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## THE ROLE OF THE LEGISLATIVE BRANCH IN ESTABLISHING AND COORDINATING THE FUNCTIONING OF OTHER BRANCHES OF GOVERNMENT

*This article explores the functions of the legislative branch and their impact on the formation and organization of other branches of government in political life. The legislative branch plays a crucial role in establishing legal norms that regulate the functioning of other branches of government and state bodies. The article analyzes functions such as legislative, constituent, and parliamentary control, which form the basis of state governance in the country.*

*The article highlights that the parliament serves as the legislative body responsible for enacting laws and regulating their amendments. It also examines the constituent function of the parliament, which determines the legal basis for the creation of other state bodies. The role of parliamentary control in ensuring compliance with the law and oversight of the activities of other branches of government is also explored.*

*The authors discuss that the effective functioning of the legislative branch is key to the stability and development of the state. They analyze the role of parliament in the process of law formation, establishment of state institutions, and ensuring control over their activities. It is noted that parliamentary activity is of great importance for maintaining democratic principles and the rule of law.*

**Keywords:** *Verkhovna Rada of Ukraine, parliament, functions of the parliament, parliament control, essence of power.*

**Турчинов К.****Роль законодавчої гілки влади у формуванні та координації діяльності інших гілок влади**

*У статті досліджуються функції законодавчої гілки влади та їх вплив на формування та організацію інших гілок влади в політичному житті. Законодавча влада відіграє вирішальну роль у встановленні правових норм, які регулюють функціонування інших гілок влади та державних органів. У статті проаналізовано такі функції, як законодавча, установча та парламентського контролю, які складають основу державного управління в країні.*

*У статті підкреслюється, що парламент є законодавчим органом, відповідальним за прийняття законів і регулювання внесення змін до них. Також розглядається установча функція парламенту, яка визначає правову основу для створення інших державних органів. Також досліджується роль парламентського контролю у забезпеченні дотримання законності та нагляду за діяльністю інших гілок влади.*

*Автор доводить, що ефективне функціонування законодавчої гілки влади є запорукою стабільності та розвитку держави. Аналізується роль парламенту в процесі законотворення, створення державних інституцій та забезпечення контролю за їх діяльністю. Зазначається, що парламентська діяльність має велике значення для підтримання демократичних принципів і верховенства права.*

**Ключові слова:** *Верховна Рада України, парламент, функції парламенту, парламентський контроль, сутність влади.*

**Introduction.** The functions of legislative power in contemporary political life constitute the primary pillar of state governance and the formation of the country's legal system. The legislative branch plays a defining role in establishing norms that regulate the functioning of other branches of government and the activities of state bodies. Understanding the role and significance of these functions not only opens up prospects for the development of a democratic society but also determines the trajectory of the country's political development.

In this context, the study of the functions of legislative power in terms of their influence on the formation and organization of other branches of government proves to be extremely relevant. The development of the legislative base of the country and the establishment of other branches of state power, including the executive and judicial branches, depend on the legislative activities of the parliament.

We will thoroughly examine the key functions of legislative power, focusing on their essence and impact on the formation of the political and legal landscape of society. Analyzing these aspects will provide us with a better understanding of the role of parliament and its place in the system of state governance, as well as pave the way for the construction of a more democratic and legal society.

**The analysis of recent research and publications** indicates that the issue of the functions of legislative power in the aspect of formation and organization of the activities of other branches of power is quite relevant, especially in conditions of a state of war. Various aspects of this problem are discussed in the works of scholars such as Nazarenko Ya., Omelchenko N., Pohorilka V., Shapoval V., Dobosh A. and others.

**The purpose of the article** is a systematic analysis of the functions of legislative power in the aspect of formation and organization of the activities of other branches of power, identification of key trends, issues, and solutions in this context is a crucial aspect of the study.

**Presentation of the main research material.** The study of various perspectives on the legal nature of the functions of government bodies allows us to generalize that, firstly, the functions of the Verkhovna Rada of Ukraine are characterized by the fact that they find their legal recognition in the Constitution of Ukraine or in other domestic regulatory legal acts by delineating the competence of the Ukrainian parliament. In other words, they are legitimate only insofar as they derive from the content of the respective regulatory acts and operate within the framework of legal norms, which demonstrates their legal character and clearly defines the directions and types of activities carried out within the competence of this government body [1, p. 656].

Secondly, the functions of the parliament are determined by the objective needs of state and societal development from the perspective of both internal and external tasks of the state. They stem from the state, express its will, and are organically linked to power. The volitional nature of state power requires endowing individual subjects of power relations with corresponding functions. Thus, the authority creates a special exclusively legal regime for the exercise by individual subjects, who occupy a specific position in socio-political relations (in our case, this is the Verkhovna Rada of Ukraine), of their powers and ensures the development of international relations, stable existence of the domestic political and legal system. This is an objective factor related to the very essence of power. Therefore, the functions of the Ukrainian parliament are realized through public-administrative, rather than any other self-governing activity.

Thirdly, the concept of «function» is often closely associated with the concept of «activity», as a result of which some authors argue that these are identical legal categories [2, p. 380]. However, other researchers are convinced that equating functions with directions of activity is not permissible because these categories exist in different planes and mutually complement the general characteristics of the organization and activities of certain bodies. In light of this approach, it can be generalized that the functions of the Verkhovna Rada of Ukraine are the main directions of its activity, which determine the social purpose of the Ukrainian parliament. Moreover, the categories of «functions of the Verkhovna Rada of Ukraine» and «social purpose of the Verkhovna Rada of Ukraine» are closely related and correspond as guides, means, methods, and objects for achieving the goals of the legislative body's functioning.

Fourthly, by its nature, the functions of the parliament are determined by its legal character and arise from the tasks before it. In this regard, the functions of the parliament are defined by the tasks that necessitate the formation and functioning of the legislative body. The parliament carries out its functions solely for the purpose of achieving specific external social goals and tasks. In the process of its work, there is a constant interaction of goals, tasks, and functions established by the Constitution and other regulatory acts of Ukraine, adjusting their mutual content. Such continuous interaction is determined by their close connection and unity. Fifthly, the tasks of the parliament are implemented through the realization of its functions in the characteristic methods, means, forms, and methods that are closely interconnected [1, p. 656-657].

It is worth emphasizing separately that in the implementation of the parliament's functions, there exists a targeted factor. In other words, the ultimate result in fulfilling the functions of the Verkhovna Rada of Ukraine is the achievement of set tasks and goals [3, p. 12].

Therefore, the functions of the parliament are the directions and types of its activity that reflect its real role in the state-building process and its social purpose in the country – the objective necessity of carrying out socially beneficial, socially conditioned legislative, and other activities. Accordingly, the functions of the parliament include legislative, representative, constituent, foreign policy, parliamentary control functions, and so on. These functions are referred to in scholarly literature as «technological», «principal», «procedural». At the same time, with the development of socio-political relations, new functions of the parliament emerge, or «traditional» functions acquire

different meanings. Further discussion will delve into the functions of the parliament in the aspect of shaping and organizing the activities of other branches of power.

One of such functions is legislative, which characterizes the nature of the legislative authority and, in this sense, defines its primary functional purpose. According to Article 75 of the Constitution of Ukraine, the Verkhovna Rada of Ukraine is the body of legislative authority. The essence of this function lies in the adoption of laws, making amendments to them, declaring laws that have lost legal force, canceling or suspending the effect of laws or their individual parts.

Additionally, it is worth noting that the parliament serves as a channel of communication between the Ukrainian people, who according to the Constitution of Ukraine are the sole source of power, and the state. Its main purpose is to express the will of the people and implement it through the adoption of quality laws that meet the needs of the present. Clearly, as N. L. Omelchenko once noted, «it is very important to understand the existing problems in the legislative activity of the parliament of Ukraine; to summarize scientific and legal provisions regarding the researched issue; to identify positive and negative circumstances that occur in the process of parliament exercising its functions, which directly affect the effectiveness of the legislative function of the Verkhovna Rada of Ukraine» [4, p. 179].

Taking into account the above, it is important to emphasize that in the process of implementing the legislative function of the parliament, all branches of state power participate, but each of them in specific forms. Among the subjects participating in the exercise of the legislative function of the parliament are the President of Ukraine and the government, who according to the Constitution of Ukraine have the right of legislative initiative in the Verkhovna Rada. Moreover, bills identified by the President as urgent are considered by the parliament urgently.

Furthermore, according to Article 94 of the Constitution of Ukraine, the President of Ukraine is obliged, within fifteen days of receiving a law, to sign it or return the law with his reasoned and formulated proposals to the parliament for reconsideration. In turn, the Constitutional Court of Ukraine decides on the conformity of laws or their individual provisions with the Constitution. Thus, through its decisions, which are binding for implementation, the Constitutional Court «enters» into the legislative activity of the parliament [4, p. 181].

Among the main functions of the Verkhovna Rada of Ukraine in terms of forming and organizing the activities of other branches of power, a leading role is played by the constituent function, the essence of which lies in the adoption of the Basic Law of the country and making amendments to it, laying down the legal basis for the creation of all other branches of state power, as well as the activities of the parliament itself in forming other branches of power.

One of the reasons for the existence of different scholarly positions regarding the definition of the content of the constituent function is that the text of the Constitution of Ukraine does not directly mention the constituent function of the parliament. However, an analysis of the powers of the parliament provides grounds to conclude that the Basic Law of the country pays significant attention to the regulation of powers of a constituent nature.

According to V. F. Pohorylko, the constituent function of the parliament is considered in two aspects: 1) as a function of state formation, that is, the function of forming the organs of state power; 2) as a function of lawmaking in terms of amending the Constitution of Ukraine [5, p. 17]. V. M. Shapoval views the content of the constituent function somewhat differently, considering that according to the general theory of constitutionalism, the right to adopt the constitution of the state belongs to the constituent function of the parliament [6, p. 16].

If the inclusion of the adoption of the constitution within the scope of the constituent function of the legislative body triggers scholarly debate, there is no doubt about including the formation of state bodies within the constituent function of the parliament. It should be noted that the scope of powers through which the parliament exercises its constituent function is not limited to the examples mentioned above.

Among the constituent powers are also the authority of the parliament regarding the appointment of elections and referendums, participation in the formation of its own parliamentary structures, promotion of the formation of local self-government bodies, determination of the principles of territorial organization, and so on.

The constituent function was realized by the Verkhovna Rada of Ukraine with the adoption of the Constitution of Ukraine in 1996 by establishing the system of state bodies, defining their status, powers, and formation procedures. It is noteworthy that only the statuses of the highest state bodies are constitutionally established. From this, it can be concluded that the system of state bodies is clearly defined by the Basic Law of the country. Therefore, the parliament can establish new higher bodies of state power only by amending the Constitution.

If we talk about the third function of the legislative power in terms of shaping and organizing the activities of other branches of government – parliamentary control, then this function has significant peculiarities determined by the status of the control subject – the Verkhovna Rada of Ukraine as a representative body of the state. According to O.A. Dobosh, this is «the basis for recognizing parliamentary control as a special form of state control that goes beyond the traditional understanding of state control as a means of ensuring legality in public administration» [7, p. 171-172].

Alongside the parliament, which directly exercises parliamentary control, specialized entities of such control operate – committees of the Verkhovna Rada of Ukraine, temporary special commissions, temporary investigative commissions, the Accounting Chamber, the Commissioner for Human Rights of the Verkhovna Rada of Ukraine, which operate based on special laws in the manner established by the Regulations of the Verkhovna Rada of Ukraine. However, such subjects of parliamentary control as the Accounting Chamber and the Commissioner for Human Rights of the Verkhovna Rada do not encompass the entire scope of activity of the entities under their control. For example, the authority of the Human Rights Commissioner does not extend to the rights of military personnel, and the tasks of the Accounting Chamber are limited to the execution part of the State Budget [8, p. 113].

**Conclusions.** Taking the above into account, it can be summarized that the exercise of parliamentary control is one of the most important functions of the legislative power, the implementation of which affects the formation and development of the socio-political system of Ukraine, ensuring the protection of human and citizen rights. Moreover, the function of parliamentary control is not limited only to external objects of such control (in particular, the sphere of activity of executive authorities). In modern conditions, it should also involve effective forms of such control within the parliament itself.

Thus, the functions of the legislative power play a decisive role in shaping and organizing the activities of other branches of government, as the parliament, within the legal field, shapes the entire system of organization of state power in the country. This happens through the implementation of such functions of the parliament as legislative, constituent, and oversight. This list is not exhaustive, considering the dynamic development of social relations, but the mentioned functions are the foundation for successful and effective public administration in Ukraine.

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