

Khilchenko D.A.

2nd year Master's student at the Faculty of Business and Law,
Kherson State University

Academic supervisor: Doctor of Economics, professor Soloviov A.I.

FEATURES OF THE DEVELOPMENT OF THE LOCAL GOVERNMENT SYSTEM IN GERMANY

Significant and advanced experience in the development of self-government principles has been accumulated in the German states. The problems of self-government have been worrying citizens since ancient times, since the time when there was still no clear separation of state and municipal authorities, when states were actually cities with neighborhoods subject to their influence. So the first researchers of this area can be safely called the ancient Greek statesmen and scientists Solon (VI century BC) and Pericles (V century BC), known for their reforms, Plato (V century BC) and Aristotle (IV century BC), who created models of the state system and even tried (Plato) to put them into practice [1, p. 87].

The main features of local self-government include: 1) the right to self-government is granted by the state and is exercised only within the framework of the law, 2) independent management of internal affairs is carried out by elected and specially authorized persons, 3) local self-government officials are elected or appointed only for a certain period, which in combination with responsibility to the local population guarantees against abuse of power, 4) local self-government bodies are formed by citizens themselves from among themselves, since local elected officials are better aware of the needs of this community, and their personal interests are inseparable from its interests, 5) the principle of self-government works only in the presence of a more or less high level of education and culture.

Since Germany is the country where the earliest, most and most successfully developed the problems of local self-government, not only individually, but also at the state level through the development and implementation of reforms, the study of its achievements is extremely useful both for political science and for the practical politics of democratic states.

A characteristic feature of the German system of self-government is the presence of public organizations and associations (congresses and unions of cities and communities of the state and federal levels), which are engaged in the tasks of increasing the efficiency of local self-government and its interaction with state power.

It is also characteristic of the FRG that, in accordance with the nature of its federalism, it does not have a special federal law on local self-government. The regulation of local self-government is the prerogative of the federal lands, which were once sovereign states.

With the temporary transformation by Baron von Stein, the local self-government body was entrusted with the implementation of state-level tasks, which was reflected even in explanatory dictionaries, and land areas became much lower than the level of state power. The realization of this is mainly the features of the German intrastate, «cooperative» federalism. Increasing the volume of tasks that are performed by the local government, increasing the burden on municipal budgets and the release of organs, increasing body weight to increase the share of utility costs, which are carried out on behalf of contractors, as well as the privatization of municipal enterprises [2, p. 534].

The central components, covering the entire large part of the country, are the reforms of direct elections of the burgomaster and voting in the form of plebiscites and referendums.

In order to implement the central components of the county-wide reform movement (introduction of burgomaster constituencies and instruments needed in the form of plebiscites and referendums) in the land of representatives of the communities outside, variably bound by Great Britain in 1945. charter. Most of all, such a reform of

the charter of the Social Democrats was resisted, since the direct election of the burgomaster nullified the significance of the burgomaster's party. Party membership matters only in council elections, and even then only in large cities.

The election of the mayor does not have to be alternative: if there is only one candidate, then he will be elected if at least 25% of all those eligible to vote vote for him. In connection with the increase in the status of the burgomaster and the expansion of his administrative powers, candidates are now subject to more stringent requirements of a professional and personal nature [3].

The council of the community is not the head of the burgomaster, there are no hierarchical relations between them. Full-time deputy burgomasters must necessarily meet the high requirements of professionalism. Because of this, however, the problem of «expertocracy» can arise.

The central idea of the New Management Model, developed by a special body of the German Congress of Cities and Communities, is to turn the administration of the community into a kind of household service enterprise. Great importance is attached to the cooperation between public and private enterprises (public private partnership).

Since the 1990s «e-governance» is increasingly being introduced to reinforce other governance modernization strategies such as the «New Governance Model». «Electronic governance» will allow to more successfully democratize and stimulate the participation of citizens. The avalanche of referendums that followed the introduction of the possibility of holding referendums in the Statute of Communities testifies to the need for instruments of direct democracy, primarily at the local level.

References List

1. Krasivskiy O.Y., Yanishevskiy M.M. The evolution of the system of self-regulation at the Germany (on the territory of Brandenburg): historical and administrative aspect. Regional and municipal administration. №. 6-7 (32-33), 2016, pp. 85-94.
2. Gern A. Deutsches Kommunalrecht. Baden-Baden: Nomos, 2003. 766 P.

3. Grundgesetz für die Bundesrepublik Deutschland / Fundamental Law of the Federal Republic of Germany [Electronic resource]. – Mode of access: <http://www.gesetze-im-internet.de/bundesrecht/gg/gesamt.pdf>.