

LAW OF UKRAINE IN PERIOD OF KIEVAN RUS AND DURING FEUDAL FRAGMENTATION



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A vast and relatively unified medieval Russian State — Kievan Rus — was formed at the end of the ninth century as a consequence of the completion of the political consolidation of the eastern Slavs. Modern scholarship links this State with the unification of the eastern Slavic south and north about the year 882.¹ Kyiv became the center of the medieval Russian State, the «mother of Russian cities».

Kievan Rus underwent several basic stages in its development. At the first stage (end of ninth to tenth centuries) the beginnings emerged of an early feudal social and State system. At this time the process of forming the territory of the State and establishment of State boundaries was basically completed, as well as the creation and improvement of the State apparatus. At the second stage of the development of Kievan Rus (end of tenth and first half of the eleventh centuries), the State entered the stage of its fullest development. From the second half of the eleventh century a trend towards feudal fragmentation was observed, and in 1132, according to the chronicles, «all the Russian land fell apart ...», that is, the Kievan Rus State dissolved into individual principalities and lands. The early feudal period of the history of Kievan Rus ended, and feudal fragmentation came to replace it (1230s to fourteenth century).

The origin of medieval Russian law occurred simultaneously with the forming and development of the Kievan Rus State. In describing the sources of the law of Kievan Rus, it should be noted that from the ninth to the tenth centuries customary norms were the most prevalent. The norms of this law regulated blood revenge, property relations, and also individual procedural actions such as, for example, oath, ordeal, evaluation of witness testimony, and so on.² Before the introduction of Christianity into Rus, marriage and family relations in Kievan Rus were regulated solely by cus-

¹ V. M. Lytvyn (ed.), *Історія українського парламентаризму [History of Ukrainian Parliamentarianism]* (Kyiv, 2010), I, p. 20.

² R. L. Khachaturov, *Некоторые методологические и теоретические вопросы становления древнерусского права [Certain Methodological and Theoretical Questions of the Origin of Medieval Russian Law]* (Irkutsk, 1974), pp. 142–154.

tomary norms.¹ The procedure for the activity and competence of State agencies, forming of military forces, recovery of taxes, and so on was determined by this law.²

An insistent need for the normative regulation of new relations arose as a consequence of the economic, social, and political development of Kievan Rus. Among the early known normative legal acts were the Rus-Byzantine treaties of 911, 944, and 971, in which norms of Byzantine and medieval Russian law were reflected.³ In addition to these treaties, the *Ruskaia Pravda*, church statutes of the Grand Kievan Princes, Volodymyr and Yaroslav, and collections of church laws which came to Kievan Rus from Byzantium, are among the major sources of law of Kievan Rus.

The *Ruskaia Pravda* occupied a central place among the sources of law of Kievan Rus. The text of this outstanding Ukrainian monument of law is contained in chronicles and in later legal collections. More than one hundred versions of the *Ruskaia Pravda* have been preserved which have a precise classification and name: for example, Synodal, Troitskyi, Academic, Karamzin, Tatishchev, and Archeographical. The names of the versions of the *Ruskaia Pravda* depend upon the location of the manuscripts and the persons who found them. It is accepted to divide the manuscripts of the *Ruskaia Pravda* into three versions: Short *Pravda*, Expanded *Pravda*, and Abbreviated *Pravda*.

The Short *Pravda* is the earliest version and reflects the law of the period of the origin of feudal relations in Kievan Rus. The Short *Pravda* contains several parts, the texts of which were composed at different times: the *Pravda* of Yaroslav (Articles 1–18), the *Pravda* of Yaroslavych (Articles 19–41), the Bloodwite (Article 42), and the Bridge Builders (Article 43). The *Pravda* of Yaroslav is believed to have appeared between 1010 and 1030. The composition of the Short *Pravda* as a single collection of legal norms specialists relegate to the end of the eleventh and beginning of the twelfth centuries.

The Expanded *Pravda* appeared in Kievan Rus as a collection of rather polished feudal law. Specialists date the completion of the lengthy process of setting out the Expanded *Pravda* to the twelfth and early thirteenth centuries.⁴

The third version of the *Ruskaia Pravda*, the Abbreviated, in the view of the majority of scholars is a reworking of one of the manuscripts of the Expanded *Pravda* undertaken in the fifteenth century.

The *Ruskaia Pravda* as a source of feudal law of Kievan Rus arose on a local base and was the result of the development of Ukrainian legal thought. It reflects social relations which were formed in Kievan Rus and consolidated in legal norms those procedures which were conditioned by the nature of medieval Russian feudal society.⁵

The introduction of Christianity influenced the development of the law of Kievan Rus, affecting the need to regulate relations between the church and the State. Church statutes were adopted for this purpose of the Grand Kievan Princes Volodymyr Sviatoslavych and Yaroslav Vladymyrovych (the Wise). In addition,

¹ For details, see T. E. Novitskaia (ed.), *Древнерусское государство и право* [Medieval Russian State and Law] (Moscow, 1998), p. 31.

² For details, see I. V. Usenko (ed.), *Правовий звичай як джерело українського права* [Legal Custom as the Source of Ukrainian Law] (Kyiv, 2006), pp. 143–177.

³ For a detailed analysis of the origin, legal nature, and content of these treaties, see R. L. *Khachaturov*, *Мирные договоры Руси с Византией* [Peace Treaties of Rus with Byzantium] (Moscow, 1988); id., *Становление права (на материалах Киевской Руси)* [Origin of Law (on the Materials of Kievan Rus)] (Tbilisi, 1988), pp. 100–120.

⁴ И. S. Shemshuchenko (ed.), *Юридична енциклопедія* [Legal Encyclopedia] (Kyiv, 2003), V, p. 392.

⁵ *Российское законодательство X–XX веков* [Russian Legislation of the X–XX Centuries] (Moscow, 1984), I, p. 24.

the church extensively used norms of canon law, especially Byzantine. The *Ecloga*, *Procheiron*, and *Nomocanon* were among the sources of canon law used in Kievan Rus.

The beginnings of the basic branches and institutes of law were formed on the basis of those and certain other sources of law in Kievan Rus. The foundations of civil law had been laid by the end of the ninth to twelfth centuries. The entire free population of Kievan Rus was subjects of property relations at this time, except for slaves, who were not subjects, but objects, of law. Civil legal capacity arose from the moment of the birth and terminated at the moment of death of the person or transformation thereof for various reasons into slaves. Limitation of legal capacity of a person occurred as a consequence of becoming a monk. Things were objects of civil-law regulation, as well as the actions of third persons connected with the transfer of property or with personal services.

The right to a thing in Kievan Rus included the right of possession and the right of ownership. This division arose from Articles 13 and 14 of the Short *Pravda*. Both the right of ownership and the right of possession were protected against violent activities and arrogation. Article 14 of the Short *Pravda* provided: «If someone recognizes [his property], he is not to take it back, and ought not say to him [who possesses his property], “This property is mine”; instead he ought to say, “Come to a confrontation [to disclose] where you obtained” [the property]». ¹

The right of ownership to moveable and immoveable property (especially to land) was known to the *Ruskaia Pravda*. It should be noted that the *Ruskaia Pravda* devoted great attention to the consolidation and defense of the right of ownership to land of feudal lords.

The dominance in Kievan Rus of the right of private ownership was affected by the relatively high development of the law of obligations. Contracts and the causing of harm were the grounds for obligations to arise. The *Ruskaia Pravda* referred to such types of contracts as purchase-sale, loan, personal hire, barter, and load. The contract of commission agency concluded between merchants was also provided for therein. Indentured labor was a variety of the contract of loan. The contract of gift was known to the *Ruskaia Pravda*.

Obligations arising from the causing of harm were connected with the exercise of the right of ownership and the defense thereof. The general norm on the duty to compensate for harm caused was contained in Article 18 of the Short *Pravda*: «And if someone breaks a lance, or shield, or destroys clothes, and wishes to keep [the damaged property] for himself, then [the owner] is to take payment for it; and if he has broken it, and if he will return it, then [the one who broke it] is to pay [the owner] money, as much as [the owner] gave for it». ² That is, the person who broke another's lance or shield, or damaged clothing, is obliged to compensate the value of the spoiled thing. According to the Expanded *Pravda* (Article 58), if a horse is taken from the barn by thieves, the indentured laborer is not to pay for it, but he destroys the animal in the field, he is obliged to pay the master for the value of this horse.

The process of the forming and development of inheritance law is linked with the existence of private ownership in Kievan Rus. The *Ruskaia Pravda* distinguished inheritance by operation of law and by will.

¹ D. H. Kaiser (transl. & ed.), *The Laws of Rus' – Tenth to Fifteenth Centuries* (1992), p. 16.

² *Ibid.*, p. 17.

The introduction of Christianity in Rus led to marriage and family relations being regulated basically by norms of canon law, especially by the church statutes of Princes Volodymyr and Yaroslav the Wise. They referred to the conclusion and registration of marriage and mutual relations within the family.

The legislation of Kievan Rus devoted significant attention to crimes and punishments for the commission thereof. The principal information concerning this is found in the Russkaia Pravda. A crime is called a «grievance». That is, according to the Russkaia Pravda, only that which caused physical, material, or moral damage to a specific person is criminal.¹ Criminal law of the Kievan Rus period had a rather high level of development.²

The power of the prince, persons (especially feudal lords), property, and morals were the objects of a crime in Kievan Rus. The objective side of a crime in this period was inadequately expressed. However, two stages of a crime are known, namely: attempt and completion of a crime.

All free people might be the subjects of a crime. Slaves and retainers could not be the subjects of a crime. They as slaves were in the ownership of masters who were obliged to bear material responsibility for their unlawful behavior. The specific age upon the attainment of which criminal responsibility ensued was not determined in the legislation of Kievan Rus.

Complicity, for example, when committing theft was known to the Russkaia Pravda (Article 40, Short Pravda; Articles 42 and 43, Expanded Pravda). It was provided that all persons who took part in the commission of a theft were brought to identical responsibility. The distribution of functions between accomplices was not provided for by the legislation of Kievan Rus.³

The Russkaia Pravda contained norms which concerned characterizing the subjective aspect of a crime. It distinguished between homicide of a steward «as an offense» (Article 19, Short Pravda) and homicide of a steward «in an assault» (Article 20, Short Pravda), homicide of a person «in a fight or openly at a feast» (Article 6, Expanded Pravda) and homicide «during an assault without any provocation» (Article 7, Expanded Pravda). That is, the Russkaia Pravda distinguished between direct and indirect intent. The Short Pravda (Article 12), for example, spoke about the intentional commission of an act: if someone rides on someone else's horse, not having asked him for permission, a fine is imposed. That the Russkaia Pravda singled out crimes clearly intentional is demonstrated in the Expanded Pravda (Article 83), which provides severe punishment for malicious destruction of property.

The chronicles show that crimes against the State were committed in Kievan Rus. Among them, infringement against princely power or against the prince himself was considered to be especially dangerous. Violation of a contract of suzerainty, given the suzerain-vassal relations that existed in Kievan Rus, committed by a vassal, was considered also to be a grave crime.

Crimes against the person and property were the most prevalent crimes in Kievan Rus. Homicide was among the most dangerous crimes against the person. Many

¹ See V. M. Gevorgian, «Понятие «преступление» в российском уголовном праве» [Concept of «Crime» in Russian Criminal Law], Вестник Московского университета. Серия 11: Право [Herald of Moscow University. Series 11: Law], no. 5 (2007), p. 95.

² I. Ia. Terliuk, Історія держави і права України [History of State and Law of Ukraine] (Kyiv, 2006), p. 59.

³ V. S. Kulchytskyi, Історія держави і права України [History of State and Law of Ukraine] (Kyiv, 2007), p. 48.

articles of the Russkaia Pravda mention this crime. The protection of the person of a feudal lord was the object of special attention of the State. A number of articles of the Russkaia Pravda concern actions directed against the person of a feudal land possessor.

The Russkaia Pravda devoted much attention to protecting the life of the princely aristocracy — the princely major-domo, the princely tiuns.¹

The Russkaia Pravda also provided for such crimes as inflicting mutilation, wounds, and beatings. The Russkaia Pravda devoted much attention to the definition of property crimes. The right of feudal ownership was protected by severe punishments relating to those who infringed this right. The Russkaia Pravda mentioned such a grave crime as assault with intent to rob (Article 20, Short Pravda; Article 7, Expanded Pravda). Much was said about theft — robbery; that is, stealing another's property in secret. According to the Short Pravda (Article 13) and Expanded Pravda (Article 34), punishments were provided in the form of a fine for the theft of a horse, weapon, and clothing. The development of the economy of feudal lords entails protecting by norms of the Russkaia Pravda such objects of ownership as livestock, domestic poultry, and agricultural products (Articles 36 and 40, Short Pravda; Articles 42 and 45, Expanded Pravda). Responsibility was established for the theft of another's slave (Article 29, Short Pravda). The theft of grain from the threshing floor or a storage pit (Article 43, Expanded Pravda) was criminally-punishable. The Russkaia Pravda considered the theft of a beaver to be a crime (Article 69, Expanded Pravda).

Consequently, upholding the inviolability of the right of feudal ownership, the Russkaia Pravda allowed for the possibility under certain conditions of killing a thief at one's own home or at the storeroom, or by the barn (Article 38, Short Pravda).

The destruction and damaging of another's property was one of the types of property crime, for example, a lance, shield, clothing, or beehive. Arson of a threshing floor or residence was considered to be a dangerous crime (Article 83, Expanded Pravda), as were malicious destruction of a horse and other domestic animals (Article 84, Expanded Pravda), unlawful use of another's property, in particular riding another's horse (Article 12, Short Pravda; Article 33, Expanded Pravda), concealing escaped slaves (Article 11, Short Pravda; Article 32, Expanded Pravda), and appropriation of a lost horse, weapon or clothing.

Crimes against the church, and also against the family and morality, emerged in Kievan Rus with the introduction of Christianity. These crimes were provided for in the church statutes of Princes Volodymyr and Yaroslav. Relegated to them were: church robbery, introduction of animals and poultry into a church, praying beneath a drying barn, in groves, at waters, witchcraft, bride abduction, rape of boyar wives and daughters, group rape of maidens, arbitrary divorce from a wife, birth by an unmarried daughter of an illegitimate child, conclusion of marriage between close relatives, adultery, bringing into the house a new wife without a divorce from the former wife, bigamy, cohabitation with a close relative, and so on.²

¹ See A. I. Chuchaev, «Уголовно-правовая охрана представителей власти в XI–XVIII вв.» [Criminal-Law Protection of Representatives of Power in the XI–XVIII Centuries], *Государство и право [State and Law]*, no. 6 (2001), pp. 89–94.

² V. D. Honcharenko (ed.), *Історія держави і права України [Anthology of the History of State and Law of Ukraine]* (3d ed; Kyiv, 2003), pp. 36–41.

The system of punishments in Kievan Rus was not especially complex. Revenge initially underlay punishment for especially grave crimes. Over time, the purpose of punishment became compensation of harm to the victim and his relatives, and also replenishing the State treasury. The law openly proclaimed the class character of punishment in the form of consolidated estate privileges. Infringement against the life, honor, and property of feudal lords was punished more severely than an infringement against the life, honor, and property of ordinary free people of medieval Rus society.¹

Post-judicial vengeance against the criminal on the part of the victim or his relatives was the ancient form of punishment. At the time of the *Russkaia Pravda*, vengeance was limited at first (Article 1, Short *Pravda*; Article 1, Expanded *Pravda*), and then abolished completely (Article 2, Expanded *Pravda*).

The legislation of Kievan Rus did not provide for the death penalty as a type of punishment. However, Arab sources, and also the chronicles, show that sometimes the death penalty was applied to criminals by hanging. Corporal and dismemberment punishments were used in the practice of church courts.

The highest measure of punishment under the *Russkaia Pravda* was the so-called «expulsion and confiscation». This type of punishment was assigned for three types of crimes: homicide during an assault (Article 7, Expanded *Pravda*); arson of a house (Article 83, Expanded *Pravda*); and horse stealing (Article 84, Expanded *Pravda*). The punishment lay in the fact that the criminal from whom the property was confiscated was expelled together with his wife and children from the community, which under those conditions was the equivalent of perishing and possibly converted the wife and children into slavery.

However, the system of punishments in Kievan Rus was based on monetary recoveries.² A monetary recovery consisted of two parts: one part in the form of a fine to the prince, and the other in the form of compensation for damage caused by the crime went to the victim side.

A bloodwite was a grave punishment in the form of a monetary recovery — a monetary fine of forty *hrivnas* recovered to the benefit of the prince for the homicide of a free person. This was an enormous amount, beyond the capacity of an ordinary person (suffice it to say that a prince's horse cost three *hrivnas*). A double bloodwite was imposed in the amount of eighty *hrivnas* for the homicide of a steward, and then began to be assigned for the homicide in general of the prince's men (Articles 19 and 22, Short *Pravda*; Article 3, Expanded *Pravda*). The double bloodwite of eight *hrivnas* is a clear illustration of the existence in the law of Kievan Rus of privileges and the greater protection of the life of representatives of the feudal class.

A fine of twenty *hrivnas* was imposed for the homicide of a free woman, that is, half a bloodwite (Article 88, Expanded *Pravda*).

Monetary remuneration, the so-called «per capita», was imposed for relatives of the deceased. In the view of the majority of specialists on the *Russkaia Pravda*, the amount of per capita equaled the amount of bloodwite.

¹ V. Ia. Tatsyi and A. I. Rohozhyn (eds.), *Історія держави і права України [History of State and Law of Ukraine]* (Kyiv, 2000), I, p. 85.

² V. V. *Momotov*, *Формирование русского средневекового права в IX–XIV Centuries [Forming of Russian Medieval Law in the IX–XIV Centuries]* (Moscow, 2003), p. 339.

A «half bloodwite», that is, a fine in the amount of twenty hryvnas (Articles 27 and 188, Expanded Pravda), was recovered for the commission of such crimes as severing feet, hands, or nose or putting out someone's eyes.

The Russkaia Pravda also provided for a type of punishment such as «compensation» – a monetary fine recovered from the criminal to the benefit of the prince for the commission of a number of crimes against the person and for the majority of property crimes. Compensation always was expressed in precisely established amounts: twelve (highest rate of compensation); three and one (hryvnas). It usually was imposed as a duty by judicial agents (20 % of the compensation). The victim of the crime received monetary compensation.

The legislation of Kievan Rus, especially the Russkaia Pravda, together with norms of material law also contained norms of procedural law which were called upon to determine the procedure for the settlement of conflicts that arose as a consequence of crimes and other violations.

The procedure in Kievan Rus was of an adversarial character.¹ In an adversarial proceeding the parties are called the «plaintiff» and the «defendant». The plaintiff played an especially active role in the proceeding, it having begun, as a rule, at his initiative. The significant activeness of the plaintiff was manifest, especially, in the search for the thief. The Russkaia Pravda established a detailed procedure for such a search. This was the so-called «incantation», «report», and «persecution of the trail». The results obtained during the «report» and «persecution of the trail» became the basis for the adoption of the judicial decision. In the event of ambiguity, cases were returned to search for new evidence. These types of judicial evidence were used in Kievan Rus: testimony of the «law-abiding» and «witnesses», material evidence, «the courts of God». Traces of beatings (scars on the face and body of the victim), stolen things found with the suspect, the discovery of a corpse on the territory, and so on also might be evidence.

Although the Russkaia Pravda did not mention such evidence as own acknowledgement, in the view of specialists this type of evidence had a place in Kievan Rus.²

The result obtained from the so-called «Court of God» was considered to be important evidence, the very existence of which was explained to people of that time by superstition and deep religiosity. Judicial vows were relegated to the «Court of God», various tests (ordeals), and judicial duel. The Russkaia Pravda named two types of judicial vows – for the plaintiff and for the defendant. The plaintiff gave oath before the court if he substantiated an insignificant suit (Article 48, Expanded Pravda). The defendant also gave the said exculpatory oath (Articles 49 and 115, Expanded Pravda). The sense of the oaths came down to the fact that he who gave them in confirmation that he spoke the truth swore in the name of God. It was believed that if the person swearing lied, he one way or another would be punished by God directly.

Nothing was said in the Russkaia Pravda about judicial duel. However, there is information about them in reports by Arab writers of the tenth century and also in later Russian legal monuments, where judicial duel is mentioned as a prevalent means of obtaining evidence. This makes it possible to assert that a judicial duel was

¹ A. V. Vasilev, *Законодательство и правовая система дореволюционной России* [Legislation and Legal System of Prerevolutionary Russia] (St. Petersburg, 2004), p. 27.

² Novitskaia (ed.), *Древнерусское государство и право* [Medieval Russian State and Law] (Moscow, 1998), p. 57; V. M. Zaruba, *Історія держави і права України* [History of State and Law of Ukraine] (Kyiv, 2005), p. 29; I. B. Usenko (ed.), *Правовий звичай як джерело українського права* [Legal Custom as a Source of Ukrainian Law] (Kyiv, 2006), p. 157.

used in Kievan Rus. The purpose of the judicial duel lay not in the death of one of the participants, but in eliciting who was right in the specific dispute.¹ The fate of a disputed case was decided with the assistance of a judicial duel, depending upon the victory or defeat of one of the contesting parties who appeared before the court in single combat, often with weapon in hands. He who was victorious in the judicial duel was considered to be right.

The so-called ordeal was a type of «Court of God». Two types thereof were distinguished: test by iron and test by water. It should be noted that, despite the formalism and often purely cosmetic objectivity of a court proceeding in Kievan Rus, ultimately it consistently upheld the interests of the ruling class. A feudal lord might bring the largest number of «law-abiding» persons to court (who in the view of the majority of specialists on the *Ruskaia Pravda* acted as witnesses of the good reputation of the party who participated in the judicial proceeding) and more successfully organize the «report» and the «prosecution of the traces». Having the best weapon and best horse, a feudal lord might count on victory in a judicial duel. Without doubt, the judges were on his side – the representatives of the class of feudal lords who ruled in Kievan Rus.²

The decision of the court was rendered orally. One may assume that the party dissatisfied by the judicial decision filed an appeal with the prince, who considered the case anew, in substance. However, this might relate principally to feudal lords. Execution of the decision in a judicial case was effectuated without delay. The judicial agents of the prince, who received a special duty for this, assisted the winning party.³

During the period of feudal fragmentation (1230s to first half of the fourteenth century), a system of law formed during the time of Kievan Rus and set out in the *Ruskaia Pravda* functioned in the south-western part of Rus on Ukrainian lands (Kyiv, Chernihov, Pereiaslav, Galicia-Volhynia principalities).

The church statutes of Volodymyr and Yaroslav the Wise continued to operate in this region. But they were subjected to reworking. Single legal monuments have been preserved of the Galician-Volhynia principality, namely: the instrument of Prince Ivan Rostyslavych (Berladnyk), the «Testament» of Prince Volodymyr Vasilkovych (ca. 1287), the statutory instrument of the Vladimir-Volhynia Prince Mstislav Danylovych (ca. 1298). During the period of feudal fragmentation Magdeburg Law begins to be introduced in certain cities of south-western Rus, on the basis of which city self-government was effectuated. The City of Sanok (1339) was among the first in Ukraine to receive the Magdeburg Law.⁴ Later Magdeburg Law was granted to other Ukrainian cities. In 1356 Lviv received the right to govern according to the norms of Magdeburg Law, and in 1374 – Kamenets-Podolsk.⁵

¹ I. V. Petrov, *Государство и право Древней Руси* [State and Law of Ancient Rus] (St. Petersburg, 2003), p. 294.

² Tatsyi and Rohozhyn (eds.), *Історія держави і права України* [History of State and Law of Ukraine] (Kyiv, 2003), I, pp. 86–90.

³ S. B. Hlushachenko, «История развития исполнительного производства в России до февраля 1917 г.» [History of the Development of an Execution Proceeding in Russia Before February 1917], *История государства и права* [History of State and Law], no. 4 (2002), p. 2.

⁴ M. Kobyletskyi, *Магдебурзьке право в Україні (XIV – перша половина XIX ст.): Історико-правове дослідження* [Magdeburg Law in Ukraine (XIV – First Half of the Nineteenth Century): Historical-Legal Study] (Lviv, 2008), p. 134.

⁵ V. Kulchytskyi, *Галицько-Волинська держава (1199–1349)* [Galician-Volhynia State (1199–1349)] (Lviv, 2005), p. 239.

Honcharenko V. Law of Ukraine in Period of Kievan Rus and during Feudal Fragmentation

Abstract. The article is devoted to the formation of ancient Russian law, which occurred simultaneously with the formation and development of the state of Kievan Rus.

Ruskaia Pravda was the centerpiece of the sources of Kievan Rus law. It reflected the social relations that evolved in ancient State and set in legal provisions those usages which were determined by the nature of the feudal society.

Key words: Kievan Rus, source of law, Ruskaia Pravda.

Гончаренко В. Д. Право України в період Київської Русі і під час феодальної роздробленості

Анотація. Стаття присвячена становленню давньоруського права, яке відбувалося одночасно з формуванням і розвитком держави Київська Русь.

Центральне місце серед джерел права Київської Русі займала Руська Правда. У ній знаходили відображення суспільні відносини, які склалися в Давньоруській державі, і закріплювалися в правових нормах ті порядки, які були обумовлені природою даного феодального суспільства.

Ключові слова: Київська Русь, джерело права, Руська Правда.

Гончаренко В. Д. Право Украины в период Киевской Руси и во время феодальной раздробленности

Аннотация. Статья посвящена становлению древнерусского права, которое происходило одновременно с формированием и развитием государства Киевская Русь.

Центральное место среди источников права Киевской Руси занимала Русская Правда. В ней находили отражение общественные отношения, которые складывались в Древнерусском государстве, и закреплялись в правовых нормах те порядки, которые были обусловлены природой данного феодального общества.

Ключевые слова: Киевская Русь, источник права, Русская Правда.