

remains the main instrument of solving social issues. At the same time, ecological, economic, and informational issues and relations increasingly assume independent and fateful importance for social development. Therefore, it is time for revision of the role and place of ecological problematics in the structure of the Constitution of Ukraine and, respectively, the role and place of the Constitution of Ukraine in the process of development of the ecological legislation and activity of public bodies in the ecological sphere.

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AN ECONOMIC SYSTEM AND ECONOMIC LAW: WAYS OF IMPROVEMENT OF THE NATIONAL LEGISLATION

Globalization as an objective process determines cardinal changes of basic frameworks in the society life, which is manifested in changes of the content of the main legal concepts and categories as well as in reconsideration of their functional purpose that finally results in transformation of normative, subjective, intellectual and psychological, active, and resultative components of legal systems. Taking into account dynamism of processes, the increase of amounts of informatization, and complication of the structure of law, we may state that formation and structuring transformational segments, modernization of state and legal institutions, norms, and relations at the world, macro-regional, and internal state levels stimulate and accelerate processes of universalization of different sectors of law.

Obviously, these processes lead to reduction of relevance and falling into obsolescence of a traditional approach to structuring law and corresponding legislation in meaning and systematization aspects, especially in comparison with consolidation and consistency of actions, formation of a single mechanism of common functioning of integral segments with common goals. Thus, there is a vital need for inherently complex legal sectors. This process should be a «typical» direction of a legislative policy and lawmaking activity in Ukraine under contemporary globalization conditions. This will enable to accelerate integrational processes and to

solve many legal issues and complications in the national context as well as global one.

Therefore, the complex nature of structural growths in a legislative system is a trend, a key to development, i.e. it becomes a natural creation of single complex legislation. Under modern conditions and in terms of the mentioned approach to modernization of legal regulation, there is a need to supplement the considered measures by intersectoral reorganizing acts (since they contain traditions and customs). The above-mentioned facts affirm that the very prospects, rates, and a general vector of social and economic progress of national economies are to some extent influenced by world globalization processes and an ability of national economies to meet global challenges. Nowadays, there is a situation, in which a number of economic (by their nature) relations lie beyond the scope of a subject of a particular sector. That is to say, they are intersectoral.

From the standpoint of a system approach and in the context of economic and legal regulation, economic activity is regulated by inter-agrarian, constitutional, ecological, financial, administrative, civil, and labor law and legislation. This is just within the national economic system. At the same time, market relations consider it as a whole, because the correlation (interrelation) between law and the economy can be characterized in this way: goals, purposes, and principles of market relations are established by the law; the state (in laws) marks out a list and amounts of taxes, minimal salary; legal norms determine responsibility for violations in the economic sphere.

Certainly, the legislation can encourage as well as restrain development of economic relations. Marx wrote: «Consequently, there are two types of power in front of us: on the one hand, power of ownership, i.e. owners, on the other hand – power of the state». Nevertheless, it should not be assumed that any of the mentioned elements is of paramount importance. According to Marx, an economic system of a society (the basis) forms regardless of the will and consciousness of humans. It functions according to own laws and influences the system of law and legislation only in the end.

Summarizing the above-mentioned facts, the author states that the economic system of our country becomes subject to legislative regulation under market conditions, globalization processes of integration of Ukraine into the EU. It is entirely justified, because only legal means provide the following processes: a) conditions for normal development of the market economy and market relations; b) equitable distribution (re-distribution) of incomes between different strata of the population and countries through a system of taxes, state and European budgets, and special social programs. Therefore, the EU as well as each particular country pro-

duce and exercise an economic (industrial and agrarian) policy, which means system application of legal means of the influence on behavior of participators of economic relations, particularly business entities, local communities, employers, investors, consumers, etc.

Summing up the discussion, the author may add that an economic system as an integral complex of economic relations can function as an integral object of legal regulation. The author make such conclusion, taking into consideration a feature such as «integrity» of the latter, which is inherent to any system. It logically contemplates its functioning because of the interaction between all its elements owing to «self-regulation» of all system-creating relations between these elements. Consequently, there is a strong need for development of a single legal model for systematization of economic relations in general. It is necessary because under modern conditions a system of law and legislation are divided into separate components (areas). They encompass homogenous (according to private and legal or public and legal nature), namely civil, financial law as well as complex (economic, agrarian, ecological (natural resource) law. The done research of the mentioned areas enables to conclude that economic law as an independent category is not indicated.

This gap becomes very noticeable especially in comparison with an increasing share of an economic sphere as an integral object of social management.

In general, the author may confidently emphasize relevance and the necessity of indication of the science such as «economic law» for the purpose of: a) exercising a single economic policy of the state; b) macroeconomic governmental regulation; c) the external influence on the national economy, which is explained by the necessity of taking into account exercising an economic policy by other countries, international economic organizations, and the influence of conjuncture of external markets; c) development and implementation of universal criteria of recognition of successfulness, taking into consideration specificity of traditions of the national economy as such. For example, the author means providing innovativeness of economic development, implementation of alternative energy as a dominant source of energy, structural rebuilding the national economy, overcoming depression and economic degradation of regions, etc.

Thus, the author defines an «economic system» as a complicated complex of social productive relations, which provide economic activity based on determined frameworks of coordination between its subjects and participators of the economy, using a dominative way of division of results of its functioning, which determine a degree of effectiveness of the national economy.