

located on them, with the motives of public necessity in accordance with the law and the termination of the legal entity or the death of the owner [5, pp. 147-148].

Looking at all the above facts, we can conclude that the Ukrainian right to acquire property is based on Roman law. In many cases, the Civil Code simply specifies and complements the already known laws, taken from Ancient Rome. Actually, it is not surprising, because over time, new conditions have emerged for the joint existence of people in this world.

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DIFFERENCE AND SIGNIFICANCE OF ULPIAN'S ACTIVITIES AMONG OTHER ROMAN LAWYERS

The treatises of Ulpian, as a historical source, had a number of advantages compared with the works of lawyers of a purely «academic» character of the classical period of the Roman Empire. His works cover a much wider range of problems and is more advantageous in terms of selected material.

A prominent feature of the lawyers of that time is that they tried to disassemble the application and effect of a certain rule of law in a situation, regardless of whether or not such a situation would exist and whether some law institute has a practical application. They were more interested in not typical, but complex and complicated tasks. Because of this, when we investigate the works of lawyers of the classical period, it is difficult to understand which situation was typical and which was not.

In the treatises of Ulpian, on the contrary, the casuist principle was the main in writing the works of the classical period. They provided practical guidance to provincial governors, and considered cases that were widespread in judicial and administrative activities. For example, the treatise «About the responsibilities of the

proconsul» gives us a more accurate picture of the provincial society, the system of their governance and justice, the relationship between Rome and the provinces in the official ideology and many other issues. Other sources (archaeological, epigraphic, etc.) more often had a local nature and, moreover, contained contradictions. A small treatise «About the responsibilities of the curator of the city» is close to the above-mentioned treatise. Thus, Ulpian has created a universal and up-to-date administrative law. He was the first among lawyers who began to use not only certain imperial decrees, but groups of rescripts with homogeneous decisions of certain cases.[1, p.221-226] That is why the treatises often encountered such expressions as «saepe rescriptum (constitutum, interdictum) est...»[2, p.584].

In the traditional genres of commentaries («To Sabin» (51 book) and «To the Edict» (82 book)) Domitius Ulpian in a simple and systematic way outlined the views of the most authoritative Roman lawyers, which concerned almost all civil and pretorial law. In these works he summed up all the experiences of traditional Roman legal activity and laid the foundation for the future Codification of Justinian.

It follows that for the Sever's era, it is characteristically that the highest rise of classical jurisprudence, and the decline of its development is associated with the rise and death of Domitius Ulpian. None of the activities of the Imperial chancery of the Early Empire was not as fruitful as 223 year. The next year was marked by a sharp decline of the chancery's activity. Obviously, that was not an accidental coincidence. The year of 223 was the time of the one-man Ulpian's prefecture falls, which preserved about 100 imperial orders. And next year, probably, was the year of the death of Ulpian.

It should be noted that Ulpian had defined the structure of law, namely the division into *ius publicum* and *ius privatum* – public and private law, respectively to the nature of norms for the three families: *jus naturale* («natural law»), covering all living beings, *jus gentium* («the right of people»), which applies only to people and *jus civile* («civil law»), which applies only to a known political entity.[3]

Ulpian, who was a supporter of Stoicism, argued that the priests were called to establish the concept of good and just, separating it from the unjust, and regulating social relations not only through punishment, but also through rewards, drawing on true philosophy. Digests also affirm Ulpian's thoughts that justice is a constant and a will that gives everyone the right to do so, and the basic precepts of the right is to live honestly, do not harm others, and to give everyone the things that belong to him.

To summarize, Domitius Ulpian was the representative of the so-called «golden five» lawyers of the Roman Empire. He was one of the most influential people, enjoyed the trust of the emperor, his works were endowed with special legal force [4, p.95], since he not only created his own legal work, but also systematized the works

of many Roman lawyers, set them in an accessible and relevant format and laid the foundation for further development of jurisprudence.

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RECEPTION OF THE ROMAN LAW IN UKRAINE

In examining the problem of Roman law reception in Ukraine, we ought to note that for a long time Soviet legal doctrine was based on the dogma about the original and unique character of Soviet law. In this context it is natural that the situation made it impossible to explore the impact of Roman law on Soviet law in general. Owing to this, in almost all the textbooks and teaching aids published at the beginning of the 1990s the problem of the impact of Roman law on the law of Ukraine was not examined. The situation has changed only over the last decade; new editions have been published. The phenomenon is comprehensible, considering the fact that Ukraine has taken the course of integration with the world community, of creating a civil society, and expanding and strengthening a law-governed state, which in turn