

**Vitalii Holova,**

Research supervisor: Homotiuk Oksana Yevhenivna

Doctor of Historical Sciences, Professor

Language tutor: Nataliia Koshil

Candidate of Philological Sciences, Associate Professor

Ternopil National Economic University

## **THE CONSTITUTION OF WESTERN UKRAINIAN NATIONAL REPUBLIC**

The urgency of the research is to study the experience of the first Ukrainian constitution state UNR-ZUNR creation. The constitutional and legal ideas and views of the Ukrainian scientist-lawyer – Stanislav Dnistrianskii (1870-1935) are taken into consideration in the process of state creation.

This scientific topic was a subject of many scientists' research: O.Barmak, P.Stetsiuk, A.Koval, V.Uhach etc.

The aim is to study the historical and legal knowledge concerning constitutional innovations made by S.Dnistrianskii, his views about law and state.

The scientist wrote the Constitution of the ZUNR in 1920 on the conspiracy of the ZUNR government. The Constitution had three parts: “The state and law”, “ The state power” and “The rights of people to self-determination”. The future state was considered to be as independent, legal, democratic and semi-presidential unitary republic (§1). Citizens were guaranteed “personal, political, economic freedoms” [2]. In this state all humans were protected by the law, “the state must take care of economically weak and power must be built on three branches: legislative, judicial and executive [1]. All citizens were equal in rights, they didn't have any privileges, but they could save family privileges, if they were not taken into consideration in the distribution of public posts (§25).

At the first stage of state creation there was supposed Constituent Assembly for the purpose of legalization constitution and making territorial division etc. The Elections on Constituent Assembly were based on three principles: general, direct and secret ballot for three groups – Ukrainian, Poland, German.

At the end of meeting People's Chamber was the highest legislative body, which was chosen for the four year period. The system of executive power included the President of the ZUNR, the government – the State Council and local executive authorities. President had to be Ukrainian by nationality, who had to be 35 years old, was not deprived with civil and public rights (§49) [1].

He was elected for four year period. The President had to perform political, military and national functions.

In our opinion the most important innovation of the scientist was the separation of Justice from the Administration.

Judiciary brunch of power included: the first instance courts, State tribunal – “which was the supreme court of justice” and Chairman of State Justice.

A great attention was paid to the organization of local authorities in the counties. The most important section of the Constitution was “The rights of the people to self-determination”. The civil servants had to be Ukrainians by nationality and Ukrainian was “government language” [1].

To sum up the constitutional law created by Stanislav Dnistrjanskii was very democratic and humane. It was written logically and easy for understanding. In this document there were widely presented the rights and freedoms of citizens, duties of civil servants, which were revolutionary in the history of Ukrainian legislation.

#### **Reference:**

1. Станіслав Дністрянський. Конституція ЗУНР. – 1920.
2. Usenko I. B., Vozniy V. I. Constitutional Projects of the Galician State and the Western Ukrainian National Republic / Encyclopedia of the History of Ukraine: Volume 5. - 2008. - P. 568.

**Ivanna Hrytseniak,**

Research supervisor: Yaremko Oksana Mykhailivna  
Candidate of Law Sciences, Associate Professor

Language tutor: Nataliia Koshil  
Candidate of Philological Sciences, Associate Professor  
Ternopil National Economic University

### **HUMAN RIGHTS AND FREEDOMS IN UKRAINE**

The thesis deal with such an urgent topic as human rights and freedoms in Ukraine.

This scientific topic was a subject of many scientists` research: N.V. Vitruk, N. I. Matusov, V.A. Maslennikov.

In a modern democratic society, people are free and have certain rights and freedoms, which is a prerequisite for the realization of democracy. First, we will define what human rights and freedoms are. **Human rights** are recognized