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THE ROLE OF LEGAL IDEOLOGY IN REGULATING SOCIAL RELATIONS WHICH FORMED IN UKRAINE DURING WAR

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In the conditions of war, Ukrainian society is forced to rethink the role and meaning of established principles, ideas and concepts that reflect the phenomena and processes of today's legal reality. We are talking not only about total «decommunization» and «derussification», but also about the devaluation of the post-Soviet political and legal ideas of «the common path of state-building of Ukraine and russia», «the legality of building a «russian peace» in Ukraine, etc. These ideas are now perceived by Ukrainian society as criminal calls by russian politicians to overthrow the state of Ukraine. Hence, the role of legal ideology in regulating social relations that developed in Ukraine during the war is significant, because its main function is the unification of the people for the sake of preserving the independence and unity of our state.

Analysis of the study of the problem. O. Baikov, A. Besyedin, O. Kotsyuba, I. Maksimova, M. Nedyukha, O. Taran, A. Lutskyi, V. Tovstenko, V. Kalitynskyi, R. Kalyuzhnyi, A. Tkachuk, M. Cherkas, and others engaged in scientific substantiation of legal ideology as a complex, complex, multifaceted concept.

A comprehensive theoretical and legal analysis of the functions of legal ideology in order to determine their role in law-making, social, economic, political and cultural processes was carried out by such scientists as V. Golovchenko, M. Nedyukha, L. Udovik and others.

Basic outline of the material. By the concept of «legal ideology» the majority of modern scientists understand a set of conceptually based ideas, principles and provisions, incentives and motives, moral and ethical and legal

norms that contribute to the strengthening and establishment of legitimate foundations of the functioning of the state and society.

However, some scientists, in particular V. Golovchenko, believe that legal ideology should be considered as a normative and value system parallel to positive law, which in its scope exceeds the content of all adopted laws, is much more complex in terms of its organization, mechanisms of functioning and influence on large groups of people, is closely related to both positive law and other elements of the domestic legal system [1, p. 659].

At the same time, the analysis of substantive and functional characteristics of legal ideology, determination of its place and role in the system of state legal policy, give grounds to M. Nedyusa to assert: firstly, that legal ideology makes sense of social reality from the perspective of its present, past and imaginary (ideal) legal states, ways to achieve them, according to which the legal consciousness of society is formed; secondly, that legal ideology contributes to the establishment of a certain legal order, legal relations, affects all aspects of social life and determines the nature and peculiarities of the functioning of the political regime. Hence, according to the author, legal ideology is integrated into the structures of consciousness in two main ways: a) through the main laws (Constitution and constitutional laws), which embody the legal ideology that society adheres to; b) due to belonging to a relevant social (political) group that adheres to a certain ideology and shares certain legal positions [2, p. 78].

Accordingly, the place of legal ideology in the process of implementation of state legal policy is determined by understanding its essence as a legal phenomenon; connection of legal policy with social reality; consideration of legal ideology as a component of the national legal system; approval of consensus principles for the development of democracy in Ukraine; unconditional provision of human and citizen rights and freedoms [3, p. 91].

From this, we believe that legal ideology in the conditions of war becomes not only a valuable guide for society, the basic concepts and principles of which form an understanding of legal reality, but also a motivator for compliance with legality and law and order, preservation of the constitutional order, restoration of territorial integrity and sovereignty of Ukraine, formation of a pro-European strategy reforming the legislation of Ukraine, etc.

Conclusions. A full-scale war, Russia's attempts to destabilize the socio-political and economic situation in Ukraine, as well as the provocation of separatist and collaborative sentiments determine the public need for the emergence of new concepts of legal ideology.

Legal ideology is designed to regulate social relations that have developed in Ukraine during the war. New concepts of the legal ideology of the Ukrainian state should become «civil democratic society», «the European

choice of the Ukrainian people»; «unity of law and social practice»; «collective security with the participation of Ukraine», «decommunization», «derussification», etc.

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UNDERSTANDING OF THE OBLIGATION BY R. VON JHERING IN THE WORK «THE STRUGGLE FOR LAW»

РОЗУМІННЯ ОБОВ'ЯЗКУ Р. ФОН ІЄРІНГОМ У ПРАЦІ «БОРОТЬБА ЗА ПРАВО».

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Німецький вчений Р. фон Ієрінг у своїй інтегральній праці «Боротьба за право» відзначає, що в праві (як понятті практичному) містяться два найважливіші елементи – боротьба і мир. Боротьба є засіб права, тоді як мир – його ціль. Подібна схема застосовується ним і для пояснення правових інститутів, до прикладу, всі зобов'язання містять у собі ціль і