

РОЗДІЛ 1

ПРАВОВІ ЦІННОСТІ ЯК ДЕТЕРМІНАНТИ СТРАТЕГІЇ РОЗВИТКУ УКРАЇНИ В УМОВАХ ЄВРОІНТЕГРАЦІЇ

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CHRISTIAN VALUES IN THE FORMATION AND DEVELOPMENT OF THE CONCEPT OF HUMAN RIGHTS

In the realm of values, law and Christianity are united by their anthropocentrism, their focus on the individual. The current issue of the universality of legal values is essentially a particular aspect of the debate surrounding the existence of so-called universal human values, which include Christian values [1, p. 87].

Christianity has formed a coherent doctrine-ideology, which includes a number of provisions about a man. The latter ones were of decisive importance for determining the vector of the development of the European history, where the principles of recognition of personality autonomy and, accordingly, respect for it were in the first place. There is a different approach to this problem within the three denominations of Christianity. With the passage of time, the approaches and interpretation of the human rights changed, sometimes radically, this was of direct importance for the society of the relevant time.

There is no doubt that the human rights have become an important institution of the modern social and state system. Its attractiveness is based on a simple and accessible idea according to which the care for well-being of each individual person is placed at the center of social life. It is claimed that Christianity first brought this idea to the European culture.

People's legal freedom, the ability to defend themselves, their property and freedom directly depended on the state's interpretation of the human rights. Ideas and concepts about the human rights began to form from the earliest times of the development of society. Already in this period, the relevance of the outlined question, its importance for the life activity of an individual person and the state in general was recognized. And today, after many centuries, it is important for every country in the world.

Human rights are a necessary element of a civil society and a constitutional state.

The process of formation and development of the human rights, which occupy a decisive place in legal relations, is also characterized by certain specificity.

In the sociocultural dimension, religion as a tradition is the most important mechanism of reproduction and transmission of moral norms, spiritual values, without which it is impossible to imagine any culture. Many national states use the sociocultural potential of religion to strengthen the consolidation of society and ensure its stability [2]. The modern theory of human rights, which was formed within the framework of the European legal culture, provides for the division of rights according to the criterion of the possibility or impossibility of their limitation into absolute and relative ones. In this case, “human rights that cannot be limited under any conditions” are absolute. This is the right to life.

Today’s situation in the world is extraordinary because the war encroaches on the basic human right that is the right to life.

The protection of the human rights in the period of the military conflict has acquired the character of a global, world problem. Therefore, today the issue of human rights protection is the most important one. Human rights are part of the universal legal structure and first of all act as a system of minimal legal means aimed at protecting a person as a fundamental value [3, p. 280].

Today we are witnessing historical changes in cultural paradigms, it should be said that there is a certain correlation between these paradigms and the generations of modern warfare. This new paradigm is sometimes called the metamodernity and can be seen as involving the creation of new authorities in place of those undermined by postmodernity, the creation of new sources of power and new rules. In general, the new wars, which will be based on new principles of warfare and will combine violent kinetic warfare with various types of manipulation of the mind and social reality, may merge into one war, forming a new kind of global wars that will be very different from the world wars of the past. The concept of “unlimited war” predicted the modern phenomenon of 5GW almost in its entirety [4, p. 18]. This means that wars are now fought in all dimensions, including virtual spaces and the human mind at the same time, their rules are absolutely unlimited.

The dialectics of the evolution of human rights in the legal doctrines of the main Christian denominations are to be reinterpreted: from the affirmation of the idea of human dignity, conditioned by the godlikeness of man, in early Christianity and, therefore, opposition to the ideas of status inequality in the secular law to the secularization of the idea of equality in human rights, its institutionalization in constitutions, and, respectively, the denial of the traditional values of Christian anthropology in the modern era and the post-secular “removal” of contradictions between the Christian and secular understanding of a man and his rights in the modern world order [5, p.139].

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ПРАВОВЕ РЕГУЛЮВАННЯ ЗАСТОСУВАННЯ БЕЗПЛОТНИХ ЛІТАЛЬНИХ АПАРАТІВ (СИСТЕМ) ТА ДРОНІВ

З часу повномасштабного вторгнення на територію України з боку північного сусіда інтерес до всіх видів БПЛА зріс особливим чином.

Дрони або «безпілотники» — це безпілотні літальні апарати (БПЛА), якими керують дистанційно та в режимі реального часу люди-оператори. Їх називають «дронами» через постійне дзижчання, яке видають деякі з цих транспортних засобів під час польоту (від англ. drone [drəʊn] гул, бриніти, густити, прогудіти (про літак), продзижчати (про жука), стугоніти) [1, с. 312].

Існує велика різноманітність моделей і типів БПЛА за розміром, вагою, вартістю, радіусом дії та можливостями: від крихітних транспортних засобів вагою до двох кілограмів, схожих на моделі літаків, до винищувачів вагою кілька тонн, що здатний оснащуватися важким озброєнням і мати дальність польоту в тисячі кілометрів [2, с. 10]. Так, з боку терористичних загарбників застосовується велика кількість