

T. Podorozhna,
Candidate of Law Sciences,
Senior Lecturer,
Podillia State Agrarian and Engineering University

COMPLIANCE WITH THE PRINCIPLE OF CONSTITUTIONALITY – BASIS FUNCTION OF LEGAL SYSTEM

The article is devoted to the principle of constitutionality of legal acts as the basis of existence and successful functioning of the legal system. It is noted that the general principles of law jurists called legality, equality before the law and the court, justice, humanity, the presumption of innocence, irreversible force of law and no exclusion of basic human rights. However, if these principles of law – a constitutional provision that organically related and mutually conditioned, and the system of principles – the only link, violation of even one of them will inevitably result in : first, the violation of other principles, and secondly, inability to achieve the main goal right – smooth person their rights. With this in mind, accented that the set of all legal principles that are the foundation constitutionalization can be put into one, which is the base, the main thing for constitutionalization domestic law and the legal system in general. This is the principle of constitutionality, which should be seen as a process of clarification of compliance of the law of the Constitution. He characterizes the knowledge of objective laws and mediation of social relations through the prism mode

constitutional legitimacy, which is the strict implementation of the Constitution and all subjects of law, the proper application of the rules by the authorities and officials. This requirement is fixed in the Constitution, the general principles of the activities of public authorities and officials who are authorized to perform law-making, in accordance with the Constitution and the acts they produce must comply with the Constitution. It is emphasized that the nature and content of the Constitution define the nature and content of national legislation. Constitutionalization law depends on the content of those values and principles laid down in the Constitution and due to the peculiarities of the national legal system (based of which is static – the ideal set by the Constitution and the legal system of the speaker – the legal development of socio-economic processes on the basis of and in accordance with the values of modern constitutionalism). Proved that how fundamental constitutional principles and provisions are reflected in the legislation depends on the degree of effectiveness of the legal regulation of social relations.