

differences in judicial practice. Legislative gaps undoubtedly continue to pose problems for ensuring uniformity, but the courts are now more boldly addressing such gaps, setting precedents that have both positive and negative aspects.

The *post-non-classical (modern) stage of academic development* is marked by the active use of various mechanisms to ensure the unity of judicial practice – both those intended for use in the current work of judges and those that can be applied at the sole initiative of certain judicial bodies or institutions.

In the case of Ukraine, the legal provisions from the Supreme Court's ruling and the influence of the Convention and the European Court of Human Rights through its case law are of great importance for judicial practice. It is worth noting the special activity of the development of information technology, which contributes to the dissemination of judicial practice, accessibility of its analysis, and popularisation of relevant processes. At the same time, there is an active and targeted introduction of information technologies into the judicial process for the purposes mentioned above, as well as for the purpose of generalizing judicial practice.

At the level of the highest court within the state, there is an awareness of the need to generalize judicial practice. At the same time, there are problems with uncontrolled judicial discretion and differences in interpretation of the law, given that such interpretation is now becoming binding.

In addition to the already known legislative shortcomings and discrepancies in judicial discretion, the factors affecting the unity of judicial practice include social changes, the influence of the informational environment, international standards of judicial practice unity, and the lack of efficiency of mechanisms for its generalization.

It is also necessary to point out the excessive workload of national courts as a factor affecting the unity of judicial practice, which, in turn, affects the relevance of certain mechanisms for ensuring unity.

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VIEWS OF MYKOLA MIKHNOVSKYI ON THE STATE AND LAW

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In the current conditions of the brutal war in which Ukraine is fighting to maintain sovereignty and territorial integrity, studying historical figures who laid the foundations of the Ukrainian statehood is of particular **importance**.

Mykola Mikhnovskyi was a political activist, publicist, lawyer and an ideologist of the Ukrainian nationalism [2]. He was a fierce Ukrainian with deep nationalistic views and beliefs, promoting the idea of the Ukrainian state independent of both Russian and Polish influence. At the beginning of 20-th century there were two main political groups: socialists and ukrainophiles. M. Mikhnovskyi decided to create his own party named the Revolutionary Ukrainian Party (RUP). The political program was presented in his prominent brochure “Independent Ukraine”. In this work he outlined all main thoughts and views, namely:

1) **the idea of independence** — Mykola Mikhnovskyi was one of the first to openly advocate for Ukraine’s full independence in the early 20-th century, he emphasized that the Russian government had no right to treat the Ukrainians on their own land as slaves, highlighting the systematic legal violations by the Russian empire against the Ukrainian people;

2) **the right to self-determination** — in the communist environment he bravely claimed about independence substantiating this with legal arguments and emphasizing the nation’s right to self-determination;

3) **critique of russification** — he criticized the Russian government’s practice of spending money got from the taxes from the Ukrainians to support Russian culture, science, and industry. M. Mikhnovskyi also pointed out the prevalence of the oppressor’s language even within the church, deeming it unacceptable [4].

4) **national consciousness and unity** — he considered that unity and national consciousness are the foundation of a strong and independent nation. When people share a deep understanding of their identity, history, and common goals, they become resilient against external threats and internal conflicts. A nation that stands together, guided by a shared purpose, is capable of overcoming any challenges [5].

Unfortunately the RUP soon joined the socialistic parties. M. Mikhnovskyi never agreed with that policy. After that he together with Oleksandr Makarenko found a new one — the Ukrainian People’s Party. Following that he wrote “Ten Commandments of the Ukrainian People’s Party”, which served as a kind of code of honor for party members and a set of guidelines for every Ukrainian [1].

Also it is impossible to overestimate his remarkable contribution to the Ukrainian army. In 1917 Mykola Mikhnovskyi became one of the key founders and the head of the Ukrainian Military Club named after Hetman Pavlo Polubotko. The club immediately began working on the creation of the Ukrainian national armed forces. And just a month later they established the first Ukrainian regiment named after Bohdan Khmelnytskyi [3].

Thus, the views of Mykola Mikhnovskyi on the state and law not only influenced the formation of the Ukrainian national movement in the 20-th century but they remain up-to-date, waiting for the moment when the fire of love for the nation starts burning in every Ukrainian heart.

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TYPES OF THE OBJECT OF THE CORPUS DELICTI

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The object of the corpus delicti comprises social relations protected by the criminal law, which has suffered significant damage as a result of the criminal offense or a threat of damage is created. In the doctrine of criminal law there are two classifications of the object of the corpus delicti .

The first one is named **vertical classification**. It divides the object of corpus delicti into three groups: general object, generic object, and direct object. Also, as the fourth type, there is a species object, mentioned in many scientific sources [3].

The general object of the corpus delicti is understood as the totality of all social relations protected by the criminal law. There is an approximate list of it, mentioned in part 1 article 1 of the Criminal Code of Ukraine: "The Criminal Code of Ukraine has as its task the legal protection of the rights and freedoms of man and citizen, property, public order and public safety, the environment, the constitutional system of Ukraine from criminal and illegal encroachments, ensuring the peace and security of mankind, as well as the prevention of criminal offenses" [6].

The generic object of a criminal offense is a set of homogeneous social relations that are protected by one complex of criminal law norms. Based on the generic object of the corpus delicti, the Criminal Code of Ukraine is divided into sections. For example, a generic object protected by the norms of Section II of the Criminal Code of Ukraine is determined as social relations that exist to ensure the inviolability of a person's life and health [6].

The direct object of the corpus delicti is a specific social relationship, which is protected by the criminal law, and which has suffered significant damage as a result of the criminal offense or a threat of damage is created. For example, the direct object of the composition of the criminal offense mentioned in part 1 article 115 of the Criminal Code of Ukraine is a public relation in regards to the protection of a person's life.