

O. Hordiienko

Postgraduate Student,
Department of Theory of State and Law,
National University "Odessa Law Academy"

SPECIFICATION OF LAW IN THE INTERPRETATION OF THE SUPREME COURT OF UKRAINE

The paper deals with the problem of the concretization of law. The main attention is focused on the concretization of the interpretation of law by the Supreme Court of Ukraine. We consider the importance of the Supreme Court as a guide for other courts. The examples of the lack of concretization in the interpretation of the Supreme Court of Ukraine are provided. The process of practical interpretation of the Supreme Court of Ukraine, and ambiguity of this activity are discussed. Interpretative activity of the Supreme Court of Ukraine regarding the decisions made in specific cases and review of the decisions of the lower courts are investigated. We consider the level of detailed findings of the Supreme Court of Ukraine today.

The article notes the value of preliminary decisions of the Supreme Court of Ukraine for the formation of jurispru-

dence. Recommendations for the concretization of the powers of the Supreme Court of Ukraine to ensure uniform court practice are provided. The author concludes that there are many points in an unspecified interpretation of the Supreme Court of Ukraine often expressed in the unclear regulations or decisions in individual cases, and the lack of powers of the Supreme Court of Ukraine to provide clarification on the guidelines in the application of the legislation of Ukraine.

Moreover, the author identifies the problem when lower courts cannot understand the essence of the law, which causes different or even incorrect application of the same law. Therefore, the author points out that today there is a problem regarding the correct concretization of the law, which probably can be removed by increasing the concretising powers of the Supreme Court of Ukraine.