

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.

The descriptive approach is the simpler one. According to this approach, in order to describe the content of the certain human right it is enough just to list the possibilities the certain human right gives to its' subject (subjects).

The integrative approach is more complicated. According to this approach, in order to describe the content of the certain human right it is necessary to group the possibilities the certain hu-

man right gives to its' subject (subjects). They should be grouped in four groups. These groups should contain: a) the right the subject can use; b) the right the subject can behave according to; c) the right-demand (the subject of the right can demand the bodies of public power to do) and d) the right-claim (the things the subject of the right can demand the bodies of public power to do using the court decisions).