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## RUSSIAN STAGE OF J. BENTHAM'S OEUVRE

J. Bentham focused his thoughts on improving different areas of law, legislation, prison system, etc. In 1789 he began to learn the practical philosophy. The views SH.-L. Montesquieu, C. Beccaria, C. Helvetius were convinced J. Bentham's about the importance of the principle of good. In 1784, J. Bentham received an invitation from G. Potemkin visit Russia. It is in this journey in 1787 by J. Bentham were written two famous works, the first of which – «Defense of usury». He concluded that any person who has attained the age of mental maturity and have common sense, cannot prevent an agreement, to borrow some money. Nobody can

deny to give people money borrowed on terms they same host.

The second work was called «Panopticon or The inspection house» and described ideal prison. It was a cylindrical building in which the camera out latticed or transparent door of the courtyard, in the middle of which stood a tower. In it sat a supervisor who had the opportunity to observe all prisoners immediately. The prisoners did not see the supervisor and did not know exactly at what point they were being watched. Therefore, they have the impression of permanent control. These works suggest that J. Bentham sought rationality in any area.

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## SOCIAL RESPONSIBILITY OF COURT AS A PREREQUISITE OF LEGAL RESPONSIBILITY OF A JUDGE

The author analyses the problem of social responsibility of a judge for the due exercise of justice. It is emphasized that compliance with laws during administration of justice is not only legal but also a moral duty of a judge, which is required by judicial ethics. The code of professional judicial ethics, accepted by

the Vth convention of judges of Ukraine of Octobers, 24, 2002, contains the row of recommendations about the proper conduct of judges that engulf both official and out-of-office conduct and serves the criteria of estimation of activity or inactivity of judge in case of feausance by him illegal acts.

Author proves that quality of feasance of justice in the state is represented in the level of citizens` trust to the department judicial, which is measured through sociological researches. The analysis of modern Ukrainian realities of the last years testifies to diminishing of citizens` trust the domestic judicial system. By the data of sociological researches in 2010 fully trusted courts 9,4% citizens, in 2012 – less than 3%.

On the basis of study of public events of the last years an author probes the actions of protest, which accompanied the row of difficult criminal cases. Expansion of electronic MASS-MEDIA and social

networks assist growth of scales of similar protests during which citizens offer dissatisfaction advancement of pre-trial investigation or judicial consideration of certain criminal case.

Moral and legal duty of judge is independent, unpreconceived and timely consideration of cases that are in his realization, corresponds public requirements on just justice. In modern terms necessity for satisfaction of social justice was extraordinarily intensified. The mass attempts of civil pressure on court trench upon judicial independence of judges, negatively affect on interests of participants of trial.

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## HISTORICAL BACKGROUND OF THE ROMAN IMPERIAL LAW FORMATION OF THE CHURCH

The article is devoted to the characteristics of the social and political transformations that took place in the Roman Empire in IV century as the historical background for the formation of Roman imperial law of the church.

Since the middle of the IV century, the relationship of church and state in Eastern and Western Empire acquired a different nature. This existed primarily social and political conditions. Strong imperial power in the East led to the subordinate status of bishops and churches in general, even to usurp power to the emperors in the same church. In the West, at the same time resulted in a significant weakening of state power. Under these

conditions, increasing independence bishopatu, especially increasing the power and authority of the Roman bishop.

The Church in the West, with its rigid system management, control and regulate the lives of believers, with its new rights in social and economic spheres acquired general public importance. In terms of political instability Church taken on over government functions, competing with the government and its temporary representatives.

There were also ideological and psychological conditions differing circumstances of the church in the East and West. In particular, the Hellenistic East, where the prevailing centralization, des-