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FREEDOM OF CREATIVITY AS CONSTITUTIONAL VALUE OF INFORMATION-ORIENTED SOCIETY

The article is devoted to the determination of maintenance of freedom of creativity from the point of view of constitutional axiology, and to the analysis of its basic elements and borders of the constitutional regulation. It is emphasized that freedom of creativity gains the character of actual constitutional value of global significance, which stipulates basis of development of personality in the new terms of domination of informational technologies and innovations.

The author shows that the freedom of creativity envisaged in constitutions means creation of the conditions for the use of this freedom, foremost, by constitutional establishment of legal protection of intellectual property, which already acts as an independent object of the constitutional regulation.

Freedom of creativity is a right which enables work of researchers, inventors, and any other creative workers. The freedom to dispose the results of the creative work consists in possibility of independent determination of legal destination of result of creative activity. It also includes a competence on the defence of the broken rights on the results of creative activity, including defence of intellectual property. Insufficient attention in relation to the protection of rights for the creators of intellectual products conduces to the losses of material, moral and political character. In this connection freedom of creation and its structural elements become important state and legal standards at the modern stage of community development.