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MODIFICATION OF THE DOCTRINE OF LEGAL RELATIONS: EARLY SOVIET STAGE

The doctrine of legal relations is extremely important. Complex of scientific views on doctrinal vision of this social and legal phenomenon has created a relatively autonomous institute in legal theory. Obviously, it was necessary to determine the stages of formation and development of the doctrine of the relationship and their modifications depending on legal consciousness.

Formation and first scientific works which explored relations from a position of legal theory began in the mid-nineteenth century. Scientific researches of the time were carried simultaneously with studies in European countries. Pluralism of opinions considering approaches to legal consciousness allowed scientists to explore the relationship comprehensively, without any ideological constraints. However, the beginning of the twentieth century was marked by social and political changes which surely strongly influenced and radically modernized law, jurisprudence, and law enforcement.

Pioneers of Soviet understanding of relations as a legal category in some way were concerned not with the right as a natural regulator of social relations

but the right as a part of the class struggle and, of course, the right was to be on the side of the “ruling” class – the proletariat and peasants – to serve their interests and protect their welfare from other influences.

The foregoing makes it possible to make a number of conclusions, namely, the doctrine of the relationship continued to grow, though, based not on the European principles, but on new “revolutionary,” “proletarian,” “socialist” ones. This caused considerable damage in the development of society and the state. In addition, as shown by historical experience, “communist experiment” failed. New, as it was determined, right was actually artificial, unnatural, as being contrary to the essence of law. Right from the superstructure became the basis of social relations; law became a mechanism of state terror against the person. Emergence, change or termination of relations could be carried out merely with the consent and support of the “working class.” In general law and legal theory in particular, began the dictate of normativism, which even today can be seen in legal science.