

UDC:351

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DOI <https://doi.org/10.32689/2617-2224-2019-16-1-174-187>

PARLIAMENTARY OPPOSITION. EUROPEAN EXPERIENCE FOR UKRAINE

Annotation: Problems related to the activities of the political opposition, its rights and the possibilities of influencing the state policy of the ruling elite, relate to those levels of resolution which largely determine the level of development of democratic processes in the country. This fully applies to the parliamentary oppo-

sition as a leading part of the political opposition. The article, which is intended for the attention of readers, just deals with the regulatory and legal support and practical activities of the parliamentary opposition in the countries of the European Union, whose experience is a clear example of solving this problem and should be started in Ukraine. Of course, given its specifics.

It is substantiated that the level of development of democracy is largely measured by the level of rights and opportunities provided by the opposition, in particular, the parliamentary opposition, the nature of the relationship between the authorities and the opposition, the level of legal and regulatory support for the latter. Unfortunately, it has to be noted that in Ukraine today the activity of political opposition, first of all parliamentary opposition, is not sufficiently regulated, and in this connection it makes sense once again to address the question of how it is solved in the leading democratic countries of Europe. It is noted that scientific analysis requires the question of the political and legal status of the parliamentary opposition in countries with different forms of government, and especially those in which its mixed model is implemented. Equally important is the issue of institutionalization of the parliamentary opposition. This, in other words, determines the relevance of the topic of the article.

It is noted that the political practice of developed democracies of European countries convincingly shows that providing the parliamentary opposition with the full opportunity to present and defend its position, alternative to the point of view of the current government, giving it the right not only to express and protect its own position, but also to take part in the development of the state policy at the stage of its formation, competition with the ruling political forces, control over their activities and criticism of its negative manifestations is a very important factor in the democratization of states good governance, stabilization of the political system, prevention of political conflicts, mitigation of social tension in society and consolidation of its integrity on a democratic basis.

The article is intended for public servants and students of the National Academy of Public Administration, as well as all other readers interested in political issues.

Keywords: parliamentary opposition, European experience, democratic foundations, political conflicts.

ПАРЛАМЕНТСЬКА ОПОЗИЦІЯ. ЄВРОПЕЙСЬКИЙ ДОСВІД ДЛЯ УКРАЇНИ

Анотація. Проблеми, що пов'язані з діяльністю політичної опозиції, її правами і можливостями впливу на державну політику правлячої еліти, належать до тих рівнів, вирішення яких значною мірою визначає рівень розвитку демократичних процесів у країні. Це повною мірою стосується й парламентської опозиції як провідної частини опозиції політичної. Розглядаються питання нормативно-правового забезпечення і практичної діяльності парламентської опозиції в країнах Європейського Союзу, досвід яких є

виразним прикладом вирішення зазначеної проблеми і має бути започаткованим в Україні, з урахуванням її специфіки.

Обґрунтовано, що рівень розвитку демократії значною мірою вимірюється рівнем тих прав і можливостей, які надаються опозиції, зокрема парламентській опозиції, характером відносин між владою та опозицією, рівнем нормативно-правового забезпечення діяльності останньої. На жаль, доводиться констатувати, що в Україні на сьогодні діяльність політичної опозиції, насамперед опозиції парламентської, не є унормованою достатньою мірою. Отже є сенс ще раз звернутися до того, як це питання вирішується в провідних демократичних країнах Європи. Зазначено, що наукового аналізу потребують питання політико-правового статусу парламентської опозиції в країнах з різними формами державного правління і особливо тих з них, в яких реалізована його змішана модель. Не менш важливим є й питання, пов'язане з проблемою інституалізації парламентської опозиції.

Зазначено, що політична практика розвинених демократій європейських країн переконливо свідчить, що надання парламентській опозиції повноцінних можливостей висувати і відстоювати свою альтернативну позицію й надати їй права не тільки висловлювати і захищати її, але і приймати участь в розробці державної політики на етапі її формування. Конкуренція з правлячими політичними силами, контроль за їх діяльністю і критика її негативних виявів є дуже важливим фактором демократизації державного управління, стабілізації політичної системи, запобігання політичним конфліктам, пом'якшення соціальної напруги в суспільстві і закріплення його цілісності на демократичних засадах.

Ключові слова: парламентська опозиція, європейський досвід, демократичні засади, політичні конфлікти.

ПАРЛАМЕНТСКАЯ ОППОЗИЦИЯ. ЕВРОПЕЙСКИЙ ОПЫТ ДЛЯ УКРАИНЫ

Аннотация. Проблемы, которые связаны с деятельностью политической оппозиции, ее правами и возможностями влияния на государственную политику правящей элиты, относятся к тем уровням, решение которых в значительной мере определяет уровень развития демократических процессов в стране. Это в полной мере относится и к парламентской оппозиции как ведущей части оппозиции политической. Рассматриваются вопросы нормативно-правового обеспечения и практической деятельности парламентской оппозиции в странах Европейского Союза, опыт которых является выразительным примером решения указанной проблемы и должно быть основанным в Украине с учетом ее специфики.

Обосновано, что уровень развития демократии в значительной степени измеряется уровнем тех прав и возможностей, предоставляемых оппозиции, в частности парламентской оппозиции, характером отношений между властью и оппозицией, степенью нормативно-правового обеспечения дея-

тельности последней. К сожалению приходится констатировать, что в Украине на сегодня деятельность политической оппозиции, в первую очередь оппозиции парламентской, не является нормированной в достаточной мере, и в этой связи есть смысл еще раз обратиться к вопросу о том, как они решаются в ведущих демократических странах Европы. Отмечено, что научного анализа требуют вопросы политико-правового статуса парламентской оппозиции в странах с различными формами государственного правления и особенно тех из них, в которых реализована его смешанная модель. Не менее важным является и вопрос, связанный с проблемой институализации парламентской оппозиции.

Отмечено, что политическая практика развитых демократий европейских стран убедительно свидетельствует, что предоставление парламентской оппозиции полноценных возможностей для представления и отстаивания своей альтернативной позиции, предоставление ей права не только выражать и защищать ее, но и принимать участие в разработке государственной политики на этапе ее формирования. Конкуренция с правящими политическими силами, контроль за их деятельностью и критика негативных проявлений является очень важным фактором демократизации государственного управления, стабилизации политической системы, предотвращения политических конфликтов, смягчения социальной напряженности в обществе и закрепления его целостности на демократических началах.

Ключевые слова: парламентская оппозиция, европейский опыт, демократические принципы, политические конфликты.

Formulation of the problem. Having chosen the course of European integration as the dominant of its policy, Ukraine thereby assumed the obligation to bring its political system, the nature of the social relations, political culture in line with democratic procedures and principles. In particular, it deals with the implementation of such an important principle of democracy as the observance of the so-called rule of minority rights. Indeed, the essence of democracy as a political regime and the form of socio-political relations is determined not only – and not so much – that it involves the manifestation and realization of the will of the majority,

the level of protection of human rights and citizen, the guarantee of the right of the citizens to free expression of their views, criticism of the actions of the authorities, control over its activities. Moreover, the generally accepted tradition in democratic countries is the recognition of a democratic postulate that minority rights must be protected even more so than majority rights, since the latter has wider possibilities to protect its interests through the ownership of the power. On the other hand, power can only be strong when it is opposed by the opposition, a political minority. This forces it to constantly confirm its right to govern the society

and the state. However, it is clear that both the majority and the minority in and of themselves are rather abstract concepts that, in the intentions of protecting their interests, they must rely on appropriate organizational structures such as political parties, socio-political unions, and which carry out their functions aimed at protecting the interests of those groups of the population that supports them, or relying on the authorities or through opposition to these bodies. Hence it is the role and significance of the political opposition in democratic societies that most clearly manifests itself through oppositional activities in the parliament.

Analysis of recent publications on the subject. The problem of the functioning of the parliamentary opposition and the peculiarities of its political and legal status in developed democracies did not go unnoticed by the domestic researchers. Among the scholars involved in this problem are G. Berestova, L. Honyukova, Y. Dreval, V. Ilnitska, S. Kononchuk, A. Kulsha, M. Myhalchenko, N. Osipova, R. Pavlenko, M. Paharev, O. Petrenka, H. Postrygan, Yu. Rozenfeld, O. Sovgyr, M. Shevchuk, O. Shlyakhtun and others. So in the works of O. Sovgyr the legal status of the parliamentary opposition in different countries of the world is thoroughly investigated, as well as the problem of its institutionalization, which are devoted to the work of Y. Dreval and U. Ilynitsk; the theoretical aspects of the political, in particular, of the parliamentary opposition, are dealt with in the writings of M. Mykhalchenko, O. Shlyakhtun, H. Postrygan; L. Honyukova examines the problem of the legal status of the

political parties. To a greater or lesser extent, the writings of these authors analyze various aspects related to the peculiarities of the functioning of the parliamentary opposition in the countries of the European Union. In their writings, domestic scientists are suggesting the use of certain models of the functioning of the parliamentary opposition in Ukraine, providing a lot of practical recommendations on how to implement them — these models — in life. But one has to admit that these recommendations, as a rule, do not receive due attention and the desire to implement them among the Ukrainian parliamentarians of virtually all convocations of the Verkhovna Rada and remain good intentions. The weakness of the role and nature of the activities of the parliamentary opposition in Ukraine, of its rights and powers, of its political and legal status, and, ultimately, of its responsibility, forces them to return to this problem again.

Formulation of the purposes (goal) of the article. Analysis of the state policies of the European Union countries regarding the status and role of the parliamentary opposition and its institutionalization in order to adapt the relevant experience to the socio-political realities of Ukraine.

Presentation of the main material. Parliamentary opposition, defined as a “parliamentary (deputy) group or faction represented in the parliament by a political party or coalition (unification, bloc) of parties that disagree with the political course of the head of the state and/or executive and oppose certain steps of the government on the fundamental issues of state policy” [1, p. 466] is thus an integral part of creating a

credible system of checks and balances in relation to power structures.

Opposition is an institution whose purpose is to express interests and values that are not represented in the activities of the ruling regime. It reflects the protest activity of the population aimed at counteracting undesirable actions of the authorities and correcting its decisions and actions [2, p. 228–240]. Accordingly, the parliamentary opposition is a kind of political opposition, the form of civilized opposition of deputies, parliamentary groups and factions to the official political course, and its main task is constant and effective control over the decisions and actions of the authorities, constant pressure on it to correct the political course chosen by the current authorities in the desired direction for the voters who chose them. The parliamentary opposition is a kind of organizational counterweight to the political forces in power. It follows that the most important function of the parliamentary opposition is the control over the activities by the executive authorities as a structure that develops and implements policies. Accordingly, the very important condition for the fruitful activity of the parliamentary opposition is its institutionalization, that is, the legal regulation of the rules for its functioning, since only on such a basis its activities will not only be a formal sign of democracy, but will be practically influential. The institutionalization of the parliamentary opposition leads to competition between the political forces both during and after the exercise of the power, provides increased control over the activities of the government structures, the stability of the

political system, the improvement of the government and administration practices, and promotes the productive activities of the representative and executive structures. Thus, its legal effective functioning is a decisive feature of the democratic regimes, and the high degree of recognition by the authorities of the opposition's rights to political struggle and the alternative vision of solutions to actual problems and tasks have a positive effect on the democratization of the socio-political life [3, p. 78].

It is obvious that the Ukrainian legal framework for today does not provide sufficient guarantees of the rights of the political, in particular, parliamentary, opposition, as a minority, which needs to support its ability to ensure competition in the political market, thus contributing to deepening the processes of democratization of the state policy and public administration. However, for the sake of justice, it should be noted that the processes taking place in Ukraine to establish the status of opposition are, in principle, typical for transitional societies, to some extent legitimate for the corresponding state of development of the political system and the level of maturity of the political elite.

The factors that limit the effectiveness of the parliamentary opposition in Ukraine and do not promote the establishment of constructive relations between it and the authorities and which hinder its legal certainty should include certain objective preconditions that are related to the peculiarities of the functioning of the political system of Ukraine, its insufficient definiteness that manifests itself

in the ongoing discussions about the form of government that should be applied, with persistent political crises and, as a result, political instability, with unresolved issue of the political structuring of the Verkhovna Rada, the weaknesses of the party system and the weakness of the political parties, the low level of their influence and the trust of the citizens. To these factors the insufficient level of the civil society development, the low level of political and legal culture as representatives of the government and the opposition itself should be added.

The interaction of the authorities and opposition in Ukraine is not yet in line with the principles of democracy. Achieving the necessary interaction between the authorities and the opposition is possible only by abandoning destructive actions, mutual tolerance, promoting the general development of the political culture and the application of civilized forms of political struggle. Permanent dialogue between the authorities and the opposition, its openness, the abandonment of brutality and various anti-technologies — all this is a way to create effective mechanisms for interaction between the authorities and the opposition [4, p. 156–163].

In this context, its thorough analysis of the legal framework, forms and methods of the activities of the parliamentary opposition in the European Union is extremely important.

First of all, it should be noted that under the conditions of democracy, the parliamentary opposition has a well-defined legal political and legal status, according to which the law defines the organizational forms of its activities, its tasks and functions, quotas of rep-

resentation in the governing bodies of the parliament — and in many countries there is also a list and the number of parliamentary committees that they are entrusted to chair, the conditions for financing its activities, etc.

Subjects of the parliamentary opposition are deputies' associations (factions, parliamentary groups) who have a legitimate right to exercise power. At the same time, the question of the role of political parties in the formation and realization of the parliamentary opposition deserves special attention. It can be said that the parliamentary opposition in the modern democratic countries has a party character, since it is the parties that give it the quality of stability, constructiveness, organizational, ideological unity. According to L. Honyukova and B. Maksimets, "one of the new tendencies of the legal institutionalization of the political parties is the assignment of a special legal status to opposition parties" that provides for the functioning of a real multi-party system [5, p. 145].

The importance of the parliamentary opposition is drawn to the attention of many documents of the European Union. Thus, in accordance with the PACE Resolution "Procedural Recommendations Concerning the Rights and Duties of the Opposition in a Democratic Parliament" / No. 1601 of January 23, 2008/ it is emphasized that one of the indicators of a democratic parliament is the amount of funds that the opposition or parliamentary minority possesses in order to carry out its tasks. The political opposition in the parliament, noted later in this document, is an essential component of a well-functioning democracy, and one of the main

functions of the opposition is the proposal of compelling political alternatives to the majority in power, through publicly considering other options for the political decisions. By exercising control and criticizing the work of the government in power, constantly evaluating the government's activities and requiring the government to report, the opposition provides transparency in government decisions and the effectiveness of the public affairs administration, thus protecting the public interests and avoiding misuse and misconduct. It is further emphasized that at the level of national parliaments, the right to form a political opposition and to give it a status that allows it to play a responsible and constructive role should be guaranteed [6].

Thus, the very existence of a parliamentary opposition is already a necessary prerequisite for ensuring the rights of the minorities in the conditions of dominance of the will of the majority and therefore it should be considered as a factor of democracy and the expression of the will of the people, of its sovereignty. Parliamentary opposition guarantees minority representation and protection of its interests, creates conditions for real political freedom, forms competition between the political forces. It helps identify the weaknesses in the government's activities, criticizes the alleged shortcomings, thereby contributing to improving the effectiveness of its actions, hampering the intentions of the ruling elite in one way or another to break the cornerstone of democracy — the principle of the division of power. Finally, thanks to the activities of the parliamentary opposition, conditions are created for the democratic circula-

tion of the ruling elites, ensuring the possibility of their measurable change.

There is another very important point that determines the activities of the parliamentary opposition in the democratic countries — it is its civilized nature. It manifests itself first of all in observing the principles of tolerance during the political struggle, as well as in the fact that, as noted by the German political scientist G. Auberotter, the contradictions between the majority and the minority are, at the same time, based on “the fundamental unity in this and the other side of the alternative and not endangering the foundations of the constitutional and legal systems” [1, p. 428].

All this is taken together and allows us to confidently characterize the significance of the political opposition as one of the main features of democracy.

In order to ensure precisely this state of affairs, the constitutional and legal legislation of the democratic countries contains a number of guarantees of the status of the parliamentary opposition. And it's not about whether there are special laws about the opposition in the country.

Indeed, in most European countries, there are no separate laws that would regulate the activities of the political, in particular, the parliamentary opposition. But this is not a manifestation of underestimation of its role. In developed democracies, political elites, who from time to time change each other in the helm of the power, have long understood the need for the opposition as a healthy alternative to the current government. Therefore, there is no need for some additional guarantees of the function-

ing of the opposition in the form of special laws, especially since the main provisions that establish and regulate its activities are usually enshrined in the constitutions and other laws, not to mention the many years of political traditions that have developed in these countries in which democracy simply does not appear without opposition, without guarantees of its rights and freedoms. Therefore, the main focus in these countries is not so much on the matters that are related to the legal framework of these guarantees, but on the problems of creating effective mechanisms for resolving conflicts that constantly arise in the relations between the authorities and the opposition, concerning the side guarantees of opposition rights.

These include, in particular, the use of a proportional electoral system during elections, which provides wider opportunities for the minorities to be represented in representative bodies. Considerable attention is also paid to observing the principle of proportionality and equality of the factions in the organization and procedure of the parliament, on a clearer distribution of parliamentary time between the introduction and consideration of the government and parliamentary projects. This should include the issue of ensuring equal opportunities for the parties and candidates in elections, loyal demands for the formation of the political parties, ensuring adequate guarantees of the political rights of the citizens, in particular freedom of speech and press, mass events, petitions, etc.

The framework of this article does not allow to properly disclose all the aspects of the activities of the parlia-

mentary opposition in the EU. But in this there is no unnecessary need as these issues are deeply embedded in the national scientific literature. It should be noted only that the experience of the regulation of the rights of the parliamentary opposition in the European countries, as a rule, legally establishes its basic rights as:

- the right to represent in the governing body of a legislative body;
- the right to control the activities of the parliamentary majority and, accordingly, the government;
- the right to parliamentary disclosure of their own political position.

The realization of the corresponding rights is ensured by the inclusion of the relevant norms in the constitution and in the parliamentary regulation or only in the regulation through the adoption of a separate law on parliamentary opposition, through the inclusion of relevant norms into separate laws regulating the political activity — for example, in the laws on political parties.

For example, in the Constitution of the French Republic in 2008 amendments were made containing the term “opposition” and aimed at ensuring the guarantees of its functioning. In accordance with the amendments, the constitutionally stipulated provisions on the recognition of the special rights of the opposition as its minority groups by each House of Parliament of France are reserved one day a month for the agenda proposed by the opposition. In general, it should be noted that the parliamentary procedures of France have a lot of clarifications of the regulations that do not allow the direct pressure of the majority on the deputies during the decision-making process.

The Constitution of the Portuguese Republic contains the article “Political Parties and the Right to an Opposition” according to which the right to an opposition is recognized by a parliamentary minority. The Art. 40 of the Portuguese Constitution gives the parliamentary opposition the right to broadcast live on state radio and television in proportion to the number of mandates. In addition, the opposition parties have the right to regularly receive from the government information on issues of the public interest. The political parties represented in the Assembly of the Republic (unicameral parliament), but not included in the government have the right to answer the state radio and television (and for free) and a political objection to the political statements of the government.

In a number of countries the recognition and guarantees of the status of the opposition are contained in the constitutions of the federation subjects, as is the case in Germany. For example, in the constitutions of the lands of Hamburg and Schleswig-Holstein political opposition is declared an integral part of the parliamentary democracy.

In most European Union countries the rights of the opposition are regulated by parliamentary regulations. Thus, in accordance with the Standing Rules of the House of Commons of the British Parliament, the law has established the provision according to which the party that ranks second after the ruling number of the mandates has the status of the opposition of Her Majesty that enshrines the right to create a so-called “shadow cabinet” — a special steering committee for which each member is determined by a certain direction of

the political activity that corresponds to the competence of a particular ministry.

In the Seimas of Lithuania, according to the opposition, in accordance with the regulations, there are such rights as the appointment of one deputy chairman of the Seimas, chairman or deputy chairman of the budget committee (in which this person is elected by exclusively opposition deputies), the definition of the agenda of certain days of meetings, holding of press conferences, the right of the first statement when considering in the Diet the programs and reports of the government. The opposition leader also has special privileges. He is a member of the Seimas, has the right to an extraordinary speech during discussions and may urgently submit draft laws for consideration.

The experience of the functioning of the parliamentary opposition in the EU countries is a convincing example for those countries in which this institution is in the process of becoming. Among the most fundamental features of the activity of the parliamentary opposition that may be borrowed by such countries as Ukraine, should be: the attribution of the parliamentary opposition to the fundamental institutes of the constitutional law; clear political structure of the parliament; obtaining by the parliamentary opposition positions of deputy chairmen of the parliamentary committees; clear definition of the parliamentary committees that are chaired by representatives of the parliamentary opposition; providing the opposition with the right to determine the agenda of one or several parliamentary sessions during the session; the right of the parliamentary opposition

to dispose of a certain part of the budget; acquisition of scientific and auxiliary services of the parliament with the consent of the opposition and so on [7].

As we see in European countries, various forms are used to guarantee the official functioning of the parliamentary opposition, the presence of which does not require the adoption of a separate law. To say the only country in the European Union where a similar law is adopted is Portugal. But it is precisely its example that is most appealing to the countries that have emerged from totalitarian regimes — Portugal has embarked on a path of democratic development after many years of reigning the dictatorial regime of Salazar.

The need to adopt a separate law on the opposition that would include and regulate the activities of the parliamentary opposition is relevant for those countries that have escaped from the grip of totalitarianism and have just begun to build a democratic society without having a solid democratic tradition. Under such conditions the path to democracy encounters many barriers and difficulties associated with various economic disruptions, the instability of the political system, the weak democratic-minded political elite, the low level of political and legal culture, etc., which often leads to profound social and political crises. Under such conditions, the need for additional legal regulation of certain aspects of the socio-political life, including those related to the relations between the separate components of the political system, is emerging. And the relationship between the government and the opposition is exactly the same in the sphere of the social relations that re-

quire such additional regulation in the form of a special law.

It should be emphasized that the adoption of such a law is important and useful not only for the opposition, but also for the authorities, because, firstly, they create legal channels of interaction and regulation of the opposition, and secondly, the government acquires the necessary democratic features due to gaining more openness and transparency.

Therefore, it is hardly possible to agree with those domestic politicians and scholars who deny the need for such a law justifying its position by the adequacy of the existing legal regulation of the opposition in existing legislative acts that regulate political-legal relations in various spheres of the political-legal activity and in the Regulations of the Verkhovna Rada.

In addition, it has to be noted that in the current legislation of Ukraine issues that are related to the activities of the opposition are regulated in a very declarative mode. Attention is drawn to the fact that the status of the opposition is not sufficiently regulated at the level of the Constitution of Ukraine, in the content of which does not even apply this concept. All this can not but help to a certain imbalance of the legal regulation of the relationship between the authorities and the opposition, between the majority and the minority, creating unwanted conflicts in these interrelations.

Thus, many constitutional norms have been laid down in the Constitution of Ukraine that confirm the possibility of exercising parliamentary opposition activities. In particular, one can mention the constitutional fixing

of such provisions as: consolidation of the principle of building a social life on the principles of political diversity [1; 15]; the consolidation of the rights of the citizens, the right to freedom of thought and speech, the free expression of their views and beliefs; the right to freedom of thought (Art. 35); the right to freedom of association in political parties and public organizations [36]; for participation in the administration of the state affairs [38], etc. However, all these statutory norms are primarily general and require appropriate legislative support. As for the problems of functioning of the opposition, as it was noted, it is not even mentioned about it [8].

Thus, after analyzing the Constitution of Ukraine in order to consolidate in it the legal principles of the activity of the parliamentary opposition, it can be stated that it contains only general preconditions for the consolidation of the status of the parliamentary opposition.

To a certain extent the problem of the institutionalization of the parliamentary opposition was reflected in the Law "On Political Parties in Ukraine". According to which political parties are guaranteed freedom of opposition activities, including the possibility to defend their position on the state and public life, to participate in the discussion, to provide a critical evaluation of the actions and decisions of the authorities through state and non-state media, to submit to the state authorities and to the bodies of the local self-government proposals which are obligatory for consideration by the corresponding bodies in the established order.

Particular attention is paid to the issues of the parliamentary opposition in the Verkhovna Rada Regulations that declares that parliamentary factions or their associations may be subjects of opposition activity in the Verkhovna Rada of Ukraine. The parliamentary faction that is not a member of the coalition of the majority, may decide on opposition to the political course of the coalition and/or the Cabinet of Ministers formed by it. The report on the opposition of the parliamentary faction must be announced at the plenary session of the Verkhovna Rada by the chairman or authorized representative of the faction concerned.

The regulation also provides for a number of rights that are endowed with opposition factions, and those factions that are not part of the majority or the opposition. These rights include, for example, rights regarding the timing of speeches in plenary meetings, the rights regarding the organization and holding of "time of questions to the government". However, the Verkhovna Rada's Regulations declared institutionalization of the activities of the parliamentary opposition are, in general, too general in nature and not necessarily standardized. There is no clear definition of the processes of formation of the opposition, the principles of its functioning, rights and obligations. In addition, the rules of procedure, as evidenced by the practice of the Verkhovna Rada, are often violated, and especially those that are related to the activities of the opposition.

Conclusions and perspectives of further research. Thus, one can state that today in Ukraine, in the absence of a direct legislative regulation of

the legal status of such a structural element of the parliament as a parliamentary opposition, nevertheless there are some foundations of the activity of this subject of political relations on the principles that are inherent in democratic societies. However, they tend to be too general, declarative. In Ukraine there is an urgent need to turn the parliamentary opposition into a truly full-fledged subject of constitutional law and political life. The only way to do this is to adopt a special law on political opposition that would provide for a clear institutionalization and standardization of such a leading form as a parliamentary opposition. This, for example, should foresee the consolidation of the official status of the opposition in the largest number of parliamentary parties or factions not belonging to the parliamentary majority, giving the opposition the right to appoint a Vice-Speaker of the Verkhovna Rada. It is also worthwhile to give the opposition the right to chair those parliamentary committees whose activities clearly have control functions, in particular, to strengthen the ability of the committee to chair the committees on budget, fight against corruption and organized crime, ethics, freedom of speech and information, human rights, the right to nominate the chairman of the Accounting Chamber. All this will contribute to the democratization of the parliament, its clear political structuring of the parliament, the enhancement of the party discipline and, in general, the increase of the effectiveness of the parliamentary activity.

In this connection, it seems expedient to further study this problem, mainly in the direction of implement-

ing the idea of normative legal institutionalization of the activity of political opposition as a whole, and its parliamentary component.

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