

HUMAN RIGHTS IN DRAGOMANOV'S POLITICAL VIEWS, CONCEPT OF FEDERALISM

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The article presents political and legal views of M.P. Drahomanov on fundamental human rights and freedoms. It is revealed that the most effective protecting mean of these rights and freedoms is the law according to scientist. This article also analyzes Drahomanov's federalistic program implementation of which could allow to remove that suppression to which was the Ukrainian people in both empires at the end of XIX and the beginning of the XX centuries.

Rights, freedoms, the nation, the concept of federalism, ethnicity, self-government.

Dragomanov's creative heritage is extremely large and versatile. To date, many modern scholars and lawyers are turning to his works, because the issues he raised in the late nineteenth century still do not lose their relevance.

Mikhail Petrovich was interested with the freedom matters from an early age. Drahomanov's father was a professional lawyer and had a great influence on Drahomanov's views developing in childhood and adolescence. Under the influence of his father the legal understanding of freedom, the role and importance of law in securing, protecting and ensuring human rights and freedoms are forming.

One of the major Drahomanov's achievements in the development of problem of human rights is that it was theoretically proved that human

rights constitute a united complex, and the priority of a group of human rights and freedoms does not promote human rights and freedoms in general, but also violates all other rights and freedoms.

For Drahomanov there is no dilemma : the primacy of human rights over the rights of the nation, or vice versa. He had divided human rights into four groups. The first group includes the rights and freedoms that Drahomanov conventionally had called basic or fundamental, since they are necessary for the realization of all other rights and freedoms. The second group are civil rights. Political make up the third and the fourth are economic, social and cultural.

Human rights in sociopolitical and state-legal opinion of M.Dragomanov is a basic position, the starting point in the building of the entire state system. Only in this case, according to scientists, the whole system of government will serve the interests of citizens, as in the basis for state building are incorporated rights and freedoms, guarantee the availability of which is key to the progressive development of society. The idea of freedom in the sense of Drahomanov do not prescind in the interests of a particular social group (class or nation), and is seen as a natural need of the individual.

Drahomanov believed that the most effective means of protecting the rights and freedoms developed by mankind for thousands of years of history was the law. Being mandatory for all, strictly followed by all under the threat of penalty, only the law can ensure the implementation of these rights and freedoms. All the people are licit equal regardless of gender, race, nationality, social or property status.

Drahomanov made a significant contribution to the development of principle, according to which every nation has the right to decide its own destiny, to be the master of its own land regardless of its state and historical traditions, population, cultural development, economic potential. Mikhail Petrovich defended the right of nation to self-determination.

Drahomanov advocated political, social and national liberation of the Ukrainian people, and therefore, of every Ukrainian. Not believing that with getting the own state independence the solution of all problems will come automatically, so he emphasized the value and importance of the own state for the whole nation and to every individual as well. Drahomanov performed with a wide federalistic program, implementation of which would allow pretty much eliminate that powerless position in which the Ukrainian people were in both empires, with the further political development and national identity of the Ukrainian people and it would give some strength to gain its own independence.

Mikhail Drahomanov's federation is a federation, which is built from the bottom up rather than the other way around. Thus it is possible, according to M.Dragomanov, to reduce the dictates of the state, when the state gives some rights to human or community.

Drahomanov provides a local government (of communities - rural, urban, township, county, regional) and state. The Russian Empire was to be partitioned into regions and according to the integrated political factors, i.m. that would be determined by geographical, economic and ethnographic terms. Ukrainian lands were up three areas - Kiev, Odessa, Kharkiv. There are amazingly detailed counties of all areas of not only the future sovereign Ukraine, but also Belarus and Russia. In the program there is a deep understanding of the ethnic characteristics of the population of vast areas of the empire.

Mikhail Petrovich in its historical and sociological concept of Ukrainian state-building is against to centralization, nationalism and against their combination ... Ukraine must return to the European way of development. Scientist promoted the regularity of monarchies and secular regimes destruction, and establishment of parliamentary and constitutional state.

Concluding the review of Mikhail Petrovich political and legal views, we conclude that he paid much attention to human rights and freedoms, properly understood their role and importance for the legal status of individuals and society as a whole. Their development was of fundamental importance for the subsequent development of the Ukrainian legal thought, and today it is not only of historical and educational, but also of a practical and theoretical interest. No doubt, it requires in-depth research and study. As for the idea of federation, here scientist in his convictions spoke as the prophet, because he saw the future as federal commonwealth countries. A good example of collaboration is the European Commonwealth and Ukraine aspires to become its member.