

Ryndiuk V. "System of legislation" and "system of normative legal acts": the question of determination and correlation of concepts

The problem of the definition and correlation of such concepts as "system of legislation" ("legislation") and "system of normative legal acts" was examined in this article. The parallel use of two different terms to denote the same legal phenomenon makes it important to clarify the content of these concepts, and to determine correlation between them.

The modern level of studying the problem allows us to conclude that the concept of "system of legislation" ("legislation"), and the concept "system of normative legal acts" is collective concepts, and they are determined by the enumeration of their constituent elements. The system of legislation (legislation) is a system (set of) laws, and the system of normative legal acts is a system (set of) normative legal acts. A scientific discussion is taking place around the question of which normative legal acts and laws are incorporated into these concepts.

The prevailing in legal literature definition of the concept of legislation as a system of normative legal acts identifies it with the notion of "system of normative legal acts". The system of normative legal acts of Ukraine is determined by the current legislation of Ukraine. However, in practice, the question needs to be clarified: what are the legal acts that are adopted by state authorities and local self-government, are normative legal acts.

To determine the concept of "system of legislation" ("legislation") as a system (set of) of laws, it is important to determine the meaning of the concept of "law". However, in the legal literature, the concept of "law" has no unambiguous understanding. In opinion of the author of the article, defining the concept of "legislation" as a system (a set of) laws, it is necessary to proceed from the most general philosophical understanding of the concept of law as regularities, and not to substitute the concept of the law by the concept "normative legal act" or the concept "the law of Ukraine" as it happens.

The law should be regarded as one of the types of social laws (economic, moral, religious, political, legal, etc.), taking into account the logic of defining the concept through the closest kind and type of difference. Then, the system of legislation (legislation) is a system (a set of) of legal laws. Further research of this problem must be carried out in the direction of studying the legal law as one of the types of social laws.

Key words: system of legislation, legislation, system of normative legal acts, law, normative legal act.