tax burden, and difficult tax administration. As can be seen, there is an excessive amount of economic and institutional reasons for corruption in Ukraine. However, we should not forget about social and culture reasons of corruption, which are inherent to Ukraine. They consist of demoralization of the society, lack of information, insufficient self-discipline of the citizens, social passivity regarding arbitrariness of officials.

There are two main models of counteraction of corruption. The first one is so-called Singaporean one. Tight control of the government over the activity of officials multiplied by serious tightness of punishment for corruption is a highlight of this scheme. The scheme contemplates also deregulation of the economy, simplification of taxation, and the increase of courts independence. It is worth emphasizing that this model is effective for developing countries, where all the above-mentioned reasons of corruption exist. The second model is appropriate for more developed countries. It is called Scandinavian. It focuses on liquidation of the very opportunity of corruption. This effect is achieved at the expense of liberalization of an economy, transparency of the governmental agencies activity, and high ethical standards for governmental officials.

Ukraine should digest the world experience, which demonstrates that legislative actions of the country (even recommended by competent international organizations) cannot solve a corruption problem, because the very corruptive officials may be the head of fighting against corruption. Success is possible only through the increase of dependence of the country on its citizens. As a result, there is a need for the following long-term institutional reforms: reduction of a number and scales of governmental agencies and their staff; formation of special or even independent institutions entitled to investigate imputation of corruption.

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«LAW AND ECONOMICS»: POTENTIAL AND PROBLEMS OF DEVELOPMENT IN UKRAINE

O. O. Nabatova, *PhD. (Economics), assosiate professor,*
Yaroslav Mudryi National Law University

Law as a social phenomenon is researched by different sciences, including economics, which could propose own instruments for analysis of the legal system and parties of legal relationships. The economic system as well as the legal system

influence behavior of humans: the former influences mainly through a system of incentives, the latter influences through a system of restrictions. Formation of a new direction of research «Law and Economics» within new institutionalism is one of the results of acknowledgement and comprehension of the interaction between the economic and legal systems. «Law and Economics» consists in application of methodology of economics for analysis of the sense and consequences of law application. This research branch is developed most intensively in the USA and Western Europe. However, this branch is of considerable importance for transitional countries, since a matter of conscious and purposeful formation of legal rules is one of central aspects of the whole transformation process in these countries. Legislative norms are instruments of achievement of some or other goals and interests. Thus, it is important to understand the essence of these goals and interests, what social group is a bearer of these interests and goals, whether their realization will facilitate or hinder economic growth and maximization of the national wealth.

«Law and Economics» is a prospective direction of research for economists as well as for lawyers. Owing to «Law and Economics», economists can explore opportunities of application of own instruments in another field of the non-market activity — research and prognostication of the influence of legal institutions on economic relations. Lawyers use economic analysis of the law for analysis of effectiveness of legal doctrines, normative acts, and the court practice. Maybe, from the standpoint of a lawyer, this approach is a narrow approach to jurisprudence. Nevertheless, its irrefutable advantage is orientation towards final goals and results of an effect of legal norms and taking into account possible consequences of their application.

«Law and Economics» researches legal norms on the basis of pre-conditions and within methodology of economics, introducing an economic efficiency criterion into analysis of the law. A subject of research encompasses consequences of legal norm application as well as a mechanism of their emergence and changes. Legal rules modify human behavior. Thus, in the process of legal rules estimation, there is a need to pay attention to how they influence behavior of humans, who know law and rationally plan own actions, and whether they will conduce to the increase of economic efficiency of adherence to the law rather to how the legal rules function in particular cases. The very opportunity of application of economic instruments for solution of a matter on a maximally effective way for legal regulation of different parties of social relations should attract attention of economists as well as lawyers of this research area.

Nevertheless, regardless of significant achievements, «Law and Economics» has not got rid of some internal discrepancies and contradictions and dealt with

critics during several decades of existence. A matter of branches of the law, which can be studied with the use of economics methods, remains controversial. The dominating Chicago school (R. Posner, G. Becker, and R. Coase) is noted for comprehensiveness (the entire legal system already) and accentuation of legal regulation of non-market behavior. At the same time, some researches criticizes «imperialistic» pretenses of «Law and Economics» concerning explanation the legal activity and the surplus quantity of competing approaches. They correctly emphasize the necessity of indication of methodological limits of its application, conditions and margins of significance of its conclusions, transition from particularities and descriptiveness («storytelling») to a higher level of theoretical generalizations.

Difficulties of perception of the economic approach to analysis of the law by the domestic scientists are usually related to a fact that «Law and Economics», which is based on the structure, logics, and norms of American common law, does not conform to our law tradition. Introduction of external criteria into the law analysis is another object of critics. These criteria are a threat to the main principle of positivism as the law science. Nevertheless, from the standpoint of economic efficiency, social welfare, and optimal distribution of resources, analysis of legal norms within «Law and Economics» is done without claims to priority of an efficiency criterion. As for Ukraine, changeability of our legislation, existence of collision in the legislation, imperfectness of the court system cause frequent cases, when there are several legal variants for settling one matter. At the same time, a criterion of a choice between these alternatives is political conjuncture rather than economic efficiency. Thus, application of «Law and Economics» as an analytical instrument for interpretation of law norms, formulation of realistic hypothesis on consequences of alternative legal solutions is prospective under conditions of the continental system of the law. It is worth mentioning that according to the world experience, the discipline «Law and Economics» should become essential part of economic as well as legal education.

Nowadays, «Law and Economics» is not sufficiently developed in Ukraine. The discipline doesn't have broad support of professionals, because of the language barrier as well as conservatism of the academic community. Since this direction has emerged and more actively develops in countries with the common legal system, it causes additional difficulties for application in countries with the codified law (needs adaptation, conformity of juridical formulations, terminological apparatus, and taking into account the domestic court practice). These reasons result in rejection of the very idea of economic analysis of the law.