and constitutionally reasonable number of terms in office.

Problems of formation and functioning of the institute of presidency in Ukraine, because of their relevance, containing multidisciplinary approach, actively investigated by the legal, political and historical science. Legal aspects of the institute of presidency in Ukraine considered B. Babinym, V. Melnychenkom, A. Kovbanom, N. Omelchenko and others. Historical discourse of the issues presented works V. Romantsova, P. Rudyka, S. Serhiyenka, V. Uhach and others. Notable is the scientific achievements of scientists, political scientists - M. Karmazinoyi, A. Romanyuka, M. Zaydel, H. Malkinoyi, H. Zelenko, N. Kononenko and others.

However, no modern comprehensive research on this subject. There is a lack of comparative intelligence professional features of formation and functioning of the presidency in Ukraine and the EU, the status and powers of heads of state. In academic circles, the question remains poorly understood features of informal presidency in Ukraine, optimization of the national institution of the presidency and its approach to European models.

The proposed article attempts to clarify delineated range of issues.

In the EU Institute head of state has been successfully operating in the form of monarchism institute a constitutional monarchy and the President in the political and legal environment, usually mixed or parliamentary republics. The presidential model is not peculiar to Europe. The dominance of presidential signs in the mixed republic allows to identify it as a presidential-parliamentary, parliamentary dominance traits - both parliamentary and presidential. However, this typology is rather arbitrary and contradictory in modern Western and domestic political science.

All EU national rights and functions of the President are clearly defined constitutional provision, it is transparent and clear procedures and functioning of resignation limit not exceeding twice the term of office (except France, where there are no restrictions). Also, this institution formed against the background of the particular specifics of republican government, democratic type of political system and political culture and, in general, is an important factor in consolidating the society.

Ukraine has preserved many EU countries inherent historical tradition of republican government. Institute of presidency in existence since 1991. Introduction to the state system of the presidency, on the one hand, the actual display historical tradition of state, on the other - taking into account the international experience of the institute of presidency in the states with a republican form of government [8, p.28]. The legal basis for institutionalization of the presidency is the Law of Ukrainian SSR of 5 July 1991. "On the establishment of the post of President of the Ukrainian SSR and the amendments and additions to the Constitution (Fundamental Law) of the Ukrainian Soviet Socialist Republic", the Law of Ukrainian SSR "On the President of Ukrainian Soviet Socialist Republic", the Law "On elections of President of Ukraine", the Constitution of Ukraine, adopted on 28 June 1996. In the future constitution of the presidency was conducted as part of the constitutional reform, amendments to the Constitution of Ukraine.

Unlike the EU, where the presidency is functioning in generally stable political systems, in Ukraine it passed a difficult way of formation and evolutionary development against the backdrop of repeated transitions from a presidential-parliamentary (1991-2005y.y., 2010-February 2014.) To a parliamentary-presidential models (2005-2010, May 2014-present).

In general, the rights and responsibilities of President of Ukraine meet European standards. According to Article 106 of the Constitution of Ukraine can be divided into several groups: foreign powers in political activities; powers relating to the legislature; appointment and dismissal of members of the Cabinet and other officials; powers in the field of state independence, national security and defense; powers relating to the adoption of citizenship; statutory authority - the formation and elimination by the Prime Minister ministries and other central executive authorities, an all-Ukrainian referendum and others. [5, p. 32-34].

But unlike countries - EU members in Ukraine hypertrophied informal part of presidential powers. Informal presidential activities were outside the constitutional and legal outline, but are important in the system of government functions. It should be noted during informal understand functions such that de jure not belong to the president, but de facto it has been successfully implemented. By informal practices that Ukraine successfully transferred from the Soviet past includes "telephone law" cronyism in the appointment of the relevant positions, nepotism, patronage, of the client relationship, the repression of dissenters, corruption, institute the "black market." Due to the rather weak implementation democratic institutions in domestic society informal practices gradually play an important role in the functioning of government institutions in general and the President in particular [7, p.5].

Its influence also had revival neopatrimonial relations. This phenomenon is typical of many "young democracies" Ukraine is no exception. President of patrimonial political system acts as the embodiment of all the social system, "its symbolic center that combines formal and informal relations management into a whole" [4, p.184-185]. Informal practices appeared

during the presidency of Leonid Kravchuk. The 10-year presidency of Leonid Kuchma they became an inherent part of the power system. The president himself quite successfully performed informally the "arbiter" in the struggle between business and administrative groups. Heading the top of the power pyramid, Kuchma became the main patron of political-economic clans who "provided him with the coming to power in exchange for enhancement of economic potential" [1, p.42]. In the system of government and management policies of President Leonid Kuchma has built a model pseudoautonomy executive center in the presidential administration. Last through informal improve their status, as well as president of the National Security Council was used to influence the government [6, p.43].

Another negative consequence of the operation of the presidency of Leonid Kuchma era was the informal practice of falsifying the 2004 elections. That, in turn, increased civic activity led to the events known as the "Orange Revolution".

The revolutionary events of 2004. Despite general expectations and hope to bring the functioning of the political process in line with international democratic standards are not eliminated informal practices. They, except that blatant election fraud is completely preserved. Instead of one group of business interests came to power others. President Yushchenko, criticizing his predecessor, could no longer fulfill its informal functions. Constitutional changes took place in 2004. That introduced a parliamentary-presidential model of republican government reduced the scope of presidential powers. In this regard, Yushchenko tried (rather unsuccessfully) to perform the role of informal moral authority, which has expanded veto on various policies. The confrontation between the president and the government, the main administrative business groups continue to use has been accompanied by informal practices.

Donetsk group of business interests after winning its representative in the presidential election of 2010. initiated the return to the Constitution of 1996. which greatly expanded the powers of the President. President Yanukovich regained control of the government of Leonid Kuchma era. Were also restored full presidential informal types of activity. The formal function of selecting leaders realized in distorted form "Donetsk of Ukraine" - elite formation on regional and clan principles. Representatives of Donetsk region received 75% of managerial positions in the state. Have become common requirements for non-competitive procedure. During the last three years of his presidency percentage increased from 13.6 to 44.4%. [2, p.130].

Use in the activity of mechanisms of political repression and political corruption on the background of the criminalization of bodies and the President's refusal to sign the Association Agreement with the EU led to the second Maidan in Ukraine entitled "Revolution of dignity." But postmaidan authorities also failed to get rid of informal practices. Changes are required in the winter 2013-2014rr citizens. primarily related to elimination of corruption punishment while those who supported it and return to a parliamentary-presidential form of government. If the transformation of the republican model generally resolved (despite the efforts of Poroshenko significantly strengthen the role and position of presidency in the system of government), the problem of corruption remains relevant in scope and represents a threat to national security of Ukraine. Political power on successfully use informal functions.

Following European traditions prescribed conditions early resignation of President (st.108) and limit to two terms of office (Article 103) [5, p.31,34].

However, in Ukraine, in comparison with EU countries not included in full "dominant criteria of democratic presidency Western, including, in particular - came to power only as a result of the country for free and fair elections ... operation in terms of principles separation of powers, rule of law and freedom of speech, careful control of civil society over the transparency of the political process "[3, p.17]. Also in Ukraine significantly complicated the procedure of impeachment of the president, needs improvement mechanism of its practical

use. Legally it is possible, but in practice - Unreal. Unregulated in full is the legal status of the president, especially in relationships with other government agencies. Unlike many mixed republics EU president Ukraine has not risen over the branches as coordinator on the power of the State. In the constitution there is no provision that the president is the arbiter of the nation [8, p.33].

In Ukraine, the specifics of the presidency also significantly affect the transition type of political regime that combines elements of a democratic and non-democratic varieties. Unlike EU countries, where the democratic system of government operates effectively within a developed civil, social and economic societies, Ukraine is in a stage of development. In this connection, the presidency has not received institutional European level. Significantly lower compared with the republics of the EU is the level of confidence in the president primarily because of the failure of his campaign promises [3, p.12]

Feature ruling model of modern Ukraine also evident that the state has a strong Parliament, a strong president, but weak government. Because the ruling system despite the preservation of democratic trends, poorly balanced, its permanent crisis is systemic. Also the presidency in Ukraine, unlike the EU operates against the background of much lower level of political culture of the population, insufficient information support for its activities. Contrary to European practice requirements understated personal qualities presidential candidates.

These circumstances ultimately lead to decline in the legitimacy of the presidency in Ukraine and people's credibility primarily as an important factor in reforming the country radicalization public sentiment, hindering its integration into European political, legal and economic space.

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Стаття присвячена актуальній проблемі інституційної трансформації політичної системи України в контексті її євроінтеграційного вектору розвитку. Розглянуто в порівняльному аспекті інститут президентства України на предмет його відповідності аналогічним інституціям в країнах ЄС. Обґрунтовується думка про необхідність оптимізації діяльності вітчизняної президентури, шляхом впровадження в практику європейських демократичних політико-правових норм і стандартів, відмови від невластивих для країн ЄС неформальних практик.

Ключові слова: інтеграція, Європейський Союз, інститут президентства, республіканська форма правління, змішана республіка

Статья посвящена актуальной проблеме институциональной трансформации политической системы Украины в контексте ее евроинтеграционного вектора развития. Рассмотрен в сравнительном аспекте институт президентства Украины на предмет его соответствия аналогичным учреждениям в странах ЕС. Обосновывается мысль о необходимости оптимизации деятельности отечественной президентства, путем внедрения в практику европейских демократических политико-правовых норм и стандартов, отказа от несвойственных для стран ЕС неформальных практик.

Ключевые слова: интеграция, Европейский Союз, институт президентства, республиканская форма правления, смешанная республика

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Maria Senych

THE PROBLEMS OF POLAND'S EASTERN POLICY IN POLITICAL CONCEPTIONS OF JERZY GIEDROYC AND "KULTURA"

In the end of XX century East Central Europe experienced (lived through) complicated geopolitical and social-economic transformations. The ideological conceptions of transformation processes were elaborated by the stuff of Polish emigrational periodical "Kultura" that was published during 1947-2000 and was edited by Jerzy Giedroyc. The important place in "Kultura's" political conceptions took the working out of a new Eastern policy of Poland. The conception of Eastern policy elaborated by the surrounding of Jerzy Giedroyc and "Kultura" was passed by the majority of opposition powers and played a decisive role in the policy of Poland in the post-bipolar system.

Key words: Polish-Ukrainian reconciliation, Polish-Ukrainian relations, East Central Europe, Jerzy Giedroyc, "Kultura".

In the end of XX century East Central Europe (ECE) experienced (lived through) complicated geopolitical and social-economic transformations. The place of priority in their realization belonged to Polish opposition movement that began to undermined bases of totalitarianism and soviet domination in the region from the second half of 1970-s. The ideological conceptions of transformation processes were elaborated by the stuff of Polish emigrational periodical "Kultura" that was published during 1947-2000 and was edited by Jerzy Giedroyc. The important place in "Kultura's" political conceptions took the working out of a new Eastern policy of Poland. Leading publicists of "Kultura" engaged in problems of Eastern policy were J.Mieroszewski, J.Stempowski, Z.Najder, J.Targalski [J.Darski], B.Osadczyk, J.Łobodowski, Z.K.Brzeziński, D.Morawski and others.

The study of the problem of a formation of Polish Eastern policy has begun relatively recently. During last years the correspondence of J.Giedroyc with J.Mieroszewski, J.Stempowski, Ukrainian emigrants [9; 10; 14; 15; 16] and others was published. Interviews with some collaborators of the periodical were also published; texts published in "Kultura" were reissued. A.S.Kowalczyk[18; 19], A.Friszke[6; 7; 24], B.Berdychowska[4], M.S.Wolański[28], R.Habielski[11; 12], T.Stryjek[25], B.Bakuła[2], M.Genyk [8], P.Waszkiwicz-Lewandowska[27], M.Siudak[23] and others should be admitted among the main investigators of this problem.

The stuff of "Kultura" considered the revisionism and the support of democratization of socialism to be the way to social-political changes in East Central Europe. The transformation should begin with an initiative of the very communists under the support of society with the