

LEGAL DOCTRINE FORMATION OF THE IDEA AND THE NATURE OF LEGAL RELATIONS OF THE JUDICIARY POWER REALIZATION

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In the article is researched the aspects of legal doctrine formation of the idea and the nature of legal relations of the judiciary power realization. The scientists' works are analyzed in this issue. The scientific views of the nature of legal relations are analyzed in general as well as the peculiarities of legal relations of the judiciary power realization are opened. On this basis the author's definition of «legal relations of the judiciary power realization» is given.

Legal relations, judiciary power, legal relations of the judiciary power realization, the idea of legal relations.

Legal relations arising in the sphere of the exercise of judicial power in Ukraine occupy a Central place in the system of legal relations in General. This is because the regulations including 1 item 6 of the Constitution of the state power in Ukraine is exercised on the basis of its division into legislative, Executive and judicial. Based on the second part of this article of the Basic Law of Ukraine, we conclude that the Constitution and laws of Ukraine shall govern the relations in this sphere of realization of the judiciary.

Thus, we are faced with the task to investigate on a theoretical level, the main aspects of legal relations arising in the sphere of the exercise of judicial power. We believe that such a study as its main should be based on scientific advances in the study of the legal relations established in the

General theory of law. However, certain aspects of the legal relationship, in their study, successfully proposed and sectorial legal Sciences, in particular constitutional.

Therefore, the issue of relations has traditionally been the study of domestic and foreign scientists who are experts in the field of General theory of law and those that specialize in specific sectors of the legal system. A significant contribution to the analysis of the question of the legal nature of the legal relationships made in the works of scientists-jurists, who were and are members of the General theory of law.

However, despite significant developments in the study of relations, there are still many contradictions in the study of this legal phenomenon, as a legal relationship. The controversy arises as a relatively relations in General, and their individual structural elements (subjects, objects, content), in particular, about their legal content and availability of those or other elements in the structure of relations (this mostly refers to the actual objects of legal relations). These problems and discussions arise during the study of legal relations in the sphere of implementation of the judiciary.

A well-known truth that the study of any phenomenon, and even legal, it is not possible to easily determine its content concepts, which includes the most essential features, characteristics, on the basis of which revealed the main purpose of this phenomenon. No exception here and the concept of legal relations in the sphere of implementation of the judiciary. Of course, legal science, industry and legalIntersect, have repeatedly addressed this issue, yet many questions remain to be relevant. Yes, in fact, the concepts do not remain in a static state, they are in constant development, enriched with new features, characteristics, meet the realities of today.

Having considered the legal nature of relationships in General and constitutional law in particular, should offer a definition of "legal relations in the sphere of realization of the judiciary", which would combine all the

manifestations of this legal category, all the signs. So, the legal relations in the sphere of implementation of the judiciary is regulated by the norms of social relations (relations between individuals and the courts, the relationship between the entity and the courts, the relationship between judicial authorities and other public authorities, and so on), the contents of which are the rights and obligations of subjects aimed at a corresponding object; arise, change and terminate these legal relations on the basis of certain rules of law legal facts.