

SEPARATION OF JUDICIAL AND SOCIAL POWERS AND THEIR COLLABORATION (PROBLEMATIC ISSUES)

**V. MOVCHAN, *postgraduate student*,
Kyiv national University of Taras Shevchenko**

The article deals with the problematic issues separation and cooperation judicial power with other social authorities. "Moralistic integration" approach to the relationship of the state, law and morality is analyzed. It is proposed the model with four different powers important for stata-legal system and separation of state power into six branches.

Power, nation, state, law, judicial power, moral.

Today, in the theory of state and law grounded theory of state power as the dominant form of ordering of public Affairs and the right as the dominant form of social control. However, unreasonably out of the field of view of the theory were other along with the state of the possible forms of organization of public Affairs and funds settlement of public relations. Not defined the role of the judiciary in these processes.

Problems of efficiency of the state mechanism, imperfect distribution of the branches of government and the possible impacts on public relations covered in the publications of the domestic scientist Century of Kostikova. However, the question about the boundaries of state power, their nature and characteristics put in the work A. Mashkov.

Despite the existence of studies on the improvement of the forms of the state, the judiciary, determine the minimum and maximum manifestations in public relations, there are no proposals of complex

models of interaction with other judicial and social authorities, the efficient allocation of public authorities considering the rapid integration processes.

The purpose of this article is to examine problematic issues "moraltheologie integration" approach to the relation of state and law through the prism model of the possible combinations of the degree of "permitted egoism" (right) as "necessary altruism" in public relations. To reveal the author's model of interaction of the judiciary as a branch of the state with other social authorities, to justify the model six glavo state power.

"Moralistic integration" approach to understanding state-legal phenomena: 1) brings together the views of various schools understanding of state and law, 2) reveals an important place and importance of the judiciary, 3) describes the boundaries of its activities, which ensures the stability of the state legal system and the progressive development of human civilization.

From the point of view of "moralizing integrative" approach, the judiciary has an important place in the system proposed separation of state power into six branches. The court acts as a tool to achieve a balance between "permissible egoism" (right) with the necessary altruism" (morality) in the state legal system as a prerequisite for the effective implementation of social capital and sequence of development of public relations. The mechanism of interaction involves the content of the moral principles of humanitarian power, the definition of the list and content of the inalienable rights and freedoms - the power of law, provision of the ways, methods, tools, implementation of rights - the Executive, commensurate with the value of morality and law in public relations - the judiciary. Only complex interaction and differentiation of these entities collectively provides the progressive development of the legal system and the stability of state-legal relations. The peculiarity of the status of the judiciary, which in the course of justice may affect the sphere of law-making, law enforcement, law enforcement than to ensure consistency ratio morality and law in the

regulation of public-legal relations and judicial control over state and legal processes.