

*Elena Masliy – Prosecutor Kupyansk Inter-District
Prosecutor's Office Kharkiv Region, Grade 1 Lawyer, Researcher
of the Department of Criminal Legal Process of the National
University Yaroslav the Wise*

Category «Justice» and its Reception of Roman Law Rules in the Statutes of the Grand Duchy of Lithuania

The article examines the legal origin of the philosophical categories of «justice» in Roman law and its transformation into a purely legal institutions that should ensure the implementation of the rights and legitimate interests of the person prosecuted.

The author's analysis of the first book collection legal positions of Roman jurists known as «Digest (Pandekty) Justinian», made it possible to conclude that in the middle of 500 years began the process of disclosure in the law philosophical category content validity.

This referred to the Roman jurists identification of «rights» and «justice» and reasoned conclusion that justice, as a property of justice is one of the most applicable categories in the reception in modern legislation laid down centuries-old customs laws.

Useful results are obtained by the author in the comparison of the achievements of Roman jurists developers Statutes of the Grand Duchy of Lithuania in 1529 and 1966.

A characteristic feature of which is to try to manage the process of criminal justice and separation of the procedural law of the material. Developer modern productive bills is confirmation that during the action of justice Lithuanian Statute category belonged to one of the principles of justice.

This article contains the specific citation of law articles from which it appears that the long term equity used for the disclosure process of justice, and as a judicial decision. It was only after the adoption of the new version of this duality was removed and Justice clearly understood as a principle of justice.

Keywords: justice; justice as philosophical and legal category; fairness in criminal proceedings; the principle of justice; administration of justice; fairness of criminal proceedings; justice judgment.