

PODKOVENKO T.

Candidate of Law Sciences,
Associate Professor at the Department
of Theory and History of State and Law
(*Ternopil National Economic University*)

ANTHROPOLOGICAL APPROACH TO LAW AS THE BASIS OF LEGAL SCIENCE

The dramatic changes taking place in modern life, the reorientation of Ukrainian society towards human values determine rethinking of many phenomena of social life. These changes are clearly displayed in the legal field as well. Law as an important phenomenon of legal reality, affecting all spheres of human activity, determines the direction of public policy, reflects the legal status of a person, the extent of its involvement in the legal aspects of social life. Therefore, an understanding of the law, its role and importance not only as a regulator of social relations, but as an important and inherent part of human life, performing human-shaping function, promoting self-identity, creating real conditions for a person to be “legal person” determine the effectiveness of legal policy.

As a result of the practical application of anthropological approach, regulations receive anthropological interpretation based on humanistic principles. The paradigms of legal anthropology include: the paradigm of human as the center of law and of criterion of social regulation, the paradigm of legal development, the paradigm of structural functionality of the legal environment of man. Thus, these paradigms because of their specific content can and shall be used by jurisprudence as starting points of theoretical framework, which define qualitatively new legal areas of modern society, and the image of man will act as a universal basis for social order.

