

Volkova D.Ye.,
*Assistant Lecturer,
Department of constitutional law,
National University «Odesa Law Academy»*

NON-GOVERNMENTAL ORGANIZATIONS IN THE USSR: THE DOCTRINAL STUDIES OF TS.A.YAMPOLSKA

This article is dedicated to the constitutional study of the Ts.A.Yampolska's works on the constitutional status of NGOs. Ms. Yampolska was born in 1914, was the outstanding researcher of the Soviet times – Doctor of Law, Professor, Honored Scientist of the RSFSR. Based on a comprehensive study of her books, the provisions that can be used in modern Ukrainian by the science of constitutional law were found.

For the first time in the Ukrainian constitutional law science the author proposes to use some of the materials from the books about NGOs, that are quite old – issued in 1965, 1972 and 1984, during

the years of the Soviet power.

The author has noticed, that the modern scientists ignore the Soviet period of the NGOs existence. But, firstly it is essential to understand the past in order to study the future. Secondly, some of the ideas and theories are still very up-to-date.

The author has studied the modern researchers on NGOs and the books of Ms. Yampolska. The article gives the results of the comparative analysis – what parts of these three books worth the contemporary researcher's opinion, and what parts may be skipped because of the Communist ideology.

Kulinich O.O.,
*Head of law department,
State High Educational Institution «Zaporizhzhya National University»*

SPECIAL (LEGAL) GUARANTEES OF CONSTITUTIONAL RIGHT TO THE EDUCATION OF HUMAN AND CITIZEN IN THE UKRAINIAN STATE: CONCEPT AND SYSTEM

The essence of special (legal) guarantees of the constitutional right to the education of man and citizen in Ukraine is analyzed in the article. It is noted that

an important place in the system of guarantees for the protection of the rights and freedoms of the individual occupy precisely special (legal) guarantees. De-

spite the considerable researches in the public and legal science, it is still not developed a unified concept of the essence and the system of special (juridical, legal) guarantees, and all the more so specific guarantees of the constitutional right to the education of man and citizen. The classification of guarantees in general, which was begun by scientists of Soviet times, is disclosed by the author. Summing up the different positions of the scientists concerning the category of guarantees and special (legal) guarantees, the author gave his own definition of special (legal) guarantees of the constitutional right to the education of man and citizen. The normative and legal and the organizational and legal guarantees are highlighted in the system of special (legal) guarantees of the constitutional right to the education of man and citizen. The classification of the normative and legal guarantees depending on the form of objectification (constitutional

and branch (civil, administrative, criminal, civil and legal, administrative and legal, etc.) and the content of the regulatory impact (material and procedural guarantees) is given. Normative and legal guarantees of the constitutional right to the education is defined as a system of legal rules and means established by the Constitution and the current legislation of Ukraine, with the help of which the realization, protection and defense of the constitutional right to the education of man and citizen are provided. It is shown that the normative and legal provision of the constitutional right to the education is guaranteed in Ukraine by the Constitution and the whole system of the current legislation (constitutional, administrative, civil, criminal, informative, etc.). It is emphasized that these special guarantees are fundamental, but only in conjunction with other guarantees, because only the relationship and mutual support can bring the highest result and quality.

Moskalchuk K.M.,
Head of law branch,
Assistant Lecturer, Department of civil proceeding,
National University «Odesa Law Academy »

STRUCTURE OF THE HUMAN RIGHTS' CONTENT

The article is dedicated to the general provisions of structure of human rights' content. The content is one of the three elements of the human right. So each human right consists of the object, the subject (subjects) and the content. It is very easy to figure out the subject (subjects), a bit more difficult to figure out the object of the human

right (subjective right). The most difficult task is to formulate the content of human right.

For the first time in the Ukrainian constitutional and municipal law science the author proposes to distinguish two main approaches to the human rights' content: the descriptive approach and the integrative approach.