

## **THE INFLUENCE OF RELIGIOUS NORMS ON THE CURRENT AGRARIAN LAW**

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*Norms of the canon law as the source of agrarian law, as well as their reception to the system of the current agrarian legislation were considered and conclusion of the correlation between the norms of religion and agrarian law was made.*

***Agrarian law, canon law, biblical commandment, Land Code of Ukraine.***

The trend of weakening the position of positivism total impact on all areas of legal existence, there has been in recent years, has led to an increasing interest to scientists selected topics previously discussed one-sidedly and without alternative. One such topic is the study of the sources of law issues in general theoretical as well as at the regional level.

You can name a number of monographs as general theoretical and topics and styles, which comprehensively studied the problem of modern sources of domestic law. It should be emphasized that the source of precursors agrarian law - collective and agricultural law was also devoted a number of monographs. But under the rule of positive law doctrine Soviet whole attention was paid entirely legal act as the sole and irreplaceable source of law. From the pluralistic approach and it is time to consider the source of modern agrarian law, and should be paid attention to all, even seemingly unexpected sources, such as religious norms. Therefore, it should be noted the existence of a modern array of scientific papers that examine the relationship between religion and law. But not yet studied the

effect of religious norms in modern agricultural law.

**The purpose** of the article is to fill the gaps mentioned, that the study variable possibilities of religious norms be sources of agrarian law.

Immediately it should be noted that the issue should be treated not even keys, can be a source of canon law agrarian law at all, but the fact that the source of canon law were sources of agrarian law in historical perspective and whether, and if so, what religious norms do transformational impact on modern agricultural law? This should conduct research sources of canon law, most of which have been and will be the Bible.

One of the first field of view gets commandment handle and guard the Garden of Eden, which the Lord God placed the man (Genesis 2: 15). First of all, need clarifying the concept of "Garden of Eden", which because of its imagery has multiple levels of understanding. At the household level garden - is designated a large area of land on which grow fruit trees, bushes, etc. Literally processing of garden is reduced to two agricultural activities: 1) cultivation and planting of fruit trees; 2) gardening. If you accept the concept of "Garden of Eden" in a global scale, it can be identified with agricultural activities as a whole, whose main objective is the cultivation, rational use and protection of agricultural land as valuable. Widest also a perception of the Garden of Eden as the environment as a whole, which extends the commandment "handle and protect" all the land as a major natural resource.

It should be noted that the said problem permeates through all the land legislation. Thus, ch. 2, Art. 4 Land Code of Ukraine one of the objectives of land legislation regulating land relations calls for rational use and protection of land. Considering to its all-important, rational use and protection of land embodied in Land Code of Ukraine as the principle of land law (para. "D" Art. 5). Accordingly, this principle was transformed into the Land Code of Ukraine in the following provisions: the credentials of the

central authorities (Art. St.14-142), the concept and meaning of land (Art. St. 162-164), creating the foundation of national programs and use land protection (Art. 177), the problem of land (p. 182), the distribution of powers of state control over land use and protection between public authorities (Art. 188), the appointment of state land cadastre (p. 194), the purpose of normative assessment of land (ch. 3, Art. 201), a means of economic incentives (p. 205).

First steps in the above direction make it possible to reach certain generalizations. Even in spite of external and meaningful similarity of some of the commandments given to the norms of modern agricultural legislation is not about authentic religious norms reception to the array of current legislation. Such a view would be too simplistic, schematic and a surface to reflect the nature of biblical spring provisions. However, the relationship between religious and agrarian-legal norms, being much deeper, more complex and richer in its properties certainly exists, manifesting itself through the development of farming and general legal culture and consciousness, which are the depth and informal sources of agrarian law.