

**Матеріали V міжнародної науково-практичної конференції
студентів та молодих вчених
«Наукові розробки: перспективи 21 сторіччя»**

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EMPLOYMENT IN THE FIELD OF JURISPRUDENCE IN UKRAINE

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The relevance of this topic is represented by the fact that nowadays progress in science and mathematics has been largely due to increasing generalisation which has unified branches of study previously distinct unified branches of study previously distinct, simplified the task of both scientist and mathematician and provide them to solve by one technique a whole variety of different problems. Generality can also be understood as improvement in law.

The task of this article to show is the statistics of those engaged in the field of jurisprudence in Ukraine. Jurisprudence has conflicting definitions in different times.

The following tasks are necessary to perform to define the essence of jurisprudence: to give a definition of the concept jurisprudence; to presents trends in the jurisprudence of different countries; to analyzed the statistics of the employed in the field of jurisprudence in Ukraine.

The word law comes from the Latin language, in the broadest sense, it means knowing the law. Thus jurisprudence signifies knowledge of law and its application. One of the tasks of jurisprudence is to construct and elucidate concepts serving to render the complexities of law manageable and more rational.

Jurisprudence has an educational value. The logical analysis of legal concepts sharpens the logical technique of a lawyer. Jurisprudence can be helpful to the people to find answers to new legal problems must be found by a consideration of the present social needs and not in the wisdom of the past.

The basic methods of modern investigators in the legal field are either speculative analysis or empirical investigation. The dominant trends in modern jurisprudence are toward natural law as a matter for speculation and toward the empirical study of law as one of the behavioral sciences.

The principal method throughout the world by which legal materials are studied is the method of analysis. Authoritative legal prescriptions are collected, compared, contrasted, and synthesized. This activity, stemming from the most ancient times when its practice was hardly separate from religious exegesis, still goes on in the same way and accounts for all but a small fraction of scholarly activity in the field of law. Monographs, treatises, encyclopedias, digests, pamphlets, and books on all aspects of the law pour out in forms that are not too different from those that were extant in the classical period of ancient Rome.

The essence of jurisprudence and law was described by such world scientists as, G.Thompson [1], L. Herbert [2], H. Kelsen [3] and others. Modern logic is slowly making its influence felt in the second type of analytical jurisprudence, that which is coming to be

called juristic logic. The powerful tools of symbolic logic, which have re-made modern mathematics and which form the theoretical basis of much work in the behavioral sciences, such as game theory and information theory, are only beginning to have an effect on law. Law and electronics is another facet of analytical jurisprudence that is being developed as a result of the current explosion in computer technology [1].

Modern developments take two forms. The first, exemplified pre-eminently in the work of Hans Kelsen, is speculative analysis of what is taken to be the inherent structure of legal systems. In Kelsen's work, the analysis discloses a hierarchy of authoritative norms in terms of which legal prescriptions can be arranged. Kelsen's basic materials were primarily those of civil law [2]. It differs from traditional common law analysis, such as that of John Austin, which followed more or less the categories, classifications, and conceptions used in the law historically. Yet more different is the contemporary work of Herbert L.A. and his followers, which, although basically analytical, accepts much of the work of socio-logical jurists and analyzes law by means of the methods of the Oxford school of analytical philosophy [3].

World-wide movements in jurisprudence are so complex that one hesitates to speak with any degree of confidence about them. At most, one can try to indicate general trends in various countries or parts of the world, based upon surveys by area specialists.

We present the following tendencies of judicial practice in such countries as the United States, Great Britain, Germany, Italy and France. In the United States sociological jurisprudence led to extreme pluralism and skepticism about the existence of fundamental legal conceptions and about the existence of uniformity in the disposition of legal matters. The judicial process is still the dominant concern of most legal theorists in the United States, there is a growing interest in comparative law and in international law, particularly as this last subject is related to prospects for lasting international peace.

In Great Britain the dominant analytical jurisprudential outlook in Canada has long been enriched by influences of realistic jurisprudence in the United States. Since Canada carries both the civil law (Quebec) and the common law as competing and cooperative factors in its exploding economy, the Canadian student of jurisprudence is forced to give attention to comparative law as a living reality and, therefore, as a basic factor in any theory of the nature of law.

Germany in its turn continues to export the whole range of her developed theories of the philosophy of law to the civil law countries. This is accompanied by a corresponding interest on the part of German legal philosophers in their traditional legal philosophical movements. The most important of these are still Neo-Kantianism, Neo Hegelianism, natural law theories (secular and religious), phenomenology, existentialism, dialectical materialism, and even logical positivism.

In Italy the philosophy of law is still very much concerned with Neo-Kantianism and Neo-Hegelianism, with phenomenology and existentialism, and with the various shades and degrees of natural law, both religious and secular.

In France the tendency is rather toward a kind of secular scholasticism. The law base itself squarely on man and man's life in society. Positivism is deeply ingrained in the very substance of the legal process. After every excursion into newfangled philosophical movements, the law turns back to the mundane business of setting its own house in order. Any current philosophy that seems to encourage practical attention to detail is apt to be seized upon as a principle for ordering legal affairs [3].

Thus, jurisprudence includes principles behind law that make the law. Scholars of jurisprudence, also known as jurists or legal theorists (including legal philosophers and social theorists of law), hope to obtain a deeper understanding of the nature of law, of legal reasoning, legal systems and of legal institutions. Modern jurisprudence began in the 18th century and was focused on the first principles of the natural law, civil law, and the law of nations.

The greatest demand for professions in Ukraine in the industry of Jurisprudence is a lawyer with knowledge of English [4]. We've shown statistical data in Fig.1, according to the rating:

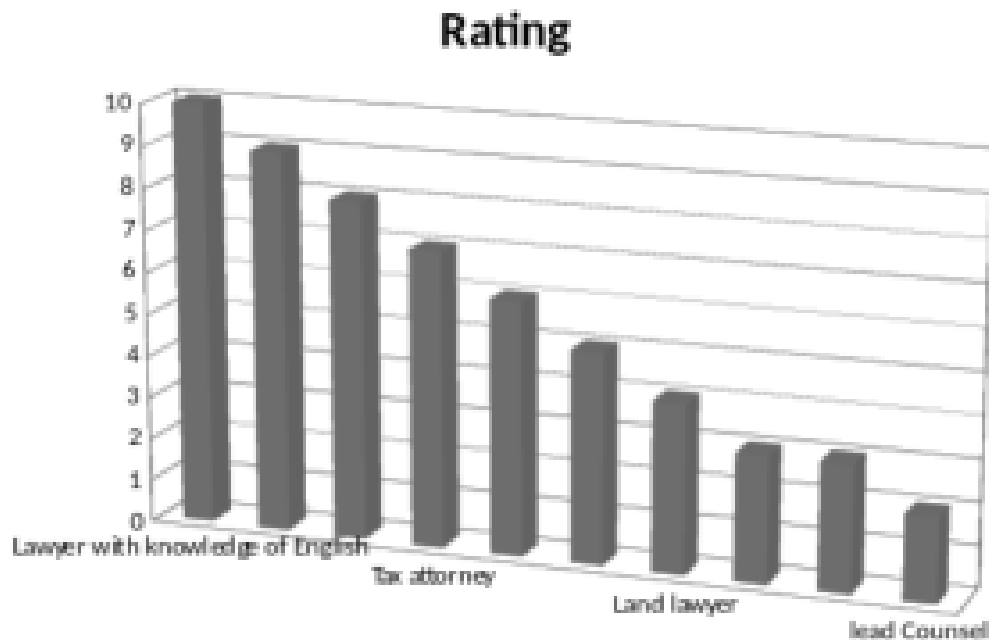


Fig.1. Rating professions in law in Ukraine [summarized by the author]

As can be seen from Fig. 1, the first three positions in the ranking of the most popular professions in the industry Jurisprudence in Ukraine occupy: a lawyer with knowledge of English, deputy Head of Legal Department and bankruptcy lawyer. Jobs real estate attorney and expert on debt are equally of low demand in the labor market. And lead Counsel is the least popular because of small wages [5].

So, there are two understandings of system of the right and system of the legislation in jurisprudence. From the point of view of normative norms (positive law), the system of law and the system of legislation are identical [6].

Thus, when you create a system of Ukrainian legislation, supreme legislative bodies can construct a hierarchy where the principle of "rule of law" is above all the regulations, and the "supremacy of the Constitution" is above over other legislation.

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