

*Prohorenko M.,
Candidate of Law Sciences,
Professor at the Department of Legal Support,
Ivan Chernyakhovsky National University of Defense of Ukraine*

SETTING THE LIMITS OF IMPLEMENTATION OF JUDICIAL FUNCTIONS OF THE STATE AND STABILITY OF PUBLIC RELATIONS

The article discusses in general terms the problematic issues regarding limits of implementation of the judicial functions of the state and its correlation with the stability of public relations.

Setting the limits of the judicial function of the state helps ensure the stability of social order. This paper examines the factors that influence the judicial function of the state, including corruption, legal status of the judiciary. Author investigates interdependence of efficiency and stability of the judiciary law. If the judiciary loses trust of the society, the number of conflicts and contradictions reviewed by non-judicial system increases. Moreover, the researcher proves that if the court does not provide justice, the parties to the conflict may resort to self-power activities in order to find justice. When a state loses its function of justice, there are risks of social unrest

and even armed confrontations between various social groups.

In the process of establishment of legal state and civil society, judiciary should play a mediating role in the relationship between the different subjects of society and the state. The author shows that the judicial function is inherent not only to the state but also the society as a whole. The limits of the implementation of judicial function of the state depend on the legal status of the subjects of the judiciary and other subjects of judicial relations. In general, the judiciary can not neglect the purpose of justice – to achieve justice during the proceedings. Justice serves as a limit for the judicial functions of the state and society. Neither the state nor the judiciary nor society should cross the specified line, because it provides instability of public relations and threatens national security.