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SYNERGISTIC PERCEPTIONS OF STATE POWER

The article is devoted to the investigation of the process of self-regulation of state power, is intended to the study of state power through the prism of synergetics, describes the application of the principles of synergetics in the analysis of self-regulation of the legal relations within the state, is aimed at coverage of the ability to predict the future state power through the application of the provisions of synergetics. Status change of state power occurs by using self-organization as response to certain internal and external factors. Each of regulation of the legal relations within the state occurs by using self-organization. To ensure the favourable circumstances at the time of the regulation of state power takes into account the information about the conditions of existence of the state and characteristics of each element as of

today, and also defined the goal for the attainment of which are certain changes. For the sake of successful achievement of the goals should consider the state power with the synergetic point of view and analyze the possibility to envision ways of their further development. Previously unselected parts of the research of state from the position of synergetics is the lighting of the effectiveness of regulation of state power, which gives the possibility to reveal the essence of the process of self-organization of the actions of its elements. The aim of this scientific article is reasonably prove that it's actually possible to overcome existing within the state problems and create conditions favourable for the further development of state power, by applying the principles of synergetics in the theory of state and law.

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CONSIDERATION OF CASES ON THE PROPERTY OF FOREIGN CITIZENS IN THE ORPHAN COURTS OF TAURIDA PROVINCE IN THE XIX – BEGINNING OF XX CENTURY

In this work the process of legislative support and practical activities of the orphan courts of Taurida province about the guardianship of property of the citizens from other states is con-

sidered. Specifies that in the end of XVIII – beginning of XIX centuries the bulk of foreigners, living and leading their affairs in Taurida province, were mainly citizens from Turkey. However,

by the end of the XX century citizens from other states – Germany, France, Greece, Italy, Switzerland etc. are met in the region increasingly. The question of the legal status of foreigners reflected in such important acts of the Russian state as: the Laws of statuses, the Charter about passports, the Charter of the customs, the Charter of foreign confessions, the Charter of the industrial, mountain Charter, the Charter of the corps, the Charter of the trade, the Code of the punishments, Charter on preventing and suppressing crimes, the Chapter of the detention, the Chapter of civil and criminal proceedings and in many other laws, including local, decrees and

manifests of the czar, in the regulations (circulars and interpretation of various departments), and also in international contract. Foreigners were restricted in some rights, especially in the purchase of land and property, construction of buildings in the boundary regions. At the same time, their property and personal rights were preserved even in war. Related to the activities of orphan courts announcements in the foreign languages were published especially for foreigners, in publications, which were issued in Russia. The Ministry of internal Affairs solved of what publications to commit this work, and the decision stated the Minister.

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COURTS' MISTAKE BETWEEN CATEGORIES OF FREEDOM AND RESPONSIBILITY

The problem of judicial error, which is inevitably present in the work of the judges, occurs at the boundary between the need to implement the principle of judicial independence, and therefore guaranteeing a certain discretion on the one hand, and the need to achieve the main goal of justice – just solution of the legal conflict and also ensure the legitimacy of the judicial system of the state, therefore – in bringing to justice those representatives who are guilty of deliberate violation of the requirements imposed on them, on the other.

The purpose of this paper is the development of appropriate doctrinal provisions, which should help achieve a

balance between values such as independence of the judiciary and the legitimacy of the state judicial system, which cannot be achieved in an environment where legal acts submitted to the assumption errors and violations of the substantive or procedural law.

It is concluded that in the case of discretion of a judge, a decision, made within the limits of discretion, cannot be taken in violation. In turn, if the judge went out of appreciation given, the spinning wheel higher judicial authorities exercised control decision can be reversed through the detection of violations of substantive or procedural law, the assumption of a judge during the