



T. Furdyk

Associate Professor, Department of Theory of State and Law,
National University "Odessa Law Academy"

DIASPORA IN THE SYSTEM OF COLLECTIVE SUBJECTS OF LAW

Article analyzes the theoretical aspects of diaspora as an independent collective subject of law. It is proved that the importance of collective subject of law in modern legal life is directly connected with the development of the collective rights. On the other hand, collective subjects of law, such as national minorities and diasporas, are becoming more and more active players in public life.

Author grounds the necessity of demarcation of diaspora and ethnic minorities. Ethnic minorities might exist as unorganized dispersed communities, aiming to maintain their ethnic features

(language, culture, traditions, etc.). Diaspora is always an organized community, whose activity covers the much wider area, including public policy. That is why diaspora, unlike ethnic minority, always has an internal structure that is used for decision-making procedures.

The above leads to the problem of determining the place of diaspora in the system of collective subjects of law. On this basis, author proposes to divide the collective subjects of law into organized communities and unorganized communities. Diaspora belongs to organized communities, while ethnic minorities – to unorganized communities.

