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ROMAN LAW AS AN INTEGRAL PART OF INTERNATIONAL LAW

Roman law underlies the legal system of modern Europe and has the strongest and most direct influence on the development of the entire legal system of the West.

Roman law is a system of legal norms that existed and operated on the territory first of Ancient Rome, then the Western and Eastern parts of the Roman Empire, and then formed the basis of European continental legal culture. Roman law, along with Christianity, underlies European identity and international law.

Ancient Rome was far from the first to apply laws. Legal relations already existed in ancient Mesopotamia (the laws of Hammurabi), we observe legal reforms in Ancient Greece (the laws and reforms of Solon), but only the Roman Empire was able to create such a legal system that could exist for several thousand years and

become the basis for modern English - Saxon law.

Roman law was initially characterized by a close connection between the legal and the religious spheres. The legal system of the ancient Romans which included written and unwritten law, was based on the traditional law and legislation of the assemblies, resolves of the senate, enactments of the emperors, edicts of the praetors, writings of the jurisconsults, and the codes of the later emperors. It is the basis for much of the modern civil law systems.

The main source of current knowledge of Roman law is a collection of texts collectively referred to since the fifteenth century as the *Corpusiuriscivilis*, or simply the *Corpus iuris*. This collection is made up of four books: *The Digest*, *Institutiones*, *Codex* and *Novellae*, all of them drafted at the behest of Emperor Justinian (527–65) in the first half of the sixth century.

In the era of the Roman Empire, international law developed within the framework of the "law of peoples" (*Jus gentium*). The law of peoples was a combination of civil law and international norms. It was Jus gentium that ultimately led to the emergence of the concept of "international law".

Talking about the supremacy of law we should always keep in mind that though, the supreme power in ancient Rome always had a sacred nature, the legitimation of power was associated with the idea of the expressed will of the people and first of all it was the choice of community. As A. Halapsis truly remarks “The sacred nature was inherent not in the bearer of supreme power, nor even in the position he held, but in the community (civitas) and its choice; the deification of kings, as well as later kings, was not the decision of Jupiter and his colleagues, but the realization by the community of its sacred powers.” [3]

The Roman Empire left its innumerable traces in European culture. But its most significant contribution to the political structure of modern Europe was the legal system, the direct influence of which has survived to this day. When it comes to the Roman heritage in Europe, the first thing that comes to mind is amphitheatres or aqueducts. In countries whose territories were once part of the Roman Empire, Roman traces can be easily seen not only in architecture, but also in art in general, in philosophy and politics. However, there is an area where the Roman heritage has a special weight. It'saboutlaw.

Roman law had the strongest and most direct influence on the development of the Western legal system. We still refer to it all the time. It is no coincidence that it remains a compulsory subject for all law students.The habitual opportunity for all of us to exchange defective goods during the period of the manufacturer's warranty also comes from the Roman Empire. It existed in the markets of Rome and concerned slaves and domestic animals. If they turned out to be defective, the buyer had the right to demand a discount in price. This principle then became a part of world law.

An example of the use of Roman law in criminal cases by the courts of Poland before 1795 can be the trials of *crimenlaesaemaiestatis*, and in particular the last of them, concerning the kidnapping of King Stanislaus Augustus by confederates. In this case, it turned out that domestic legal provisions lack the relevant norms for the consideration and resolution of such crimes. In this regard,

it was decided to turn to the system, which, due to its special authority, was used in judicial practice, along with local statutory law [1].

The first institutions of international law originated in Ancient Greece. They regulated the laws and customs of war, the exchange of ambassadors, the conclusion of alliances, etc. The greatest development of international law during this period was in Greece, divided into hostile city-states. The states of Ancient Greece constantly united in military alliances and concluded treaties of neutrality during the war.

It goes without saying, jurisprudence has continued to improve over the centuries. But Roman law remained the main source of this process in continental Europe.For example, France with its Napoleonic legislation or Germany and its "historical school of law" created by Friedrich Carl von Savigny (1779-1861) all drew their inspiration directly from Roman law.

In Ukraine, the reception (borrowing, the perception of principles, institutions, and the main features of another national legal system by any national legal system) of Roman law is very pronounced. In the stages of development of Ukraine, one can see that the influence of Roman private law can be traced for many centuries, or rather, the 10th-19th centuries. With the proclamation of Ukraine's independence, the question arose of forming its own national legal system, which should be based on fundamentally new principles [2].

In its numerous normative acts, Ukraine returns to such humanistic values as the legal provision of the sovereignty of a person, the establishment of guarantees of his rights, the equalization of the legal status of the individual and the state, the creation of conditions under which a person can freely dispose of his rights, except for cases expressly provided for in the law. There is a partial reception of Roman private law, which is manifested in the recognition of the right of private property and the expansion of the rights of participants in contractual relations, their manifestation of private initiative, free discretion when concluding contracts, etc.

Roman law introduced into modern jurisprudence not only the division of law into private and public, but also the institutional nature of the unification of legal norms. It was in Roman law that for the first time legal institutions received a fairly clear outline. This is also very significant for modern law, because legal institutions that combine a set of certain legal norms have entered our lives very firmly. Based on the analysis of the legal institutions of Roman private law, we can say that the following categories were distinguished: property law, law of obligations, marriage and family and inheritance law, processes and claims, the legal status of persons. All these institutions exist in our life to this day. Of course, the division of the norms of law into institutions is incredibly significant for modern law.

Summing up, we would like to say that Roman law is the founder of law in the form in which we know it and study it now. The study of Roman law by law students is very important, because it has had a huge impact on modern legal culture. Knowledge of the main aspects, concepts, institutions and norms of Roman law is necessary for the further study of modern law, for mastering the basic legal terms, legal language and for a general understanding of the main legal categories.

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СУЧАСНІ ТЕХНОЛОГІЇ СОЦІАЛЬНО-ЕКОНОМІЧНОГО РОЗВИТКУ ТЕРИТОРІАЛЬНОЇ ГРОМАДИ

Сьогодні, коли Україна знаходиться в умовах повномасштабної війни з Російською Федерацією, актуалізується питання повоєнного відновлення держави, усунення її наслідків, прискорення соціально-економічного розвитку територіальних громад для подолання економічної та соціальної кризи, що виникли та поглибились внаслідок воєнних дій на території України.

Регіони та міста є найближчими утвореннями громади, так як вони найкраще знають конкретні потреби, наскільки талановиті їхні мешканці, щоб допомогти їм повністю використати їхні конкурентоспроможні сили та таланти, отримати доступ до глобальних ринків і збільшити державно-приватне партнерство [1, с. 169]. Саме тому ключова роль в управлінні соціально-економічним розвитком територіальних громад належить місцевим органам самоврядування. Саме вони координують діяльність усіх господарських