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N. Atamanova
Candidate of Law Sciences,
Associate Professor at the Department
of Theory and History of State and Law,
International Humanitarian University

CONSTITUTION OF PYLYP ORLYK IN MODERN NATION-BUILDING OF UKRAINE

The peculiarity of the Constitution of Pylyp Orlyk lies not only in the fact that it has become "the first constitutional act in Ukraine", but also in the fact that it has realized the need for a legal fixation of at least three major traditions at the highest level: democracy, contractual relations between the authorities and people, set closer connection with the mentality and traditions of European nations, European and Christian values, postulates. Organic orientation of Ukrainian constitutionalism driven by its nature in the future in any case does not divorce it from the past. Complex and multifaceted process of state and law building in modern Ukraine, continuous search for the optimal form of government, controversial development of parliamentarism form the present that combines the past and the future, encourages scientific understanding of political and legal traditions that are out of the final part of our historical consciousness, contains opposition against manipulation.

Closer acquaintance with the Constitution of Pylyp Orlyk shows that at those times legal consciousness of the population, especially middle classes (ordinary Cossacks, peasant producers, craftsmen) was significantly higher than modern Ukrainians have, who has not recovered from being under the pressure of the totalitarian regime of Moscow. This is explained by a high level of education, as for that times, and old (since the princedom of Rus-Ukraine) democratic traditions. Such a conditional comparison gives reason to believe that the legal conscience of our citizens is low according to contemporary needs. Since the independence of Ukraine, unfortunately, still too little has been done and is being done for the legal education of the population, formation of its legal consciousness.

Only in case of sufficient level of legal awareness of the population it is possible to seriously consider building a civil society, political and legal doctrine of the Ukrainian state building, establishment of democratic principles in modern state.

Hence the Constitution of Pylyp Orlyk reflects not only legal organization of the state and legal traditions of the Ukrainian people, but also the changes in power relations. It is the Constitution of Pylyp Orlyk of 1710 that has established legal origins of many phenomena, including the modern Ukrainian national sovereignty, separation of powers, parliamentary system and other. Therefore, reference to the historical experience of the document is an appeal to political and legal ideas that constitute historical and legal basis for national political ideas, ideas that expresses the essence of the spirit of the Ukrainian people.