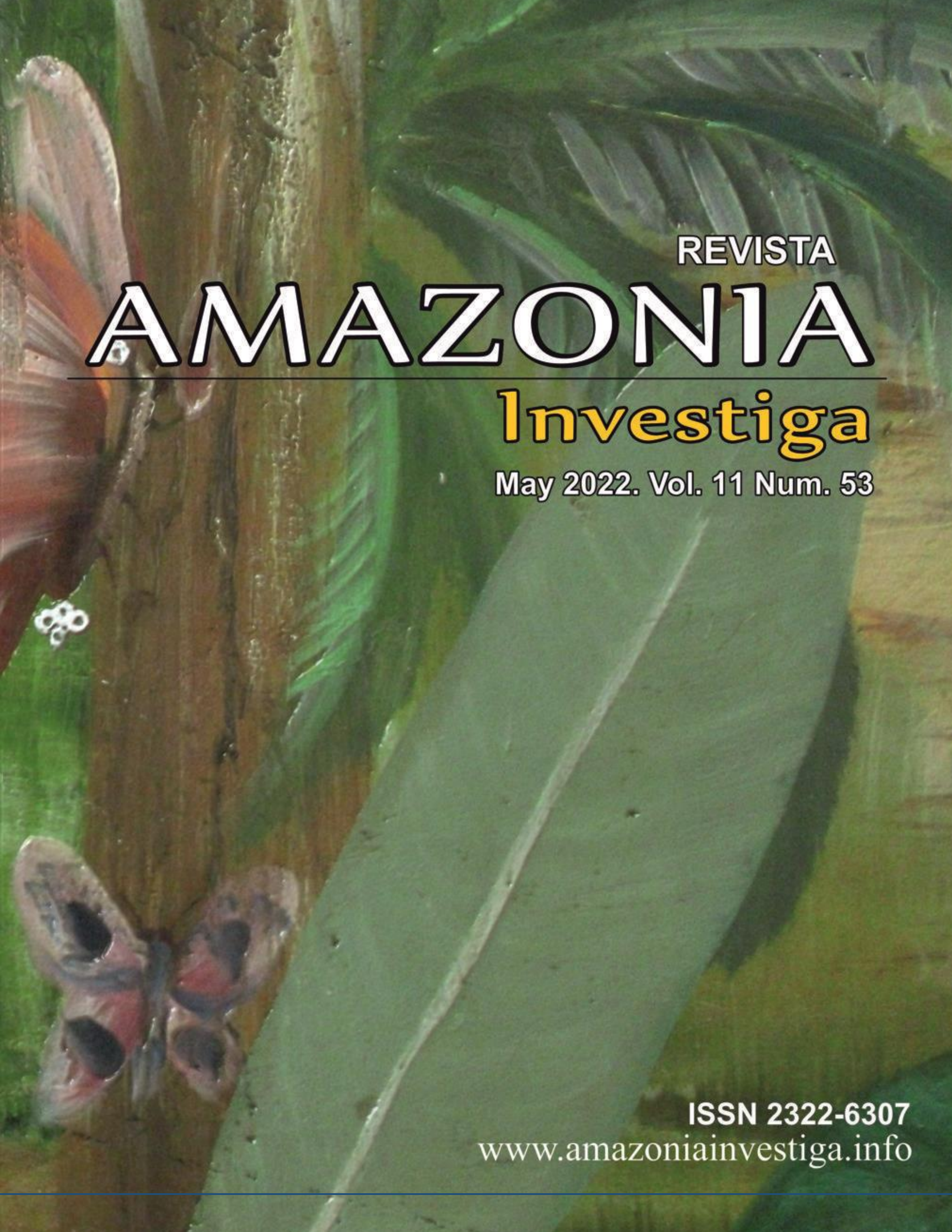
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Editorial

Russian aggression against Ukraine and its consequences for humanity

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Early in the morning of February 24, 2022, the Russian aggression against Ukraine began. Thus, the so-called "postponed war" of the Russian Federation against Ukraine, which began in a local version in 2014 with the annexation of Crimea and the creation of unrecognized quasi-states in eastern Ukraine, entered a new, large-scale phase. This threat was announced in advance at the highest level, and warnings based on Western intelligence services were expressed by senior leaders of NATO countries. But this was not believed, because all the arguments and the level of training of the Armed Forces of Ukraine indicated that taking the capital of Ukraine, Kyiv, in 72 hours, as planned by the military strategists of the Russian Federation, was simply impossible (Polishchuk, 2022, p.134). As a result of the heroism of Ukrainian servicemen, Putin's blitzkrieg in Ukraine failed and the war entered a protracted phase.

This second phase of aggression showed the entire anti-human nature of Putin's regime. Military seizure of the territory of Luhansk, Donetsk, Zaporozhye, Kharkiv, Kherson regions, genocide of the Ukrainian people in Mariupol, Bucha, Irpen, etc. is a crime that has no statute of limitations.

According to documented UN data on June 27, since the beginning of the invasion of the Russian aggressors into Ukraine, at least 4,731 civilians have been killed and about 5,900 civilians have been injured, including 968 children. As the Ukrainian side assumes, the real losses of civilians are tens of times greater. But it is impossible to calculate these losses, as the dead are mostly located in the territory of Ukraine occupied by Russian troops. Tens of thousands of houses were also destroyed or damaged; the cities of Mariupol, Volnovakha, Izyum and others were almost completely destroyed (United Nations, 2022).

According to the United Nations and international humanitarian organizations Amnesty International and Human Rights Watch, Russian troops are indiscriminately firing missiles at residential areas, hospitals, schools, shopping centers and other social infrastructure in Ukraine. The Russian military has committed many other war crimes in the territory of Ukraine, including mass cases of rape, paedophilia, abuse of the civilian population and widespread looting. These are war crimes, for which the leadership of the Russian Federation and direct perpetrators must be brought to justice, because these wild cases have put the Russian Federation beyond humanism and modern human civilization. If these crimes remain unpunished, a fatal precedent will be set for the modern world order, which will serve as a time-bomb for it. The principle of inevitability of punishment should serve as an insurance mechanism for preserving the modern world order. Otherwise, the world will be left without rules and any insane dictator will be able to destroy it (Panfilov, 2019).

The invasion of the Russian aggressors caused the largest migration crisis since World War II: according to the United Nations, more than 6.8 million refugees left Ukraine as of May 29, and another 8 million people became internally displaced persons (Office of the United Nations High Commissioner for Human Rights, 2022).

Russia's aggression against Ukraine has been strongly condemned by the absolute majority of the world community and international organizations. United Nations General Assembly resolution ES-11/1, supported by the overwhelming majority of countries in the world, condemned Russia’s actions, recognizing it as an aggressor country, and called on it to withdraw its troops from Ukraine. 141 countries voted for the specified resolution, 35 countries abstained, and only 5 countries voted against it. The International Criminal Court in The Hague has started an investigation into Russia’s war crimes in Ukraine. After the discovery of evidence of mass murders in Bucha, in which servicemen of the Russian Armed Forces are accused, Ukrainian President Volodymyr Zelensky accused Russia of genocide of Ukrainians.

The consequences of the war in Ukraine are felt far beyond its borders. As UN Secretary General António Guterres rightly noted, this war has led to a sharp rise in food prices, since Russia and Ukraine are the main suppliers of these products to world markets, as well as energy sources and fertilizers; the logistics of food supplies has been disrupted, and the cost of the transportation has increased. All this has led to even greater shocks for developing countries.

"As the Secretary General of the United Nations, it is my duty to call the attention of the Council to the serious damage being done to the global economy, and particularly to vulnerable people and developing countries," António Guterres said. He added that 74 developing countries with a total population of 1.2 billion people suffered due to price jumps for food, energy and fertilizers (United Nation, 2022a).

The invasion of Russian troops into Ukraine led to anti-war protests in the world, new international sanctions against Russia aimed at partially isolating the country from the world economy, restrictions on Russia's participation in sports and other international events. The war with Ukraine started by Putin has already had significant economic consequences for Russia and unleashed the largest economic crisis in Russia since 1998. Hundreds of well-known international companies, such as Ikea, McDonald's, Visa and MasterCard, have left the country.

In turn, in Ukraine, the invasion led to the collapse of the economy, the suspension of air and sea transport, and a number of other negative consequences. On a global scale, the Russian invasion and related sanctions led to a reduction in international trade and a sharp rise in food and energy prices.

Thus, Russia's aggression against Ukraine must be considered as one of the greatest challenges to the international order based on the United Nations Charter. Today, everyone must clearly understand that there is no alternative to restoring the territorial integrity of Ukraine within the borders of 1991, and all the progressive countries of the world must help the Ukrainian people in the fight against the Russian aggressor.

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Development of the art market in Ukraine: towards the competitiveness of Ukrainian artists under the conditions of informatization of society

Розвиток арт-ринку в Україні: до питання формування конкурентоспроможності українських митців в умовах інформатизації суспільства

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Abstract

The aim of the article is to analyze the key features of the modern art market in the context of the digitalization of art, as well as to study the potential for further development and dissemination of online trade in art. The study concluded that the Internet and cyberspace provide new opportunities for artists to make the global art trade more universal and efficient, and for artists themselves to be more competitive in the art market. The scientific novelty lies in the fact that the authors highlight the issue of digitalization of the contemporary art market and the impact of this phenomenon on the formation of the competitiveness of Ukrainian artists in these conditions. The practical significance of the study is that the authors analyzed and highlighted the most significant changes in the art market in Ukraine under the influence of digital technologies that affect the competitiveness of domestic artists. The authors

Анотація

Метою статті є аналіз ключових особливостей сучасного арт-ринку в умовах цифровізації мистецтва, а також дослідження потенціалу подальшого розвитку та поширення онлайн-торгівлі предметами мистецтва. Результатом дослідження став висновок про те, що інтернет і кіберпростір надає нові можливості для митців, які спрямовані на те, щоб зробити глобальну торгівлю предметами мистецтва більш універсальною та ефективною, а самих митців більш конкурентноспроможними на арт-ринку. Наукова новизна полягає у тому, що у статті авторами висвітлено питання цифровізації ринку сучасного мистецтва та вплив цього явища на формування конкурентоспроможності українських митців в зазначених умовах. Практичне значення дослідження полягає у тому, що авторами було проаналізовано та виокремлено найбільш істотні зміни в арт-ринку в Україні під впливом

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emphasize that the modern world market of art objects is actively developing and is reformed through the introduction of modern digital technologies, remains reliable for investment. The authors note that the market of works of art, as a significant part of world culture, in which such a social and cultural phenomenon as the art market, is a system of relations between creators, distributors (dealers, art consultants), and consumers of artistic products. are realized through commodity-money relations, and the biggest obstacle to the further growth of the art industry is the lack of trust between the parties to the agreements and their transparency in the art market.

Keywords: art market, digitalization, investment activity, trade, economy.

цифрових технологій, які впливають на конкурентоспроможність вітчизняних митців. Авторами акцентовано увагу на тому, що сучасний світовий ринок предметів мистецтва, активно розвивається і реформується за рахунок впровадження сучасних цифрових технологій, залишається надійним для інвестування. Авторами у статті відмічено, що ринок творів мистецтва, як значна частина світової культури, в якій таке соціальне і культурне явище, як арт-ринок, виступає системою відносин між творцями, розповсюджувачами (дилерами, арт-консультантами) та споживачами продуктів художньої культури, що реалізуються через товарно-грошові відносини, а найбільшою перешкодою для подальшого зростання арт-індустрії є відсутність довіри між учасниками угод і їх прозорості у сфері арт-ринку.

Ключові слова: арт-ринок, цифровізація, інвестиційна діяльність, торгівля, економіка.

Introduction

The investment market in any sphere is a complex system in which the main function is to balance the interests of buyers and sellers. This system is usually defined as a set of the legislative environment, trade and settlement infrastructure, as well as the information field. Investment markets combine government regulation to define clear rules, tax regime and information disclosure, self-government to organize trade and settlement, and private initiative to conduct the entrepreneurial activity.

It is clear that the more effectively the market is adapted to the economic and social challenges, the lower will be the transaction costs of its participants and the fate of the commercial benefits of intermediaries, at the same time with greater benefits for investors and issuers carrying out their activities in the market of investment objects. An effective investment market enables its participants to focus more attention on new ideas of more precise forecasting of investment objects' value dynamics (accordingly, evaluation of investment profitability in these objects) as well as on new methods of elimination or minimization of investment process risks. Unlike the market of, for example, securities, real estate, the market of art objects is slow in its development because of its closedness, caste, and seasonality. However, despite this fact, the art market has significant potential as well as an excellent alternative for the deposit of free capital for investment income.

The modern period of development of the world economy can be characterized by the rapid development of the art market. Demand for art objects is growing among both buyers in Ukraine and abroad, the infrastructure of the art market is growing and developing, and along with it the interest in it as a profitable field of investment. Economic crises in recent decades have shown that investing in art is a real possibility for saving and increasing capital, as opposed to real estate and luxury goods, which have fallen in value during the crisis periods. At the same time, under the influence of digitalization, there is an institutional change in promotion strategies and, just as importantly, in motives for acquiring art.

The development of information and communication technologies fuels the digital economy, accelerating the pace of production, delivery, and consumption of goods and services. The Internet has touched every economic sphere, and artwork and the art market are no exception. New technologies are gradually leading to a paradigm shift in the trading and brokering of art objects in the marketplace and are stimulating new structures for art enterprises that are supported by new interdependencies between art, technology, and commerce.

Метою статті є аналіз ключових особливостей сучасного арт-ринку України в умовах цифровізації мистецтва, а також дослідження потенціалу подальшого розвитку та поширення онлайн-торгівлі предметами мистецтва у нашій країні. [The aim of the article is to analyze the key features of the modern art market of Ukraine in the context of digitalization of art, as well as to study the potential for further development and spread of online trade in art in our country.]

Theoretical Framework or Literature Review

Scholarly studies of the art market depend on financial statements and legal documents. One of the first books on the history of art markets, Gerald Reitlinger's trilogy The Economics of Taste, was published back in 1961 (Reitlinger, 1961). However, it should be noted that most of the deals and transactions in the art market still take place without the use of modern technology, accordingly, both domestic and foreign researchers have not paid enough attention to the phenomenon of the Internet as a powerful innovation in the market. art, and consider cyberspace as a simple auxiliary tool that can be used to increase sales of works of art. According to the above, the main problem is that due to the academic novelty of the topic in question, one has to deal with a lack of statistical data, which makes it very difficult to develop a comprehensive retrospective narrative.

Analysis of existing studies on the impact of digitalization on the art market (instant access to a full amount of information about the product, the absence of unnecessary contacts and unwanted questions, saving time on the transaction and the subsequent delivery of the purchased goods, etc.) leads to the conclusion about the semantic and methodological changes of the modern art market.

Most art market practitioners are inclined to believe that digital art has become part of everyday life and strongly influences traditional art in its current phase (Schukei, 2019; Sanders, 2018), along with the fact that many digital artists have begun to explore traditional art. Some scholars draw attention to the advantage of the economic relationship emerging in the art marketplace: newcomers to the online art marketplace should recognize that the intention of users to use an online art platform is determined not only by the technological usefulness of the website but also by the symbolic capital of the information provider (Lee & Lee, 2019). Other scholars focus on the composition and functional orientation of the online segment of the contemporary art market, highlighting three of the most prominent cyber phenomena that could have a huge impact on the further development of the global online art trade (Sidorova, 2019). Some scholars focus on exploring the analysis of the main characteristics and problems of digital art in a general sense, as well as the solutions and problems offered by cryptographic certificates in all aspects of artwork life: production, distribution, and preservation (Cuesta Valera et al., 2021).

Methodology

Multidimensionality of the research purpose is dictated by the search of economic instruments to optimize the art market in Ukraine in the formation of competitiveness of Ukrainian artists in terms of informatization of society. For cognition of economic phenomena and actions are carried out special researches, the process of research using certain ways of the essence of the phenomena for the purpose of optimum organization of purposeful activity of people in one or another sphere of production. The subject of economic research are social phenomena and processes in the production of material goods.

When carrying out the research on the topic the authors used general scientific methods, such as analysis, synthesis, induction, deduction, analogy, modeling, abstraction, concretization. The authors also used specific methods of research, which are used by economic sciences for cognition of the essence of phenomena and processes: calculation-constructive and abstract-logical.

Results

The art market as a significant part of world culture in which such social and cultural phenomenon as the art market acts as a system of relations between creators, distributors (dealers, art consultants), and consumers of products of art culture, realized through commodity-money relations. In other words, we can conclude that the art market in its essence is a set of art-cultural and economic relations in the form of equivalent exchange of various art objects for material values, in which economic agents are the creators of works of art, buyers and intermediaries between them. The economy with implemented information and communication technologies is a digital economy based on digital technologies, more properly characterizing the field of electronic goods and services.

The contemporary art market in the context of informatization is an autonomous segment of the contemporary art market, offering alternative ways of buying and selling works of art. The online art market has two important differences from the offline market: firstly, due to its ability to spread information about art and artists instantly and worldwide, an art market connected to the Internet can reach many new buyers and enormously expand the market. Second, virtual cyberspace exists across national and continental borders, and an online art marketplace can be accessible to any number of sellers around the world, while being represented on only one site, making it accessible to more potential buyers. who purchase art directly from home.

The Internet has evolved from an art marketing tool into an art market with its unique features and developmental patterns. Estimating the size of today's online art market is difficult, as is predicting the future of online art markets, although it is clear that online platforms have become increasingly important over the past decade.

On the example of the sales of paintings, we can determine the overall performance of the market:

– *the capitalization of the investment-quality art market,* which can be calculated as the aggregate value of all the artworks included in a particular sample;
– *the average value for the most valuable artworks* is calculated as the average value from the list of selected artworks;
– *the marginal price,* which corresponds to the value of the last artwork in the emerging ranking;
– *market breadth index* - the number of artists included in the rating;
– *market depth index* - turnover over the past 12 months as a percentage of market capitalization. Turnover is calculated as the total value of all-new artwork, which is included in the ranking over the past 12 months;
– *resale index* - this indicator reflects the turnover of the most significant artworks on the open market and is calculated as the number of resales of paintings from the rating in the last 10 years as a percentage of 1 thousand;
– *the average annual yield* is calculated as the changes in market capitalization over the relevant period, reduced to a percentage per annum.

In the practical activity of analyzing the market of investment-quality art objects the segmentation of the paintings selected for analysis is carried out. Based on this the indicators of the art market of the second level are calculated, to which we refer:

– *the market capitalization of individual artists,* which is calculated as the aggregate value of all the artworks of a given artist on the selected list, both in nominal and real value;
– *index "yield"* of historical periods, which is calculated as the total market value of the artworks included in the selected list and were created during a certain period.

The contemporary art market has not only a certain geographical structure, given the fact that the United States, China, and Britain are leaders in sales in the art segment, but also a typological segmentation. Among all the participants in the art trade market, the most influential are the auction houses, which are the instruments of influence that determine the main directions of further economization of art and increase the competitiveness of artists. One of the branches of the contemporary art business, which is the most dynamically developing at the present stage in Ukraine and in the world, is internet trade (internet auctions). However, there is a certain amount of distrust in the reliability of such online auctions, both among large auction houses, such as Sotheby's or Christie's, and among buyers, which is related to the quality of artworks (paintings, sculptures) which are on sale, their originality, as well as the seller's reputation.

Discussion

The ongoing processes of informatization affect not only the economy but also directly on the person, a key component of an effective and safe life becomes free possession of digital and information-analytical technologies, through which the person receives the amount of information that produces (within its adequacy) and abilities) its assessment and builds a model of their social behavior. Digital art requires no less skill than traditional artmaking, but it does require a different mode of thinking (Schukei, 2019). Creating brushes, shapes, and patterns for your program gives you flexibility in what you can do with your artwork, and it gives you the possibility of earning extra money from those unique creations (Sanders, 2018). User participation in the online art market is guided by curatorial direction rather than social influence (Lee & Lee, 2019). The behavior of an art purchaser is quite often characterized by a high percentage of subjectivity and irrationality in the decision to purchase a particular art asset. This has negative consequences, first and foremost, for the buyer himself, especially during a financial crisis, during which investment decisions must be balanced and rational.

In the art objects market in Ukraine, as in any other investment market, we can distinguish two general types of participants, depending on which business model they use: auction trading, financial services, information business, or dealer business (including private museums and galleries). Most of them are public, private, and professional investors pursuing all possible investments, including collecting strategies in the art market. The second category is institutions, organizations, and individuals that serve the art investment process and represent the infrastructure of the art market.

Digital technology, which appeared in the '80s and consolidated itself in the following decade with what was called the “third industrial revolution”, has transformed not only our daily environment but also the way in which we produce and experience artistic work (Cuesta Valera et al., 2021). The contemporary art market is a complex and multifunctional phenomenon. The transition to a market economy entails active commercialization of art, the formation of new relationships between creators of works and their admirers as well as buyers of their works. The growing interest of the world's economies in the art trade is evident, as well as the benefits of being active in the art market.

The art market is often mistakenly referred to as a completely unregulated market, which is certainly not true in any way. In world practice, there are many rules, in particular on auction sales, that regulate buyers' rights and ensure their protection. Digital artwork made recent highlights with the integration of the cryptocurrency market that already tops 2 trillion and is still rising dramatically (Wang & Wang, 2021). Nevertheless, it must be recognized that compared to much larger markets, such as the stock market, which has strict rules, for example concerning insider trading or market manipulation, the art market, that is, art trading, takes place in a much less regulated environment.

It should also be noted such a feature of the global art market as a tendency to the anonymity of transactions, in contrast to the usual business transactions in other sectors, such as real estate. But when someone sells an artwork at auction - even something worth $100 million, much more than your house - the identity is typically concealed (Bowley & Rashbaum, 2017).

When works of art are in market circulation, they acquire a commodity character. The art market, both in Ukraine and all over the world, is subject to the trends that exist in the world economy, among the most important ones one should highlight the globalization of the art market, the development of various ties between states in the field of culture, as well as the increasing role of information technology and the development of online commerce.

The widespread usage of digital formats and techniques in the production and presentation of artworks has made contemporary art practices more accessible and thus open to being experienced (Selen et al., 2022). The modern online art market has its own structure, in which we can distinguish hybrid online-offline-art-businesses, as well as online art enterprises. Online-offline companies present in today's online art market are traditional primary (galleries) and secondary (auction houses) participants in the art market, operating both online and offline. They use cyberspace to increase sales and create new marketing channels. There are three main types of online art enterprises currently functioning in the art market-online auctions, online galleries, and the online marketplace (Sidorova, 2019). Internet auctions (e.g., Auctionaftersale, Barnebys, Birdsquare, Heritage Auction, Hihey, Invaluable, Liveauctioneers, Thesaleroom, Paddle) offer their customers the opportunity to bid on works of art without leaving their homes. This erases the social barriers inherent in bidding at traditional auction houses, where one often has to have a certain financial and social status. Online galleries (Artgallery, Degreeart, Ideelart, Newbloodart, Upriseart, Weng Contemporary, Zatista, etc.) are virtual exhibition halls designed to display and sell works of art, attracting art dealers who do not want to spend money to rent gallery space, in particular, because the new generation of clients is not used to the traditional – “offline” - viewing and purchasing of art. Yet, another cultural factor sets auction houses apart from galleries: an investment logic that advanced over the last two decades. Unlike dealers, auction houses post prices publicly (Buchholz et al., 2020). Online shopping platforms (1stdibs, Artnet, Artsy, Artandcollect, Artviatic, Saatchiart) allow buyers to purchase art immediately at the click of a button. They are the starting point for new art collectors and, unlike online auctions, provide direct communication between artists, art dealers, and potential buyers. It is art in cyberspace and the art market under the influence of digitalization that is becoming complex and multi-structured. With the advent of computer technology and communication technologies, areas such as computer graphics, computer, and digital design, and phenomena such as digital art have emerged (Osadcha, & Baluta, 2021).

The creation and presentation of art become cultural phenomena. While social needs determine the development of technology, innovations, and differences in production arise in all areas of life (Aydoğan, 2019). Whether it is digital art or traditional art they are both art. The differences between the two are the media you use (Gupta, 2019).

The number of publicly-traded art companies is small, and information on the profits and expenses of the participants that are the infrastructure of the art market is, in most cases, classified information, and therefore of little use for comparison. In general, the art market does not have a single geographical location. For example, digital art in public places is part of the city's creative infrastructure as well as of the space of places; it is a weak location factor, it influences people's information behavior, and it has effects on the city's knowledge-based and creative economy (Littwin & Stock, 2020).

Most transactions are made and conducted directly between the owners of paintings and sculptures or through professional art dealers. A significant part of art asset trading activity, in one way or another, is associated with major art exhibitions taking place all over the world, but it should be noted that these exhibitions do not perform the function of organized and permanent markets that can eliminate counterparty risk and ensure liquidity and constant formation of the market price of art assets. We can state that the function of organized markets is attempted by large auction houses, which, unlike exhibitions, have a permanent location, hold auctions throughout the year, act as a clearinghouse, eliminate counterparty risk, and also eliminate the risk of counterfeiting art objects.

Factors affecting the art market can be divided into internal and external. To the internal, we can include factors, which in turn are indicators (indicators) of segments of the art market. These indicators can be divided into general and second-tier indicators. To the external factors, we can refer the main indicators of the macroeconomic situation in the world, we are talking about global world indices, indices of national markets, price of gold, silver, platinum, and oil. The aim of key indicators of the investment segment of the art objects market is the most objective reflection of the current tendency of price dynamics and liquidity of the public market of the most expensive art objects. These key indicators allow estimating the market composition (structure of market capitalization by sectors by analogy with the stock market analysis), distribution of value, trading volume, and growth rate of value by types of art objects.

Conclusions

Based on our study, we can identify the most significant changes in the art market in Ukraine under the influence of digital technology, which affect the competitiveness of artists in Ukraine:

- information about auctions and dealer sales, including the advertising component, is publicly available and freely posted on the Internet in its entirety, which attracts a large number of new buyers;
- the digitalization of all stages of communication between the participants (communication via e-mail, payment for the agreement itself, and related costs);
- the creators themselves (artists, sculptors, and others) actively promote their products through accounts on social networks and on official websites;
- significant democratization of the art market, both in terms of the composition of participants and the range of items offered for purchase and sale.

Due to the dramatic growth of the volume of the art (work) market and the increase in the number of its participants, digital technologies should resolve the key problems of the art market - issues of trust and transparency of transactions, which create the greatest obstacles to further growth of the art industry.

As can be seen from the above, the global art market is beginning a process of reform and new rules are seen as a necessary reform of the industry, which requires stricter regulation and increased transparency.

To summarize the above, we can conclude that despite changing international relations and the global environment as a whole, the art market in the era of digitalization has become a single global space. We believe that today's global art market is actively developing and reforming due to the introduction of modern digital technology, so it remains competitive and reliable for investment.

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The impact of the war with Russia on the export/import of Ukraine and possible tools to restore the Ukrainian economy

Вплив війни з Росією на експорт/імпорт України та можливі інструменти відновлення української економіки

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Abstract

The war posed a new challenge to the Ukrainian economy: how to ensure the recovery of Ukrainian exports / imports and enable businesses to recover after the war. The aim of this study was to identify possible tools of the customs tariff mechanism that will help Ukrainian companies to recover and start working. This study is comparative and compares the structures of customs and tariff regulation of the EU and Ukraine, both in pre-war Ukraine and during the war. A poll conducted in 2022 shows the attitude of Ukrainian business to reforms and the introduction of new instruments of the customs tariff mechanism. The survey was conducted among 76 companies engaged in exports and import, of which 29 have an import component in their goods. The survey examined the business response to the introduction of the proposed innovations in Ukraine. The research methodology is based on qualitative and quantitative research methods. This study proposes ways to improve the customs tariff mechanism in Ukraine, namely the presentation of the latest models to improve the existing customs tariff mechanism, which were developed in early 2022, and are effective for the

Анотація

Війна поставила новий виклик перед українською економікою: як забезпечити відновлення українського експорту/імпорту та надати можливість бізнесу відновитися після війни. Завданням цього дослідження було виявити можливі інструменти митно-тарифного механізму, які допоможуть українським компаніям відновитися та почати працювати. Дане дослідження є компаративним та порівнює структури митно-тарифного регулювання ЄС та України, як у довоєнний час України, так і під час війни. Опитування, проведене у 2022 році показує відношення українського бізнесу до проведення реформ, та запровадження нових інструментів митно-тарифного механізму. Опитування було проведено серед 76 компанії, які займаються експортом та імпортом, із них 29 мають імпортну складову у своїх товарах. Опитування дослідило реакцію бізнесу на впровадження в Україні запропонованих нововведень. Методологія дослідження базується на якісних та кількісних методах дослідження. Дане дослідження пропонує напрями удосконалення митно-тарифного механізму в Україні, а саме представлення новітніх моделей для покращення наявного

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recovery of the Ukrainian economy after the war. This study also includes an analysis of the impact of the proposed models on the achievement of sustainable development goals in Ukraine in the future.

Keywords: export, import, Ukrainian economy, sustainable development, foreign economic activity.

митно-тарифного механізму, які були розроблені на початку 2022 року, та є ефективними для відновлення української економіки після війни. Дане дослідження охоплює також аналіз впливу запропонованих моделей на досягнення цілей сталого розвитку в Україні у майбутньому.

Ключові слова: експорт, імпорт, українська економіка, сталий розвиток, зовнішньоекономічна діяльність.

Introduction

In addition to the many challenges facing the Ukrainian economy, namely COVID-19, rising gas and other energy prices, the war has been added. Russia's invasion of Ukraine on February 24, 2022, brought a halt to imports of most commodity categories, as many businesses suffered physical losses, infrastructure was damaged, and foreign partners suspended cooperation with Ukraine due to increased risks. In this situation, Ukrainian business had to survive, and do everything possible to save jobs, the businesses / industries themselves, and the country itself.

The main ways to restore the economy during the war, in April 2022, was a reduction in taxes on imports, benefits were given to small and medium-sized businesses. Big business has been left without the long-awaited incentives and must deal with the situation on its own. According to a survey of big business, it was revealed what incentives would be interesting for big players. The improvements that were proposed were designed to accelerate the growth of the Ukrainian economy in the pre-war period and can be used in the postwar period.

The proposed methods of customs tariff mechanism were based on a comparison of EU and Ukrainian import systems in the pre-war period. A model was proposed, which was based on the deferral of customs duties, especially VAT, until the sale of products, and only then transfer to the budget. According to business, this would increase the amount of funds that will be invested by enterprises in business development, as well as risk diversification and reorientation in difficult times. The survey was conducted among 76 companies, that confidently stated during the survey that they were interested in the deferral tool. This study shows the best way to help businesses recover quickly in the postwar period.

Literature Review

Analysis of economic tools and strategies of different countries are the main points to find right strategy to revive economy of Ukraine. Especially interesting are research in line of reforms, crisis, changing a particular policy and rules of trade between nations. Analysis tried to catch most countries, to gather different kind of experience.

Line of reforms was mentioned in research of Abreo, C., Bustillo, R., & Rodriguez, C. (2022) in analysis of Colombia's trade liberalization process for the main aim to boost Colombian exports. Main part of Colombian exports are raw materials, like Ukrainian ones. Yan, D., & Chunding, L. (2021) was analysis reform of International Trade Governance System in China with experience in designing and executing roadmaps to long-term reform. Brown, L.K., & Troutt, E. (2018) analysis trade and welfare effects of export subsidies in aspect of governments continue to enact policies to promote trade. Medin, H. (2021) analysis why do firms import via merchants in entrepot countries rather than directly from the source, that is very important topic for reforms of Ukraine in line of EU experience with direct and indirect international trade. Olha, Y., Stašys, R., Tsygankova, T., Reznikova, N., & Uskova, D. (2021) made an analysis of protectionism sources of trade due to the COVID-19, peculiarities of modern intercountry trade disputes, based on experience of USA, the EU and China disputes, that is useful for export/import future protection in Ukraine. Rahul, M., & Gilles, C. (2021) analysis abnormal pricing in international commodity trade, like Ukrainian ones. Vural, G. (2013) analyses asymmetric trade costs. Sidorov, V. N., & Sidorova, E. V. (2021) concentrated on trade facilitation in three dimensions: "hard", "soft" and digital, which includes the use of information technologies, that widely used in Ukraine for 2022. Watson, A. (2021) examines the impact of trade credit on cyclical fluctuations in international trade.

Line of crisis was mentioned in research Aituar, A. (2021) is case of trade sanctions between Russia and Western countries on Kazakhstan, that will significantly show influence for the country that is highly integrated into the Russian economy. Davis, C.L, & Pelc, K.J. (2017) analysis self-restraint of trade protection, research `hard times` and shows that `international trade rules include provisions that allow for raising barriers to aid industries when they suffer economic injury`. Euro integration questions, especially in war period shows the necessary to balance the pressures. Davis C., Pelc. K `assesses the effect of crises on cooperation in trade` (Davis, & Pelc, 2017). Herman, P. R. (2022) analysis possibility of nondiscriminatory non-tariff trade costs, research `methods for estimating nondiscriminatory trade costs exhibit challenges in terms of data requirements or the ability to isolate the effects of specific policies`.

Line of changing a particular policy was mentioned in research Alonso, V. (2021) analyses the international arms trade that is an important line of analysis in war period. Chen, W., & Wang, N. (2022) analysis the rapid rise of East Asian economies centered on China, Japan, and South Korea, that show changing geographies of international trade. Crozet, M., Demir, B. & Javorcik, B. (2022) analysis international trade and letters of credit like an instrument to restore economy in crises period. Dluhosch, B, & Horgos, D. (2013) analysis globalization affects, that shows disaggregated perspective on trade and `shows that the positive connotation is concentrated in low-income countries still in the process of climbing the income ladder`, that is common to Ukrainian economy. Galovic, T. (2021) made research connected to the Association of Southeast Asian Nations (ASEAN) that `examine the international competitiveness and trade of ASEAN member states`. The evaluation of the competitive position of ASEAN member could help to evaluate the Ukrainian international trade. Mišević, P. (2021) made `research is to analyze the international trade of the EAEU member states`. ‘The results show openness to foreign trade and export orientation of the EAEU member states` and results open the picture of EAEU.

Line of rules of trade between nations was mentioned in research Dos Reis, M., Da Silva Porto, & De Azevedo. (2021) that analysis the impacts of the World Trade Organization on the members. Julieta Zelicovich (2022) shows the discourse in World Trade Organization reform debates. Ukraine has been a member of the WTO since 16 May 2008.

Analyzing the above studies, we see that almost all countries, organizations and processes have been analyzed, but not in the context of Ukraine. In the post-war period, Ukraine must create its own unique tool based on the experience of developed and developing countries, which will help the rapid development of the economy.

Methodology

Current research represents the comparative analysis of procedure 4200 (indirect import) and direct import. 4200 is a mechanism used by the EU importer to obtain VAT exemptions. Applies when goods imported from outside the EU to one Member State are transported to another. In such cases, VAT shall be paid in the last Member State of destination. Based on the analysis of the competitiveness of Ukrainian goods, it is proved that the enterprises of the EU countries have more opportunities for development, since using indirect imports, VAT can be paid later the sale, which contributes to the development of the EU economy, and the resale of goods with a lower percentage of margins. Ukraine cannot offer Ukrainian companies such benefits as VAT deferrals. Ukraine's customs legislation cannot provide simplification for international trade and therefore does not meet the goals of sustainable development and ability for the fast recovery. The main goal of the study was to identify the main problems facing Ukrainian business and identify points that will help businesses respond quickly to change, one of which is war.

After research, the deposit was chosen as an opportunity to improve the customs mechanism of Ukraine. In 2022, surveys were conducted, which helped to understand how important this tool is for Ukrainian business and can help the economy recover quickly. The tool was designed to quickly restore the economy and fulfill the sustainable development plan.

The surveys were conducted to identify the need for a business instrument, as well as to identify the amount that a business is willing to pay for such an instrument, since the interest on loans that can be taken to pay VAT is high and ranges from 10.9% to 53.4% according to the National Bank of Ukraine. Survey was made to evaluate the import component in production and understood how the business reacts to the instrument for deferring VAT payment.

Profile of Survey:

- 76 respondents are companies in Ukraine, that provides export
- 29 companies have import part in their export
- 13 of companies has import part from 75%-100% in raw materials
- 72 respondents from 76 are big size companies

Both surveys included both open and closed questions. First survey includes:

- Business size (small / medium / large)
- Do you carry out which foreign economic activity? (Only Import/Only Export/ Export+Import)
- Do you have an import component in the exported products? (Yes/No)
- Import raw materials component in the finished product, % (Select diapasons)
- Volume of imports per year, in UAH (Select diapasons)
- Choose import, temporary entry, or transit (import, temporary entry, transit)
- Does the payment of VAT during the customs clearance in Ukraine affect the final price of finished goods intended for export? (Yes/No)
- Does the competitiveness of your export goods increase if you exempted from paying VAT before custom clearance? (Yes/No)
- Does the increasing of the competitiveness of your products improve the well-being of the company's employees? (Yes/No)
- Do you consider it expedient to amend the customs legislation of Ukraine to deferral of payment VAT and other customs taxes? (Yes/No)

The survey shows the readiness of Ukrainian enterprises to change in taxation, and a clear position in terms of willingness to work with deferred payment of VAT, even for a fee. Some of the questions in the two studies repeat each other to interview separately manufacturers who have an import component, separately exporters / importers. This breakdown was made for the purity of the study.

Results and Discussion

The VAT deferral scheme is precisely the instrument that originated from the 4200 indirect imports in the EU, where VAT can be paid after the sale of the product itself. To identify this possible tool, a comparative analysis of the structure of the customs and tariff mechanism of Ukraine and the EU was conducted, both in the pre-war and in wartime. In Figure 1, we can see a comparative analysis of the structure of the EU-Ukraine customs tariff mechanism in the pre-war period. According to the Figure 1, VAT, which constitutes a large share of the cost of goods in all countries, can be paid on indirect imports, after the sale of goods already in Poland. Indirect Import SVK+PL (4200) shows the customs clearance of goods in Slovakia for Poland, and the payment of VAT after the sale of goods in Poland. In this case, payment is deferred for an indefinite term. With direct import to Poland, VAT payment occurs within 10 days after customs clearance of the goods, when using guarantees. In Ukraine, VAT and duty are paid immediately, before the goods are cleared through customs.

	Before custom clearance	10th day after import	Goods are sold out
Indirect Import SVK+PL (4200)			
VAT			23%
DUTY		0%	
Direct Import PL			
VAT		23%	
DUTY		0%	
Direct /Indirect import Ukraine			
VAT	20%		
DUTY	X%		

Figure 1. Comparative analysis of the structure of the EU-Ukraine customs tariff mechanism in the pre-war period. Source: own.

In Figure 2, we can see a comparative analysis of the structure of the EU-Ukraine customs tariff mechanism in the war period for small business. According to Figure 2, we can see that Indirect Import SVK+PL (4200) and Direct Import PL do not change and leave the same benefits for companies in the European Union, and Ukraine within companies that are on a flat tax of 2% (small business), may not pay VAT and import duties.

Tax situation at the end of April 2022 was fixed only for the period of martial law. In comparison, we see that taxes for small businesses have been significantly reduced, mainly to give impetus to its development. The reason for such taxes is that small businesses work mainly with individuals, which makes it possible for individuals to save money as part of the fight against poverty and sustainable development.

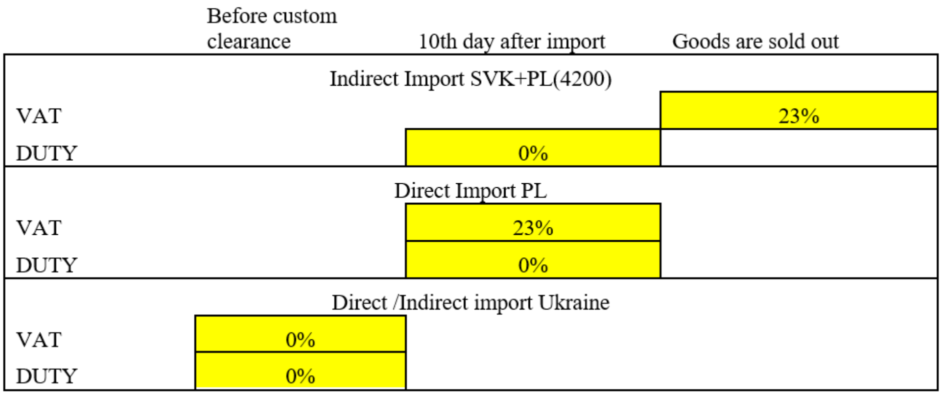

Figure 2. Comparative analysis of the structure of the EU-Ukraine customs tariff mechanism in the war period for small business. Source: own.

In Figure 3, we can see a comparative analysis of the structure of the EU-Ukraine customs tariff mechanism in the war period for medium and big business. According to Figure 3, we do not observe changes for medium and large businesses with war conditions and with pre-war import conditions. For big business, the terms of the customs tariff mechanism for international trade have not changed.

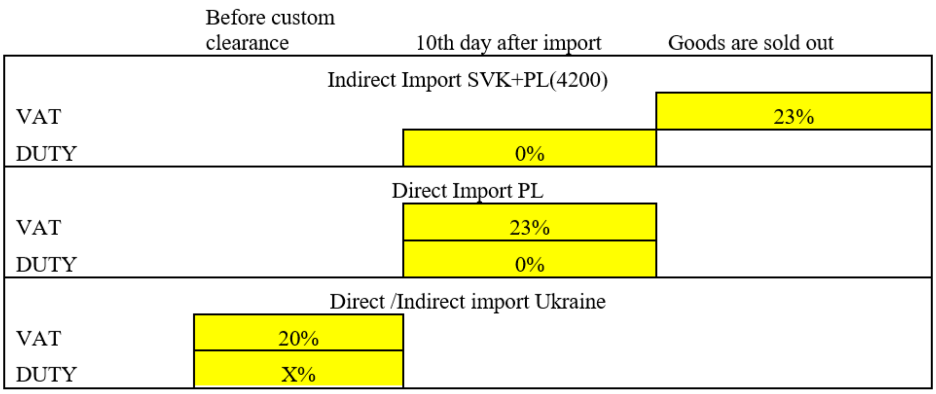

Figure 3. Comparative analysis of the structure of the EU-Ukraine customs tariff mechanism in the war period for medium and big business. Source: own.

Restoring business after the war is a rather pressing issue for both small and medium and large businesses that are undergoing relocation and change. Big business also needs support, especially in terms of reducing production costs, in terms of raw materials.

It would be especially advantageous for Ukrainian businesses to be able to pay VAT after the sale of goods imported into Ukraine, and in the case of using imported raw materials in finished Ukrainian products, to allow to pay VAT at a rate of 0%. This would increase the competitiveness of Ukrainian products in foreign markets.

On April 27, 2022, the European Union abolished all duties and quotas on Ukrainian products, as well as the United Kingdom. This approach benefits Ukrainian businesses in the European market and the UK market, but the excessive costs of Ukrainian business are associated with logistics, loss of raw materials, disruptions in raw material supply, increased logistics, and labor emigration to the European Union. Even before the war, two polls were conducted, thanks to which we understand what instruments of the customs and tariff mechanism should be introduced in Ukraine for a faster revival of the Ukrainian economy.

To test the possibility of deferred payment, and the attitude of business to this, a business survey was conducted, namely 76 companies, the largest of which was classified as a large business.

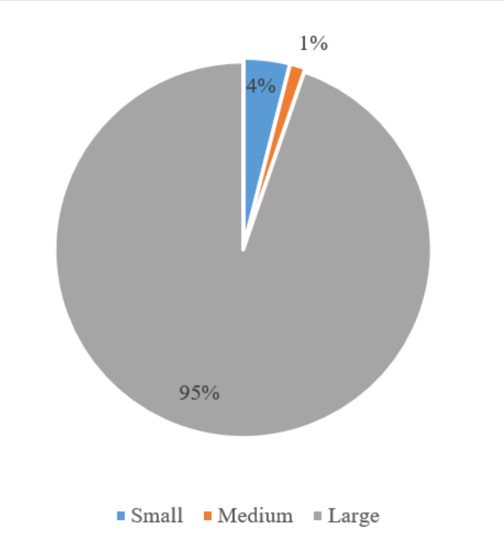

Figure 4. Business size of the respondents (small / medium / large). Source: own.

Based on Figure 4, we see that 95% -72 companies, surveyed belong to large businesses, 1 to medium businesses (1%) and 3 to small businesses (4%).

Based on Figure 5, we see that 58 companies (76%) are engaged in both exports and imports, and only 18 of the respondents (24%) are engaged exclusively in imports, and none of the respondents are exclusively engaged in exports.

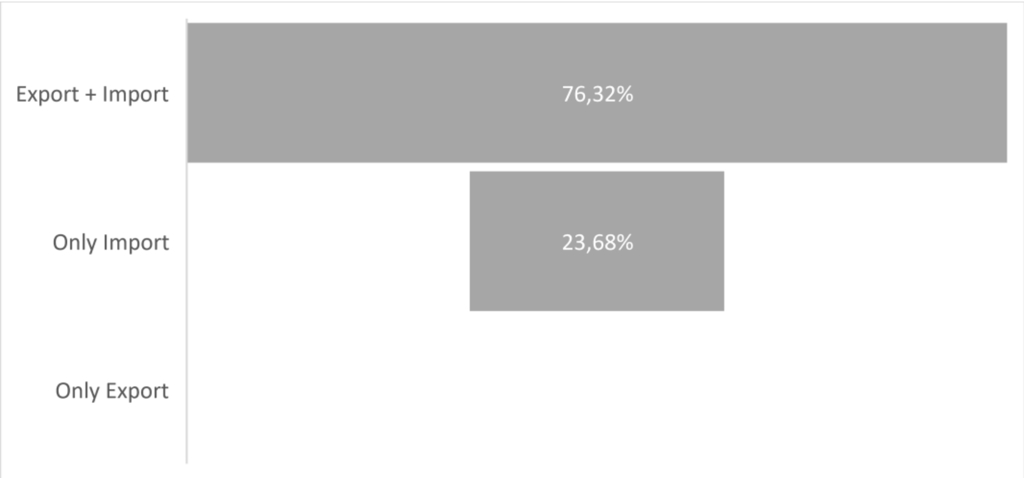

Figure 5. Types of foreign economic activity carried out by respondents. (Only Import/Only Export/ Export+Import). Source: own.**

Of the exporters surveyed, Figure 6, we see that 38% have an import component in their product, and 62% do not have an import component, their import and export categories do not overlap. The indicator of the import component when exporting is very important for us, since often Ukrainian companies do not work on a give-and-take scheme, but purchase imported components, paying VAT, and then export goods, including VAT in the cost of goods when calculating, since not everyone submits VAT in Ukraine for reimbursement.

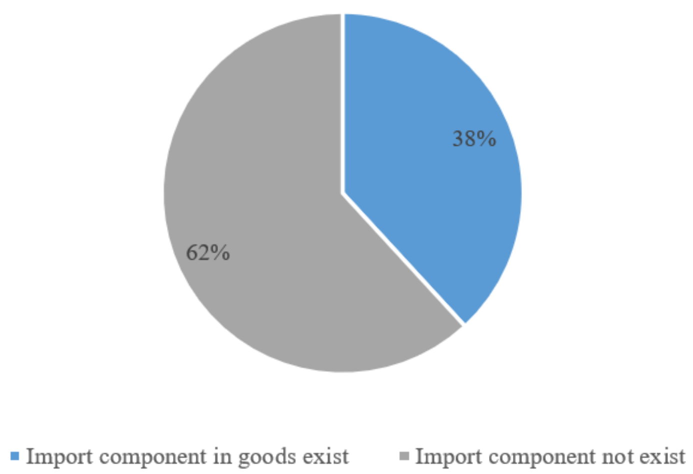

Figure 6. Import component in the exported products by respondents. (Only Import/Only Export/ Export+Import). Source: own.

Figure 7 shows us the % of the imported component (raw materials) in the final product. It is he who is important for determining the impact of VAT on the final cost of the product. 6.67% of the surveyed companies have less than 10% of the import component, 6.67% of the companies have an import component of 10-25%, 23.33% of the surveyed companies have an import component of 25-50%, 50-75% have an import component of 20% of the surveyed companies, and what is especially important 75-100%, and this is 43.33% of the surveyed companies have an import component. 75-10% of raw materials are imported, which is a very high figure for Ukrainian goods. On average, the indicator of the import component in Ukraine ranges from 30-60%, our sample of exporters turned out to be special. The import component and taxes paid, namely in Ukraine it is 20% VAT + duty, are a big burden on the business, and implies the availability of working capital 20% more than a European business can have to work at the same level.

Reducing the burden specifically on the import component of Ukrainian goods will serve not only to reduce the cost of Ukrainian goods abroad but will also serve to reduce the cost of Ukrainian goods in Ukraine itself, which will allow people to buy goods more freely at lower prices.

In April 2022, prices for Ukrainian goods have increased due to the logistics component, which needs to be brought back to normal. In connection with the war, new logistical routes should be developed, and new optimal solutions should be given to replace imported components. One of the solutions is the replacement of imported components, which is difficult during the war, since not all production works. Many imported components are not grown in Ukraine, and this also has an impact on everything from fabrics and threads to some food ingredients.

The volume of imports per year is also of great importance, as shown in Figure 8. This category considers the volume of imports for which it is necessary to give a deferred payment for the payment of VAT until the sale of products on the domestic market, or export, to use the VAT offset. Such an opportunity as a deferred payment will enable Ukrainian enterprises to work more efficiently with less working capital.

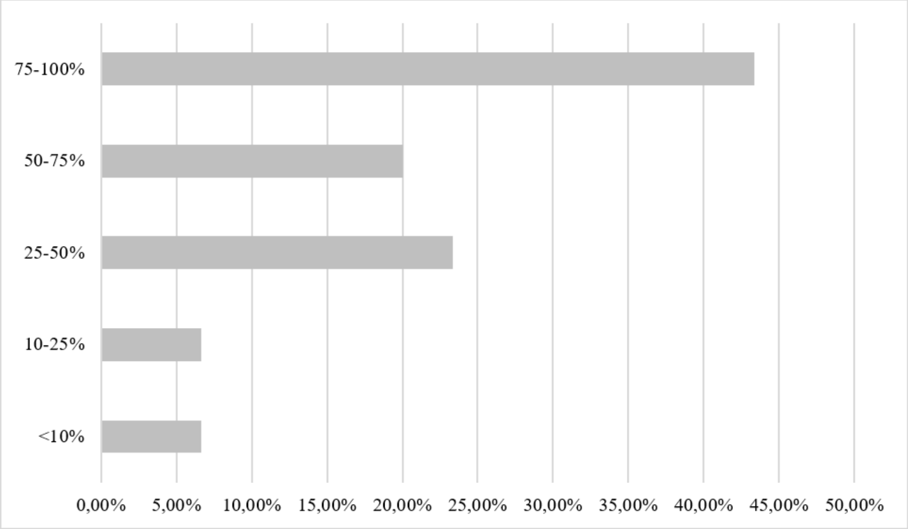

Figure 7. Import raw materials component in the finished product, %. Source: own.

As we can see from Figure 7 and Figure 8, the possibility of deferred payment and offsetting on the import component can have a tangible effect for companies, given the high% of imported raw materials used by enterprises. Import amounts also show opportunities for more efficient operation with less working capital.

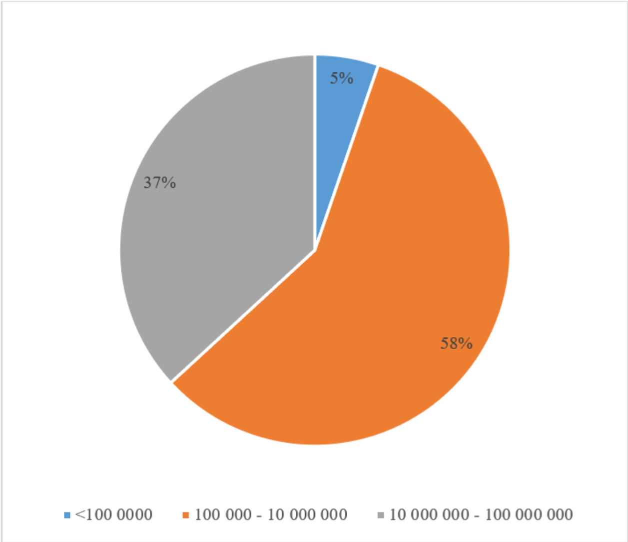

Figure 8. Volume of imports per year, in UAH. Source: own.**

76 survey participants were also asked questions related to the benefits for their company when using the VAT deferral. 100% of respondents confirmed that payment of VAT during the customs clearance in Ukraine affect the final price of finished goods intended for export.

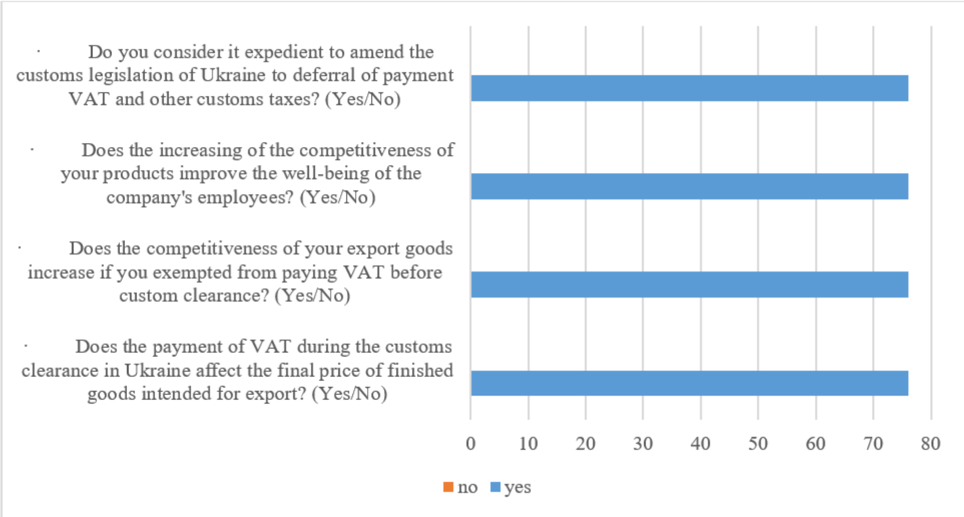

Figure 9. Results of the survey of respondents on key issues. Source: own.

100% of respondents confirmed that deferral of payment VAT increase the competitiveness of goods and improve the well-being of the company's employees. It is also important that the desire to amend the customs legislation of Ukraine to deferral of payment VAT and other customs taxes, like it is works in European Union at indirect import. Figure 9 shows us the responses to the questions by the respondents.

Conclusions

Based on the study, we can say that the business is ready to defer VAT and duties during the import of goods and sees the benefits of working within Ukraine under the scheme of indirect import to the EU, which was considered in the study. Business attracts the opportunity to pay VAT and other taxes after the sale of goods. In war and post-war times, this is necessary for business to raise the economy and reduce the necessary working capital to start a business.

This study is based on a comparative analysis of the customs tariff mechanism of the European Union and Ukraine in pre-war time and during martial law. 76 companies were surveyed that are ready to use the deferred payment tool currently used by the European Union when importing goods of non-European origin indirectly into the country. Ukrainian companies want to use the deferral of VAT after the sale of goods during direct imports, which will give a competitive advantage to Ukrainian business and will have positive economic result.

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Improvement of automatic speech recognition skills of linguistics students through using ukrainian-english and ukrainian-german subtitles in publicistic movies

УДОСКОНАЛЕННЯ НАВИЧОК АВТОМАТИЧНОГО СПРИЙНЯТТЯ МОВЛЕННЯ СТУДЕНТІВ-ЛІНГВІСТІВ ЧЕРЕЗ СУБТИТРУВАННЯ УКРАЇНСЬКО-АНГЛІЙСЬКИХ ТА УКРАЇНСЬКО-НІМЕЦЬКИХ ПУБЛІЦИСТИЧНИХ КІНОФІЛЬМІВ

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Abstract

The increased world's attention to foreign language studies facilitates the development and improvement of its study system in higher education institutions. Such a system takes into account and promptly responds to the demands of today's multicultural society. All should start with the transformation and modernization of the higher education system. This system includes the introduction of innovative technologies in the study of English and German, which should be focused on the modern demands of the world labor market. All this has determined the relevance of the research. This article aims to establish ways for students to gain automatic recognition skills through subtitling Ukrainian-English and Ukrainian-German publicistic movies and series. The first assessment of new language audio and video corpus was developed

Анотація

Удосконалення навичок автоматичного сприйняття мовлення студентів-лінгвістів через субтитрування українсько-англійських та українсько-німецьких публіцистичних кінофільмів.
Посилена увага до вивчення іноземних мов в усьому світі сприяє розвитку та удосконаленню системи його вивчення в закладах вищої освіти, така система враховує та оперативно реагує на запити сучасного мультикультурного суспільства. Усе має починатись з реформування та модернізації системи вищої освіти, що передбачає запровадження інноваційних технологій у вивченні англійської та німецької мов, які також мають бути орієнтовані на сучасні запити світового ринку праці. Це й визначило актуальність досліджень. Метою статті є встановлення

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at the Admiral Makarov National University of Shipbuilding, using an automatic subtitling mechanism to improve linguistics students' recognition and understanding of oral speech. The skills and abilities that improved during the work with the educational movie corpus have been identified.

Keywords: English as a foreign language, EFL, higher education, video and audio corpus, subtitling, automatic speech recognition.

шляхів набуття навичок автоматичного сприйняття студентами усного мовлення через субтитрування українсько-англійських та українсько-німецьких публіцистичних кінофільмів та серіалів; перша оцінка нового мовного аудіо та відеокорпусу, що розроблений в Admiral Makarov National University of Shipbuilding, з використанням автоматичного механізму субтитрування з метою покращення сприйняття та розуміння студентами-лінгвістами усного мовлення; визначено ті вміння та навички, які покращилися в ході роботи з корпусом навчальних фільмів.

Ключові слова: English as a foreign language, EFL, вища освіта, video audiocorpus, субтитрування, автоматичне розпізнавання мовлення.

Introduction

There are influential research groups (Wang et al., 2018; Al Zoubi et al., 2019) and higher education institutions around the world (National Academy of Engineering and National Research Council, 2014; National Academies of Sciences, Engineering, and Medicine, 2020) that are actively developing and supporting innovations in the foreign language learning industry. The practice of using a corpus of Ukrainian-English and Ukrainian-German educational movies with subtitles is not an exception, as this methodology helps to form and develop automatic speech recognition and perception. It also expands the general intellectual level and awareness and supports the creative perception of a foreign language. These are simultaneous opportunities to learn, practice, experience the culture and traditions of other nations, enjoy learning, and most importantly, develop the European foundations of innovative education and professional linguistic training (Dweck, 2017). Also, an audio and video review of a foreign movies corpus raises current issues of modern Europe development. These are issues of gender inequality, ecology, energy conservation, community life, and freedom of speech (Partnership, 2020). This corpus of problems allows us to expand the research field of modern innovation and foreign language learning.

Speech technology in foreign language learning has considerable research potential, attracting high interest from practitioners and theorists in this field (Tyurina, 2019; Interspeech, 2019; Special Session, 2019). Thus, in the International Speech Communication Association (ISCA), there is a special unit (SIG), which also deals with modern digital technologies, the problem of subtitling in education. They regularly organize special seminars on this subject (WOCCI), where new technologies in language teaching are also considered.

This study aims to establish the ways to improve automatic listening recognition of spoken language by subtitling publicistic movies and series in Ukrainian-English and Ukrainian-German. The first assessment of a new corpus of movies and series was carried out. It was developed at the university using an automatic subtitling mechanism for Ukrainian students. All these things were done to improve the perception and understanding of spoken language. Also, there were identified the skills and abilities that improved during the work with the video and audio corpus of educational movies.

Based on the aim, the following research tasks were planned:

– to establish the level of automatic recognition of movies being shown with and without subtitles;
– to characterize the demographic and qualification characteristics of the respondents who took part in the project;
– to submit the rating of topical genres and thematic groups of Ukrainian-English and Ukrainian-German publicistic movies and series.

Literature review

The literature review on the subtitling and creation of educational movie corpus for learning English and German shows that, in the first place, there is a thesis on the numerous advantages, importance, and prospects of this type of learning for university education (Wang et al., 2018). The need to educate modern highly-qualified professionals is a priority (Banks & Barlex, 2014; Hudson et al., 2015; Shulman, 2018).

The development of specific audio and video corpora with and without subtitling in different languages is actively pursued, and new directions and techniques are being developed (Batliner et al., 2005). There are popular languages such as British English, English for Foreigners (Gerosa et al., 2009), German and Swedish (Kazemzadeh et al., 2005), Chinese (Wang et al., 2019), and Cantonese (Xiangjun & Yip, 2018).

The university education in Ukraine, especially for the training of specialists in philological areas, also needs new and modern movie corpus, teaching, and supporting material. Therefore, this study describes the work of the teaching staff and students of the Admiral Makarov National University of Shipbuilding with a new, constantly updated publicistic movie corpus designed to improve automatic speech recognition skills. Usually, students' speech recognition parameters vary, and subtitling, therefore, will be an additional element to build automatic speech recognition skills (Boghian, 2018).

German and English languages have a complex grammatical structure and verb tense system. Both languages are morphologically rich and have a wide vocabulary, so the task of creating a corpus of publicistic, educational, and documentary movies with subtitles is quite challenging. Moreover, automatic speech recognition and comprehension by linguistic students requires a huge level of knowledge and skills.

Some studies explore the first steps in collecting data on educational innovations, annotation programs, and text testing, which is also accompanied by recordings of children's and adults' speech (Pleva et al., 2019).

An important component in the development of foreign language learning methodologies is the technological revolution, as it enters the university process rapidly. Informational literacy is essential for the modern linguist; it provides the opportunity to work in progressive work environments. Some concepts of foreign language learning within a technological revolution involve the development of workable and effective self-supporting systems. There are several studies describing successful projects to implement artificial intelligence in communication and foreign language learning (Beelders & Blignaut, 2011; Aydın & Zhu, 2017).

The issues of introducing subtitling of Ukrainian-English and Ukrainian-German publicistic movies and their active involvement in the professional training of linguistic teachers remain unresolved. It is essential to form the skills of automatic speech recognition, to study students' vision of thematic clusters to such audio and video materials, the main content, and components of courses that use movie archives and subtitles.

Methods

A set of methods was used to conduct the study effectively. To realize the project, empirical (diagnostic) methods were used. These are the pedagogical experiment, as well as questioning (written form) and observation methods.

Linguistics students in the 3rd year of the first (bachelor) education level were involved in the experiment. The students expressed their willingness to participate in implementing the work with subtitled Ukrainian-English and Ukrainian-German publicistic movies in their educational activities.

The pedagogical experiment method was used for one academic semester (6 months) in 2020-2021 (December 2020 - June 2021). It was used to determine whether the effectiveness, clarity, technical feasibility, and challenges of engaging the practice of subtitled videos in university education are significant. In Eastern Europe, and Ukrainian higher education, the involvement of such techniques means restructuring the forms, contents, technical support of foreign language departments, linguistics students, and the whole system of humanitarian education. We have considered how effective is the introduction of the audio translation practice, namely publicistic and documentary movies and TV series into English and German language studies for linguistics students. The methods of observation and questionnaires were auxiliary to the pedagogical experience. Statistical methods were used to collect and assess the experiment results.

The above-mentioned questionnaire process was considered under the experimental conditions from the observation point of view. It was used to study the thematic ratings and the demographic and professional situation of the respondents. The observation method is empirical, so it cannot be intended to assess the obtained results and the effectiveness of the studied methods as systemic changes in the university education area.

Only 35 students studying German and English were involved in the experiment. They are 3rd-year students of the first (Bachelor's) education level, studying at the Admiral Makarov National University of Shipbuilding. All participants were grouped according to the language they were studying as their first language (either English or German).

The study continued uninterrupted in a mixed form, so it involved online classes under quarantine restrictions and face-to-face practical sessions and seminars. All respondents were combined into 2 groups: according to the preliminary questionnaire and the chosen primary language. The group consisted of 17 (G1) and 18 (G2) people.

The key component of the groups was the introduction of the courses approved in the curriculum for 2020, which provide the use of Ukrainian-English and Ukrainian-German publicistic movies with or without subtitles.

Stage 1. A preliminary survey was conducted to ascertain the demographic and educational characteristics of the respondents who make up the study groups (G1, G2) and participate in the pedagogical experiment. The collection and preparation of teaching and practical materials for the courses were carried out. Preliminary consultations with teachers and technical specialists, who will lead and accompany these courses, were held. The classrooms were prepared and equipped for display and guidance in the video and audio collections.

Stage 2. At this stage, a parallel survey was conducted in groups to determine the respondents' ratings of content, genre, and thematic priorities. The participants assessed the level of facilitation of automatic speech recognition while watching Ukrainian-English and Ukrainian-German publicistic movies with subtitles.

Stage 3. In the final stage, a survey determined the rating of the relevance of educational topics presented in subtitled documentaries and series.

As for the difficulties and challenges encountered during the research and the experiment, it is quite a significant time commitment (1 semester - 6 months). It is impossible to conduct a qualitative in-depth study and determine the reasons for changes in the respondents' ratings accordingly.

Result

Several thematic blocks with relevant and up-to-date content, highly informative (history, culture, architecture, futurism, natural sciences) were proposed to be included in the course content related to the acquisition of automatic speech recognition skills of linguistics students through subtitling of Ukrainian-English and Ukrainian-German publicistic movies. Furthermore, the effectiveness of involving such methodology and changing priorities in foreign language learning was assessed.

All these tasks were based on the recording of the respondents' demographic and professional qualification characteristics.

Table 1.
Demographic and qualification characteristics of respondents (author's elaboration)

		Г1	Г2
Age	20	9	10
	21	6	7
	Other	2	1
Gender	Female	12	10
	Male	5	8
Previously obtained qualifications	General High School Education	15	17
	Special Pedagogical Education	2	1
Total		17	18

According to the survey results, it is clear that all respondents are about the same age. From the gender perspective, there are more female respondents, but not significantly. There are also 3 people with special secondary education.

At the 1st (preparatory) stage, a collection of documentary movies produced in Ukraine, the UK, and Germany by the best artists and producers was created. For Ukraine, it is media holding 1+1 (Taiemnytsi heniia Shevchenka); Great Britain was represented by the BBC publicistic movies. The content of the video and audio corpus was changed according to the ratings provided by the respondents, as well as comments made by the teachers who worked on the project. Thus, an idea of the relevance of the educational topics proposed for the study was drawn up.

Stage 2. After conducting the basic learning anticipated by the work plans and curricula, the participants were surveyed and asked to determine the usefulness of subtitles regarding the list of offered publicistic movies. They were asked to determine whether subtitling facilitated automatic speech recognition in a foreign language. The participants also were separately asked to select the most relevant and interesting topics of documentaries. The result was calculated as a percentage.

Table 2.
Speech recognition level of movies with and without subtitles (Ukrainian-English movie archive) (author's elaboration)

TV series, episodes	Duration	Level of recognition with subtitles	Level of recognition without subtitles
The World In 2050	43.42	60%	72%
30 Most Beautiful Cities in the World	25.04	62%	68%
Best survival training, skills and tips from Spec Ops Bushcrafting	25.49	60%	70%
Easy Cellar PDF, Reviews, Bunker Plans & Book Download	34.48	58%	65%
Shaolin Kung Fu Training & Techniques	47.55	56%	68%

According to the results, 10% of respondents better understood English-language movies with subtitles compared to those who watched without them. The best result of subtitles in facilitating automatic broadcasting recognition was obtained by the BBC products, which considered futuristic architecture and martial arts as a technology and a cultural asset.

In the 2nd stage, the level of automatic speech recognition of Ukrainian-German publicistic movies was assessed along with the continuation of the learning according to the developed program. The emphasis was made on the best examples of the genre. Germany was represented by a documentary movie, which became the winner of several festivals and competitions in Europe and was rated positively by the critics.

Table 3.
Speech recognition level of Ukrainian-German TV series and movies with and without subtitles (author's elaboration)

TV series, episodes	Duration	Level of recognition with subtitles	Level of recognition without subtitles
Marko Vovchok. Taiemnycha zirka	23.28	72%	78%
Taiemnytsi heniia Shevchenka Part 1	47.22	75%	82%
Taiemnytsi heniia Shevchenka Part 2	47.12	73%	85%
Revision (2012) 1	44.31	66%	73%
Revision (2012) 2	41.11	68%	79%

Based on the obtained results, the respondents understood Ukrainian and German publicistic and documentary movies with German subtitles by 8% easier.

In the final stage (Stage 3), was organized a discussion on the topics related to the watched movies. The students' groups conducted a session on reviewing what they saw in Ukrainian-English and Ukrainian-German publicistic movies during the study process.

After each screening, was organized a separate discussion about 1 movie seen. Such activities were included in the compulsory activities block, which should also determine the respondents' thematic and educational priorities, aimed at evaluating the effectiveness and accessibility of this method of learning and improving their foreign language proficiency, as well as improving their intellectual level.

The main content axes that form the corpus of audio and video materials for the training programs were identified. The presented data show that certain topics and problems are more evident and significant for the respondents. The subtitling and watching of publicistic movies in foreign languages in the study groups contribute to the development of individual thematic ratings and the concept of new university education. The results are presented as a percentage.

Table 4.
Ranking of educational topics relevance for the students (author's elaboration)

№	Learning topic	G1	G2
1.	Modern technologies, future technologies	45%	38%
2.	Cultural Heritage of Nations	67%	35%
3.	History of literature	69%	54%
4.	Outstanding figures of art and culture of the world	78%	75%
5.	Skills of the XXI century.	73%	65%
6.	Architecture. History and Futuristics	58%	72%

As the survey results show, Theme 4, "Outstanding Figures of Art and Culture of the World," and Theme 5, "Skills of the XXI Century," occupy the highest positions in the thematic rating of the revised publicistic movies. The correlation between gaining knowledge and experience (the professional preparation of the language student) can be seen after going through the system of learning from the topics chosen by each group. The perceptions of the relevance of the proposed topics were shaped by the implementation of learning activities.

Discussion

The corpus of research on improving the automatic speech recognition skills of linguistics students through subtitling in a foreign language of publicistic movies and TV series has shown the effectiveness of introducing such a technique as one of the educational innovations related to the technologization and humanitarianization of university education (Kelley & Knowles, 2016; Ivanova et al, 2020).

A group of Slovak academic scientists, along with the Slovak Academy of Sciences, conducted research on automatic subtitling systems for Slovak television broadcasters and educational programs. The researchers used time-delayed deep neural network (TDNN) models. The subtitling techniques were found to be effective and positively assessed within the research project (Salgur, 2013; Pleva et al., 2019). According to our data, linguistics students had a positive perception and found the practice of subtitling movies convenient. It is an opportunity both to improve their foreign language skills and get familiar with new/modern technical solutions and constantly monitor the troublesome area.

The results of a study on the effectiveness and usefulness of foreign language course software, automatic speech recognition (ASR) techniques, and English subtitling for improving foreign language students' pronunciation showed that 65% of students reported that using the software and videos improved their pronunciation and automatic speech perception in English (Sidgi & Shaari, 2017). 50% of students reported that constant reading, repeating, and practicing English sounds, according to what they heard, improved their pronunciation. Overall, 50% of students found this practice helpful and agreed to continue working with it in the future. Only 5% of respondents said that mastering the new techniques required loads of effort, and 5% felt that listening to videos and visual graphic feedback did not improve their pronunciation. The results presented in the study found an overall 9% increase in respondents rated the use of subtitling in Ukrainian-English and Ukrainian-German publicistic movies.

The system of increasing the number of technological solutions in foreign language learning is based on modern methods and innovations identified in the studies of current educators (Zhernova, 2018; Selin et al., 2016). However, the idea of involving video content contributes to the emergence of different concepts, a system of coordinates, and program axes in the training of future specialists in foreign languages (linguists). New technological institutions' use in education leads to the emergence and improvement of educational innovations and motivates thinking about innovative pedagogical practices (Anis, 2017). Our research has shown that even if linguistics students use watching audio or video materials for a learning purpose, they have a certain set of beliefs and tastes: they assess a set of topics at variance and may understand this innovation a bit differently. Therefore, we should keep surveying education seekers and modify the corpus of video and audio materials according to requests and learning needs.

Conclusion

This research proves that the use Ukrainian-English and Ukrainian-German publicistic movies with subtitles helps to improve automatic speech recognition skills. According to the survey, a 9% increase in respondents supported the use of subtitling techniques for video and audio materials within the learning process.

The improvement of linguistics students' automatic speech recognition skills via subtitling is welcomed by education seekers. The best automatic speech recognition occurs while watching movies with subtitles.

Historical and cultural content and the future of high technology are the relevant topics for linguistics students when watching publicistic movies and documentary series.

Our study is one of the innovative practices carried out on a university education basis, along with other activities. Everything is made possible through the active engagement of linguistics educators with high technology. Such programs provide substantial experience with the acoustic and linguistic features as part of documentaries and science-popular movies.

The future development of methods and models of foreign language teaching that involve using various audio and video materials and digital technology will continue. These require figuring out the models and pragmatics of forming a teaching corpus for foreign language learning. There are several research goals, first of all, the improvement of technical aspects in teaching and implementation of independent and creative work of linguistics students, the formation of particular collections of audio and video materials aimed at the subject-specific and professional use of English, and German-based on international cooperation.

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The impact of pandemic on the development of distance learning technologies in the training of music teachers

ВПЛИВ ПАНДЕМІЇ НА РОЗВИТОК ТЕХНОЛОГІЙ ДИСТАНЦІЙНОГО НАВЧАННЯ У ПРОФЕСІЙНІЙ ПІДГОТОВЦІ ВЧИТЕЛЯ МУЗИЧНОГО МИСТЕЦТВА

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Abstract

During the Covid-19 pandemic, each of us should be able to continue working, studying, and living, although the disease imposes certain restrictions because people have to maintain a social distance and have many other limitations. The main thing for the educational space is that you have to minimize contact in all areas.
This article aims to substantiate the feasibility of distance education and its technologies scientifically. Furthermore, the relationship between distance music education, modern computer technology, and applications that are now called know-how is revealed.
Research methodology. The research practice is based on quantitative and qualitative analysis of the information sources and the results obtained. These collection methods are valid for secondary and primary information. The survey method became necessary in this context. Research data was obtained through thematic analysis and

Анотація

В період пандемії Covid-19 кожен з нас повинен мати можливість продовжувати працювати та навчатись, жити далі, хоча захворювання накладає певні обмеження, тому що люди повинні дотримуватись соціальної дистанції та мають безліч інших обмежень. Головним для освітнього простору є те, що доводиться мінімізувати контакти у всіх сферах.
Метою цієї статті є наукове обґрунтування доцільності дистанційної освіти та технологій, пов’язаних з нею. Розкрито взаєзв’язок між дистанційною музичною освітою, сучасними комп’ютерними технологіями та застосунками, які зараз називають ноу-хау.
Методика дослідження: дослідницька практика заснована на кількісному, так якісному аналізі джерел інформації, отриманих результатів. Ці методи збирання є чинними як для вторинної, так і первинної інформації, необхідним у такому контексті став метод опитування. Дані дослідження отримані шляхом тематичного

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observations related to the research objectives of the work. The research results of the survey were used in the systematization and formation of conclusions. The introduction of audio-visual technology in the educational process contributes to the improvement of motivation to learn in the background of improved academic performance. The importance of this study is determined by the fact that it is not only concerned with the general problem of the educational system in general but pays special attention to music education in particular. The study also deals with technological innovation and all that goes along. Another factor in the importance of the study is that the methodological developments presented in the research and the research problem are relevant to workers in the field of music education, which makes the promulgation of successful teaching practices essential.

Keywords: Distance education, Music, Teacher, Student, Convenience, Learning, Music lessons, music instruments.

аналізу та спостережень, пов'язаних з дослідницькими цілями роботи. Результати опитування також були використані у систематизації та формуванні висновків. Введення до навчального процесу аудіовізуальних технологій сприяє покращенню вмотивованості до навчання на тлі покращення успішності. Важливість цього дослідження визначена тим, що вона стосується не тільки загальної проблеми освітньої системи загалом, але приділяє особливу увагу музичній освіті зокрема. Дослідження також стосується технічних інновацій, і всього, що з ними пов'язане. Іншим фактором важливості дослідження є те, що представлені у дослідженні методичні розробки та дослідницька проблема є актуальною для працівників галузі музичної освіти, що робить оприлюднення успішних практик навчання дуже важливим.

Ключові слова: дистанційна освіта, музика, викладач, студент, зручність, вивчення, уроки музики, музичні інструменти.

Introduction

Distance education is one of the ways people can get educated without getting admitted into a regular institution. The studies and everything happen from a distance at home. These kinds of services were usually availed by the people that are already working to get educated or continue their education. However, with the coming of the global pandemic, this process got newfound importance. This is today one of the preferred modes of education to avoid classrooms full of students sitting in close proximity. Ukraine is one of the worst-hit countries of the pandemic and with education organizations open, it may lead to further waves of the pandemic arrive. According to Grynyuk *et al.* (2020), distance education has been selected as one of the most effective means of education without interruption during the pandemic. This decision has been taken by the Ukrainian Ministry of education. Pupils and Students alike all have to resort to distance education for their degrees and qualifications. The same is the case for the neighbouring countries of Ukraine. It has become very hard however for the students and the teachers however to adapt to the new technologies of distance learning (Nesteruk, 2021). This inconvenience becomes more significant when the music lessons are considered.

Music is something that requires lots of attention to detail and many technical things to be explained to the students such as hand positioning and finger positioning. This calls for the teacher correcting the students by placing their hands in the correct way physically. This is particularly true for the strung and the wind instruments (Özer & Üstün, 2020). This is the reason the distance teaching of the music lessons have become more time taking and difficult. This leads to the teachers not being able to teach as effectively or as fast as they could teach. For the students, they may face many difficulties in learning the lessons effectively and not be able to produce the results that they may find satisfactory; this is very difficult to do with the current teaching techniques (Wang & Zhong, 2021). Music has a motivating factor, this is to say that as the students start to see the improvement they get more motivated to play their instruments and improve themselves. This is of much importance as the students may lose interest and consider it their personal lack of ability to play the particular instrument while the problem may be the lack of proper guidance. This is especially the case with the students of music that are learning to play the wind instruments as breath control and the proper way to blow into the instruments need personal face to face attention that is not available or possible in the distance learning method of education. In this study, the nuances related to music education and the difficulties faced by the teachers and the students are going to be discussed. According with the last, The purpose of the article is to scientifically examine the purpose the viability of the distance education and the things related to it.

In order to find out if long distance learning of music is a viable option in the present time with the modern technology of hardware and software as well as the modern technical know-how.

Literature Review

According to OuYang, (2020), the hardware and the software have been developed for more effective and systematic teaching and learning of music. This is to say that the students are going to be able to learn more effectively with the help of graphics designed to teach the students the proper techniques and positioning. This is going to help the students to get an insight into the proper way to do things. The teachers however are going to face the challenge of a learning curve and they are going to find themselves in need of learning the proper ways to use the new graphic designing software and techniques.

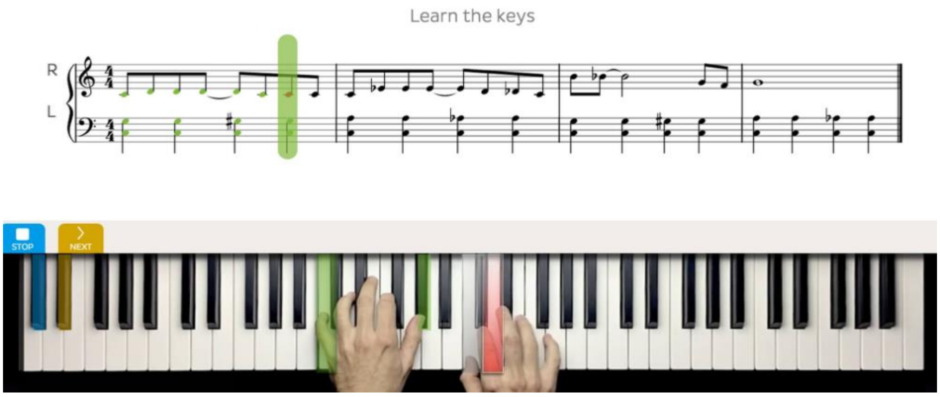

Figure 1. Learning through the aid of live assisted software (Source: OuYang, 2020)

This software are immensely helpful for the learning of music online. However, Blake, 2018, discusses the other problems of online and distance learning of instruments. Blake says that the prejudice against people gaining degrees online is still high and is oftentimes not regarded as quality education. This being said, the question has to be asked if the students that are learning music from distance education are actually inferior to the students that got face to face guidance. In order to examine this proposition the research done by Havrilova *et al.* (2019) can be referred to. This study states the problems that are faced by online learners. They highlight the fact that the students do not develop proper coordination among themselves playing online in an orchestra or band. The quality of music they hear is not adequate and the students do not develop the skills that enable them to judge by ear the various problems of playing together such as tune, technical requirements. However, they also state that the people are going to get the advantage of the various software that is being developed for the specific purpose of online, distance learning of music, however, the point of using supportive instruments still stands; Not just musical instruments, today there are many types of electronic and analogue equipment that are used for a stage performance. The students do not develop a proper understanding of these things as they have no access to these instruments at home. One reason is that these instruments are very costly and are large n size that is very hard to have at home for the teachers and the students. According to Pregowska *et al.* (2021), distance education is one of the most viable means of learning in this pandemic situation. This is one of the most effective ways of learning without compromising the health security of the country and the community. Also, according to Prokopenko & Berezhna, (2020), the limitation of the distance education of music is going to become more improved and solved over time since the need for these has arrived even for the choir based music lessons. According to Eren & Öztug, (2020), this is to say that for so long the students were not choosing the distance education of music hence the need for improvements never arrived. However, according to Bakhov*et al.* (2021), with the need for distance education of music arriving, it is more likely that the existing issues are going to be solved.

Table 1.
Measurements of professional competence.

Measurement	Components
Cognitive	Hand positioning Air Blowing techniques Body positioning
Technical	Understanding of scale Use of new technologies Understanding of the new music-related software
Integrative	Coordination Listening to the difference of sound by ear while playing in a group The understanding of joint use equipment
Contextual	The reading of stave notes The use of coordinated guidance for learning
Relationships	Understanding of the personal playing styles of each other Developing an understanding of the role of one another Development of non-verbal stage communication among musicians
Ethical	Cheating Using external help during lessons
Mental attitudes	Motivation Effort Selfishness

Source: Hilt, (2019).

According to Briot & Pachet, (2020), the deep learning of music is possible. There are now ways to access the effectiveness of learning. Modern theories are being developed that examines the use of the processes of assessment that enable the teachers to evaluate their own performance as well as that of the students in order to make for an effective lesson. It has been mentioned before that the need for such things was not present during the earlier times as the need for them did not arise at that time. However, now these processes are going to make the process of online music education much more effective and at par with personal class lessons.

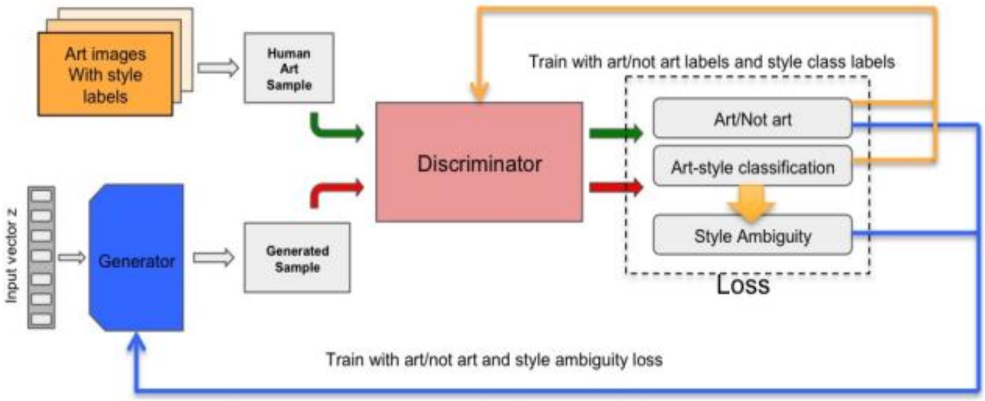

Figure 2. The assessment criteria of the distance teaching of music.
(Source: Briot & Pachet, 2020)

According to Li *et al.* (2019), the development of the concept of online and distance education of music are being developed. These are the advanced teaching principles being adopted from the offline classes with necessary changes to be used in the distance learning setting. The teaching methods are improving and so is the quality of education. This is the way the Ukrainian distance education environment is going to develop and reach its potential.

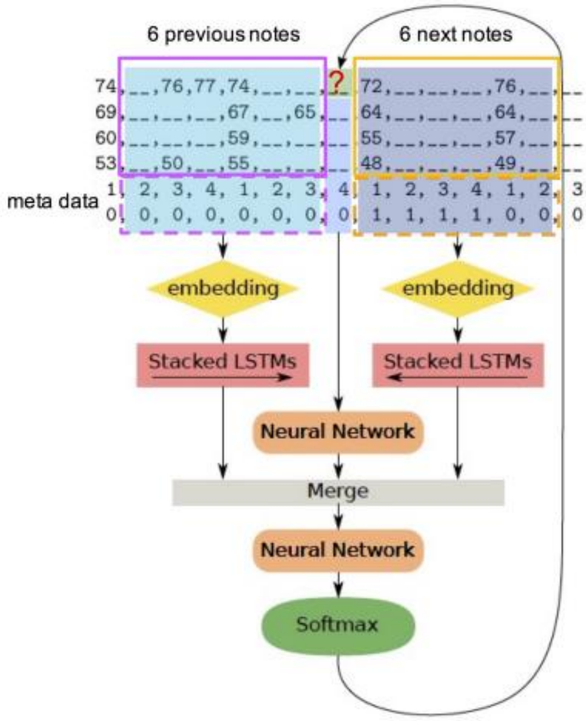

Figure 3. The concept of online learning of music.
(Source: Li *et al.* 2019)

According to Turchet *et al.* (2018), the use of the internet has changed the environment of long-distance learning and the existing hardware and software may have limitations, but they are useful for the teaching of the techniques of music and other related things. It is only in the advanced levels that problems start to arise. Otherwise, it is a proven fact that music teaching can be conducted effectively during the pandemic through distance learning.

The Ukrainian perspective: According to Chorna *et al.* (2018), the country of Ukraine is one of the more developed regions of the world and the people have access to good internet connections as well as the necessary hardware and software platforms that can be used for the conduction of the online classes of music. This makes it a suitable destination for the teachers to work on implementing the advanced solutions of distance education of music as the basics are covered already. According to Kolbina & Oleksenko, (2020) and Nagy, (2019), the digital literacy of the People of Ukraine is also relatively high that is going to aid the students to avail and learn the lessons more effectively.

Methodology

For the purpose of this study, both qualitative as well as quantitative methods have been taken into consideration. This indicates that both primary and secondary research has been taken into consideration and the assessment has been done on the basis of it. The secondary research has been considered because a vast amount of research has been already conducted by the previous researchers. A considerable number of them are also survey-based studies that yield the data that has been used in the formation of this study. The works of the most relevant and authentic researchers have been analysed after a detailed study of them. The clustering of these studies has yielded the results for and against the notion of using distance education for the teaching of music. These effectively highlight the major issues and the major advantages of learning music from the online perspective through distance education in Ukraine. The solutions to the problems have also been gotten and analyzed systematically in this study. Apart from that, as a part of the primary research, the survey of 51 people has been conducted of the music teachers and students separately to investigate in detail the current situation.

However, there are a set of specific criteria for this study that has been conducted. These are as follows:

- The assessment of the effectiveness of the distance education on music lessons
- The assessment of the issues that arise during the distance learning of music

- The additional learning curve of the teachers and students that arises for the situation
- The solutions and their effectiveness in solving the problems and limitations that arise

The evaluation criteria included in the assessment includes the assessment of the factors from the perspective of the teachers mainly and their effects on the students that are at the receiving end of the lessons. The other criteria are the lessons themselves and the validity of the techniques that are being developed today due to the pandemic for the solution of the issues that arise due to the inadequacy of distance learning of music in Ukraine. Apart from that, the solutions offered by the previous researchers have also been condensed in this study to yield the results on the basis of the trends and themes observed during the review and evaluation process. The processes are also going to be rated and evaluated separately for their effectiveness and relevance.

- 90 to 100 points can be termed as highly effective
- 80 to 60 points are going to be termed as effective
- 60 to 50 points are going to be termed as moderately effective
- 50 to 40 points are going to be termed as inadequate and needs improvement
- Below 40 points are going to be ruled out as non-effective

These are going to effectively help the researcher in evaluating the processes as well as the solutions.

Results

The results have been yielded on the basis of a few different things, mostly the observations done from the secondary research. The results are going to be displayed under this heading in the form of charts. The survey has been done on the basis of two survey questions:

Survey Questions:

1. Do you think that distance education of music is effectively possible?
2. Is it possible for the limitation in distance education of music can be solved to make it at par with regular offline music classes?

These two survey Questions are going to be asked to groups of 51 Music teachers that are engaged in teaching music by the means of distance education.

Table 2.
The results obtained by the survey of the 51 teachers on the basis of the 1st survey question.

"Given options"	"Total Participants"	"Response collected"	Percentage
"Strongly Agree"	51	16	31.00%
"Agree"	51	10	19.00%
"Neutral"	51	5	10.00%
"Disagree"	51	20	39.00%
"Strongly Disagree"	51	1	1.00%

Source: compiled by the author

It can be clearly seen that the number of people that agree with the notion is 26 in total. 16 chose to strongly agree while 10 chose to somewhat agree. While the number of people that chose to stay neutral is lesser in number indicating the fact that the teachers themselves are highly divided among them regarding the issue; The younger ones chose to say that the use of IoT and hardware/software in modern times can enable the effective tutoring of music. While the more traditionalists believe that music cannot be taught like that.

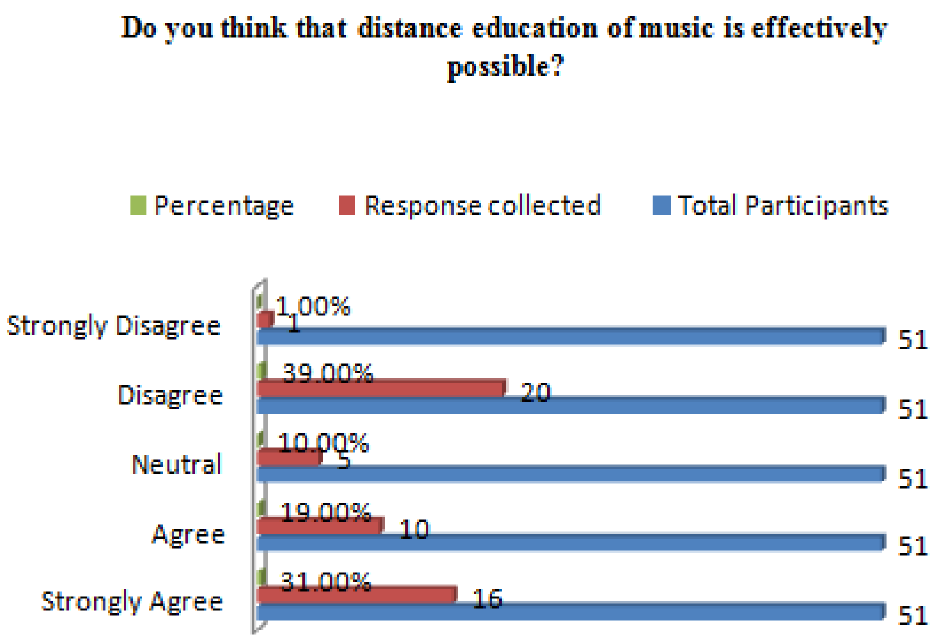

Figure 4. The statistical representation of the answers obtained from the 1st question (Source: compiled by the author)

The graphical representation shows the difference between the amount of response each option has been able to collect and singularly judging, the number of teachers that shoes to disagree are the largest group. This proves that there is a considerable number of people that think that the students cannot be taught music effectively online.

Table 3.
The results obtained by the survey of the 51 teachers on the basis of the 2nd survey question.

Given options	Total Participants	Response collected	Percentage
"Strongly Agree"	**51**	**12**	**23%**
"Agree"	**51**	**16**	**32%**
"Neutral"	**51**	**18**	**35%**
"Disagree"	**51**	**3**	**6%**
"Strongly Disagree"	**51**	**2**	**4%**

Source: compiled by the author

It can be observed here that the number of people that agree in total is much higher than the people that disagree in total. The people that strongly agree are 12 and the people that somewhat agree are 16. Bringing a total of 28 teachers that agree that the modern use of technologies can bring the distance teaching of music at par with the traditional music classes; however, the number of people that chose to stay neutral also forms a group of sizable number. This proves that there are music teachers that still do not trust the technology and the technical know-how of modern times completely. However, the number of disagreements has reduced many times in this question with only 5 people choosing to disagree.

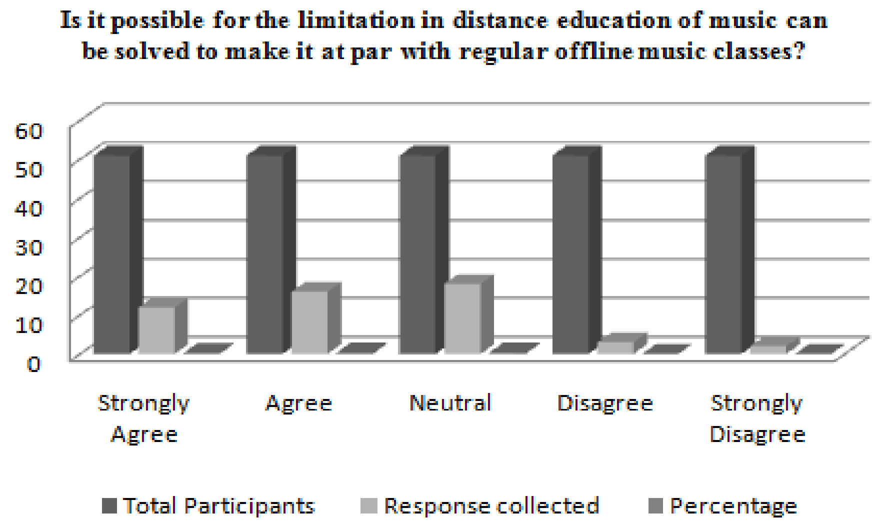

Figure 5. The statistical representation of the answers obtained from the 2nd question (Source: compiled by the author)

The graphical representation shows the people that chose to stay neutral is the largest group amongst the surveyed teachers. This is a strong indication that still a large number of teachers are not comfortable or trust the modern developments to agree with the notion. The disagreement has however decreased significantly, proving the fact that people at least agree that it is possible for distance education in music to someday in the future to reach the level of proficiency of teaching and learning that traditional music classes have achieved over the centuries.

Issues:

The problem that has been found in the literature review is that the evolution of distance education comes with a significant learning curve for the teachers. This problem remains unsolved. That is to say that the solutions gotten for them are marked at below 40 points and are ineffective. The teachers need to learn the use of new software and hardware platforms to be able to teach effectively in distance education. The other major issue was that of the development of common musical coordination and musical sense through online learning. The solution to this also stays ineffective. More technologies need to be developed for an effective solution to these problems.

Theme 1: Impact of pandemic on the development of distance learning of music Teacher.

The Sustainable Education system has always aimed to reduce the negative impact of Covid 19 pandemic. It actually helps in the identification of educational institutions for the future problems and the main sustainability of the technological tools for the sustainability of Music Teacher in the Ukraine. Music education in schools of Ukraine has been facing a lot of crisis as a result of Covid 19 pandemic with singing, instrumental lessons and Extracurricular Activities by the teacher and student. It has been seen that more than 68% of primary school teachers and more than 39% of secondary school teachers reported a reduction in music provision as a direct result of the pandemic. The Health and wellbeing of both the children and the music teacher has been affected due to the changes due to not being able to supply the music (Kushnir *et al.* 2021).

It has been seen that music is actually central for the recovery which is needed and plays a vital role in schools. It actually helps to create the strong relationship between the student and teacher, and it creates a variety of emotions that they have explored during the pandemic. It has also been said that in Ukraine 28% of secondary schools have discontinued instrumental lessons in person. The teacher has said that it is very much vital that every child in Ukraine school can access the quality of music education. The teacher also said that the Ukraine government has to make sustainable policy and leadership who will actually encourage actively the music teaching in schools, so that they can have a better bond with teacher and student. The main effect of the pandemic on Music Teachers is very bad as they cannot interact with the student, side by side they the student and teacher are having psychological impact on themselves. The teacher of music in Ukraine has faced many challenges because it is not easy to teach elementary students for engaging music lessons because they are missing the basics of music education. It has been discussed the impact of pandemic Covid 19 on music education in schools more focused on schools of Ukraine. The situation where Ukraine has already accepted the Epidemic declaration, the main concern is how the government will implement the policy for teachers to start distance education using different digital platforms (Poplavska *et al.* 2021).

The main challenges that came in the path of a music teacher are how to teach the music through digital media, the next issue is how to make the rules and regulations regarding the classes that will happen during online classes. The main challenges that faced by the music teacher during the pandemic in Ukraine is that stated:

Financial: This is the biggest challenge that is faced by the Ukraine music Teacher. This happens due to the effects of the pandemic, the schools are not able to keep the teacher as they are short listing the teacher for mitigating the loss that happens to the school. The higher authorities are either suspending the teacher for which the teacher is facing the financial condition, or the people who are kept in the schools are actually not getting the salary they used to get for which they are seeing the financial problem (Ovcharenko *et al.* 2020).

Loss of Adaptation: The next challenge that comes is the loss of adaptation because the teacher and the student are not able to do adaptation regarding the use of technology such as digital media. The teacher has been not able to properly meet the criteria of teaching the music through social media. They are not flexible about the teaching method and style of teaching the student about the music. It has been that the students also sometimes have problems in adaptation as they understand the method of learning new things. This actually creates a chaotic situation among the teacher and student.

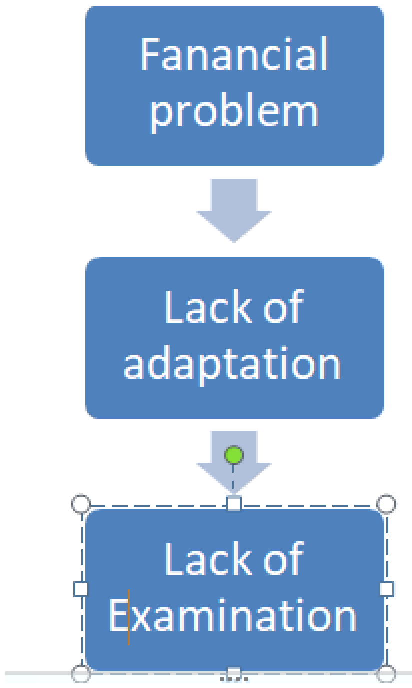

Figure 6. Impact of pandemic on Music Teacher (Source: compiled by the author)

Lack of taking assessment or examination- As music is one of the subjects where the assessment and examination need to be done on the basis of physical examination on theory paper. On the other hand, due to Covid-19 pandemic there are no physical classes. It has become very difficult for the teacher to take either the physical exam or the practical exam because of the difficulty of playing the instrument due to the reason online.

Discussion

The impact of Covid-19 pandemic has created a lot of problems in the life of the Musical teachers, many of them don't know about the use of the new technology during the pandemic for the taking of the classes for students. The schools in the Ukraine cannot provide the proper training to the teacher about the usage of technology. As it was not possible for the teacher to produce the proper training during the pandemic it was not possible for giving training. The lack of training is actually making the loss for the music (Miksza *et al.* 2021). The Music Teacher is not able to make the proper conversation and cannot apply the method of teaching as there is no proper flexibility within the teacher and student. There are no creative strategies and good practices that are not happening in this situation of pandemic because for creativity in music the physical appearance in the school with students is needed. The music teachers are getting the bad effect of Covid-19 they are getting affected by psychological effects. Sometimes, they are not getting the full salary because they are giving the problem of Covid-19. The impact of the Covid -19 getting the bad bonding with the teacher and the student, they are not giving the correct attention to the student as they are not able to give perfect training to the student. If they are not giving the perfect policy regarding the rules and regulation of rules there will be no proper training to schools student (Habe *et al*. 2021).

Conclusion

In conclusion, it can be said that the various things relations between the teachers and the students that could be done in a traditional music class are missing in distance education. This is mostly because previously the students did not usually seek the option of distance education in terms of the music. However, with the coming of the recent and ongoing global pandemic, the need for distance education has become a viable option for music students. This is the reason the shortcomings are being or are trying to be overcome with the help of software and hardware innovations as well as the technical know-how of the people.

However as the survey results show, the music teachers of Ukraine do not trust the various different things. But contrastingly most of the teachers were found to believe that the music classes of distance education are one day going to reach the level of the traditional classes. In this research, the scope of discussion, however, has not included the traditional Slavic music instruments, the players of that are decreasing in number, these traditional instruments come with various limitations and problems of their own as they are tried to be taught through the medium of distance learning.

The conclusion can be drawn at the end of the study that the tools and techniques that are necessary for online distance learning have been only started to be developed recently. The reason is the recent pandemic and is going to take some to mature as an entire ecosystem. Or it may not develop at all as soon as the pandemic ends in the near future. The developments may stay stagnant after that.

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Building the capacity of territorial communities by revealing their latent potential

Розвиток спроможності територіальних громад шляхом розкриття їх латентного потенціалу

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Abstract

Decentralization is a common component of public finance development and reform strategies through efficiency, better governance and accountability. It has become particularly important for the local governments to recognize and test policies and practices that promote building the capacity of local communities by revealing their latent potential. The aim of the article was to identify and describe the current state of the decentralization process in Ukraine and in the EU, the problems and achievements of local communities. Observation and comparison were the leading methodological tools. The research found that the effective development of territorial communities of Ukraine requires further implementation of the relevant regional strategic planning of the European Union.
The appropriateness and prospects of the LEADER/CLLD approach in the form of cooperation and partnership between urban and rural areas were established. Fiscal decentralization as a basic factor on the way to improving the level of regional development was determined through a comparative analysis of the

Анотація

Децентралізація є загальним компонентом розвитку державних фінансів і стратегій реформування завдяки ефективності, кращому управлінню та підзвітності. Для органів місцевого самоврядування стало особливо важливим визнати та випробовувати політику та практику, які сприяють розбудові потенціалу місцевих громад шляхом виявлення їхнього прихованого потенціалу. Метою статті було виявити та описати сучасний стан процесу децентралізації в Україні та ЄС, проблеми та досягнення місцевих громад. Провідними методичними інструментами були спостереження і порівняння. Дослідженням встановлено, що ефективний розвиток територіальних громад України потребує подальшої реалізації відповідного регіонального стратегічного планування Європейського Союзу. Встановлено доцільність та перспективність підходу LEADER/CLLD у формі співпраці та партнерства між містом та сільською місцевістю. Фіскальна децентралізація як базовий чинник на шляху до підвищення рівня регіонального розвитку визначено шляхом порівняльного аналізу чинників позитивної динаміки розвитку територіальних громад в ЄС та Україні.

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factors of positive dynamics of development of territorial communities in the EU and Ukraine. A comparative analysis of the practice of Ukraine and EU countries in the implementation of LEADER/CLLD projects in the context of building the capacity of local communities by revealing their latent potential is a promising vector of further research.

Keywords: decentralization, administrative territorial reform, regional competitiveness, human capital, infrastructure investment.

Перспективним вектором подальших досліджень є порівняльний аналіз практики України та країн ЄС щодо реалізації проектів LEADER/CLLD у контексті розбудови спроможності місцевих громад шляхом виявлення їх латентного потенціалу.

Ключові слова: децентралізація, адміністративно-територіальна реформа, регіональна конкурентоспроможність, людський капітал, інвестиції в інфраструктуру.

Introduction

Decreasing respect for human rights and democracy on a global scale and increasing autocracy pose a real threat to civil society, social space and civic engagement in general. Jämtin and da Silva (2021) indicate that 68% of the world’s population currently lives in autocracies, compared to 48% in 2010. Some countries used the COVID-19 pandemic as a basis for disproportionate, excessively broad and potentially persistent civil space constraints. In modern conditions, a priority.

Improving the welfare of citizens is the priority for the development of democratic states in the current context. Knir and Budnyk (2020) emphasize that this goal can be achieved only through proper public administration and elimination of inequality in access to public goods. Decentralization has recently become more common in most countries around the world. Dick-Sagoe and Andraz (2020) establish that this procedure provides for the transfer of authority from the central government to local governments, and comprises fiscal, administrative and political decentralization. Lanzaro and Larraburu (2021) state that decentralization reform played a role of a political concession which included the features of pluralism. Closeness of local self-government to the population compared to the central government is the main reason for the implementation of decentralization. Canare (2021) believes that local authorities have the best opportunities for accessing primary information about the unique needs of the local population in this case. Local governments also have the best opportunities to determine economically viable areas in their region for tax purposes through proper fiscal decentralization. These benefits will allow local governments to invest their resources in services that directly meet local needs and provide the best utility to people, technically being known as distribution efficiency.

Gong et al. (2021) provide an example of China, where administrative decentralization has significantly increased GDP per capita by about 3.3%, and where the positive impact on economic growth was achieved mainly through increased investment. According to the European Committee of the Regions (2021), the situations related to the COVID-19 pandemic have clearly shown the fact that the role of the EU subnational government has seriously increased as a result of the fact that it appeared to deal with the inevitable consequences of the corresponding crisis. European Committee of the Regions (2021) states that recovery from the economic effects of the pandemic while accelerating the transition to a green economy will require enormous collective efforts, with the local governments being the key to success.

Most decentralization programmes also provided for the transfer of some centralized responsibilities to the local level as a tool to increase both the distribution and technical efficiency of different public services. The introduction of new approaches to regional development made the issue of effective implementation of financial decentralization reform one of the basic conditions for independent and effective activities of local governments, as well as for extending the financial potential of regions and communities.

Changing the course in the field of state regulation of territorial organization towards administrative and financial decentralization underlie the improvement of the development of Ukraine in the current realities. Patytska (2019) writes that the main objective of the relevant reforms is to build the organizational and economic foundations for the development of territorial communities in Ukraine through the effective use of their financial and economic potential. Since independence that Ukraine gained in 1991, the decentralization reform in

Ukraine has being consistently introduced more local democratic accountability in local communities. 19. World Health Organization (2021) indicate that more direct and transparent fiscal relations, as well as clearly delineated responsibilities, more coordinated financing and accountability for performance have been established. Nevertheless, active state-building processes are not yet perfect and should be based on the most effective European practices in the context of Ukraine's European integration aspirations. In particular, effective means of building the capacity of territorial communities of EU member states which were not adapted by the state are becoming especially urgent.

In view of the foregoing, the aim of the article was to search for the main means of latent potential of territorial communities of EU member states in order to further adapt them to the realities of Ukraine. The aim involved the following research objectives:

1) analyse the current state of the decentralization process in Ukraine and in the EU, the problems and achievements of territorial communities;
2) identify adaptive examples of relevant initiatives aimed at building the capacity of territorial communities by revealing their hidden potential in the EU countries for further possible implementation of relevant achievements in the regulatory framework of Ukraine.

Literature Review

The chosen research topic correlates with modern vectors of scientific research of theorists in different countries. The work of Hrynchyshyn (2021) entitled Budgetary Mechanisms to Ensure the Well-Being of Territorial Communities in the Context of Deepening Socio-Economic Differentiation was the selected as the main tool and background for this article. In his study, the researcher generalized the grounds for defining the concept of territorial community that different scholars used and proposed his own definition. The monograph of H. Patytska (2019) entitled Financial and Economic Potential of Territorial Communities: Mechanisms of Functioning and Activation also had an impact on the author's position on the research topic. The groundwork of researchers allowed determining the vector of research on the transformation of strategies and policies of many countries in the field of building the capacity of local communities by revealing their latent potential. In turn, Mihai and latu (2020) indicated to the author the need for further implementation of mechanisms to achieve sustainable development of rural areas.

The findings of Tolkki and Haveri (2020) on the dynamics between state control and the capacity of the capital's government were also taken into consideration in the research. The scientific works of Masot et al. (2019) on the analysis of the main components of the LEADER approach (2007–2013) in South-Western Europe and Novak (2022) on the peculiarities of the management of financial and economic security of the amalgamated territorial communities in Ukraine through tax administration are worth special attention.

In their work which was used in this paper, Dick-Sagoe and Andraz (2020) emphasize the importance of prospects and innovations in the development of local communities. This work was useful for tracking the transformation of the main features of the innovative approach to decentralization processes, which comprise fiscal, administrative and political components.

The relevant vectors such as innovation (novelty), objectivity, subjectivity, purposefulness, demand, implementation in practice, the effectiveness of territorial communities outlined by Park and Fowler (2021) were taken into account in the research. The results of the comparative analysis of the results of decentralization and development of territorial communities conducted by Canare (2021) were also taken into consideration. Dissertation for the degree of Doctor of Economics by Hrynchyshyn (2021) entitled Budgetary Mechanisms to Ensure the Well-Being of Territorial Communities in the Context of Deepening Socio-Economic Differentiation was of particular importance for making a comprehensive view of the subject of study.

Active research on this issue confirms that special attention should be paid to revealing the latent potential in all relevant activities (investment, economic, human, managerial, financial, civic engagement) in the process of building the capacity of territorial communities in order to ensure the well-being of the local community. Therefore, it is urgent to conduct research on new criteria of scientific research.

Methods

Testing of practical and methodological tools determines the effectiveness of scientific research, which is reflected in the following research design (Figure 1).

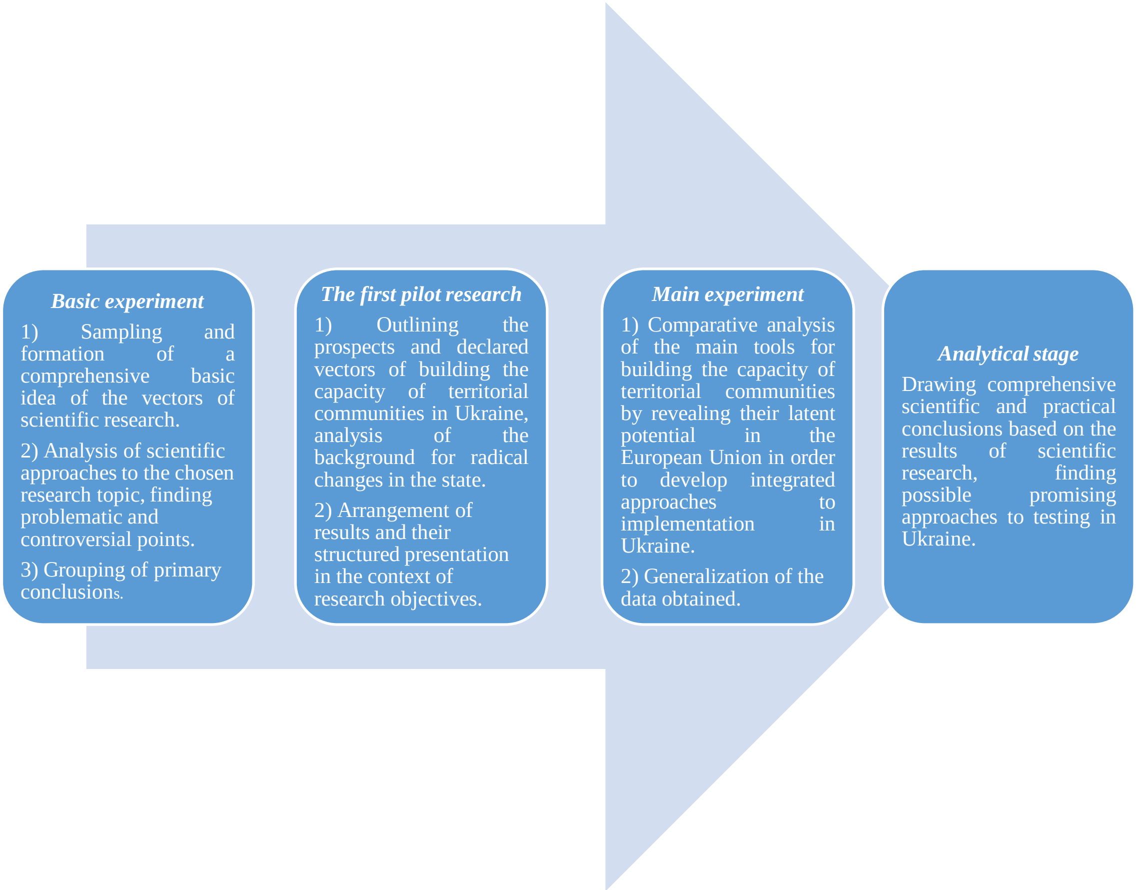

Figure 1. Research design (developed by the author)

The main hypothesis of the study is the concept of possible testing of the positive experience of the European Union in Ukraine in terms of restoring and building the capacity of territorial communities in the country.

The values of the approaches introduced in the EU were outlined through observation, which is considered the main method of scientific research. This method was tested during the sectoral analysis of the hidden potential of territorial communities in different jurisdictions and the disclosure of positive vector results of strengthening the efficiency of regions. This method was tested during the sectoral analysis of the latent potential of territorial communities in different jurisdictions and the coverage of positive vector results of enhancing the efficiency of regions. These tools allowed rendering the author's view on the possibility of implementing the LEADER approach in Ukraine, as well as predicting the prospects for such a positive experience for the territorial communities of Ukraine in the current realities. The observation became an effective tool in the research design to develop a stable author's position on the subject of the article. It will also be useful in further research on this subject matter.

Comparison was also used for the analysis of the sample, which allowed identifying the distinction between the various means of latent potential of local communities, and projecting the most positive changes in the context of intensifying implementation of foreign experience in Ukraine.

The research also involved the following scientific methods: system analysis (to analyse the set of means of latent potential of territorial communities); structural-functional analysis (to determine the relationship and interdependence of fiscal and administrative decentralization of territorial communities); institutional method (to identify the competencies of the representatives of territorial communities and their relationship with the social groups of the region); formal-legal method (for a comprehensive study of legal texts, which are the key to reforming and building the capacity of territorial communities in different jurisdictions); modulation method (making a project idea of the prospects for updating the approaches to building the capacity of territorial communities of Ukraine on the basis of positive results of EU member states).

A solid empirical background was analysed in the article, in particular, 43 references were reflected and analysed in the text. Coverage of the debatable aspects of the implementation of the latest practices of building the capacity of local communities and analysis of statistical information was of particular importance. The author's conclusions on the subject of the article were drawn on the basis of accurately selected references in combination with an effective methodological background.

Results

In the current realities, the development of territorial communities is mostly associated with decentralization. The United Nations Development Program (UNDP) describes decentralization as a restructuring of the competencies of state power, which should lead to an efficient structure of joint obligations between institutions of government at the central, regional and local levels. Moreover, this restructuring should be carried out in accordance with the norm of subsidiarity (UNDP, 2004). This principle refers to the process of transferring state obligations to a lower institutional or social platform that can implement them. The Organization for Economic Co-operation and Development (OECD) in this regard emphasizes the importance of the choice component as a principle of power at the subnational level (OECD, 2019).

Definitions such as "devolution", "delegation" and "deconcentration" are extensively used in the context of decentralization (The World Bank Group, 2001). At the same time, decentralization focuses on political, administrative and fiscal directions. The European Charter of Local Self-Government, adopted by the Council of Europe in 1985, requires signatories to adhere to the basic principles of appropriate local autonomy (Council of Europe, 1985). There were 47 countries, including all EU member states, which ratified the Charter. So, it is an important starting point for conceptualizing different aspects of decentralization.

The results of decentralization are particularly significant for the EU as a supranational structure with complicated formations for development, implementation and monitoring that comprise all levels of government. Local and Regional Authorities (LRAs) are taking an increasingly strong position in various policy areas, which could have a significant impact on EU strategic goals such as the European Green Deal and climate neutrality. The EU law governs about 60% of all decisions made at the subnational level, and the LRA is responsible for about 70% of public sector investment in EU countries (CEMR, 2016). The Decentralization Index is an interactive tool with perspective on different dimensions of decentralisation (political, administrative and fiscal) in the 27 EU Member States (European Committee of the Regions, 2022). The Index allows tracking on an interactive map the level of decentralization within the country at the local and regional levels, as well as making comparisons between Member States. Indicators for determining the degree of decentralization were developed in a special study, which was based on existing data from the Distribution of Powers (DoP) Portal developed by the Committee of the Regions (CoR). The data included, among others, the legal framework for different governance structures in the Member States. The DoP Portal ensures particular data on the governance formations and competencies of various appropriate levels in the EU, candidate countries, the Eastern Partnership and Southern Neighbourhood countries. It gives data on the distribution of powers in different policy areas among government agencies. The Portal guarantees quality facts on such governance as subsidiarity and communication with EU formations. Ukraine is not included in the European Decentralization Index. The reasons are the vectors of political and legal transformations of Ukraine to match the EU standards and associate membership. This requires a thorough approach to intra-state changes in Ukraine.

So, the territorial community in Ukraine has the right to complete the missions of local importance (Document 254к/96-ВР, 2020); it is a component of the system of local self-government, the primary subject of local self-government, is the performer of its functions and exerciser of its powers (Law of Ukraine № 280/97-VR, 2022).

The decentralization reform has been launched in Ukraine in 1997, when the Verkhovna Rada of Ukraine ratified the European Charter of Local Self-Government and strictly complied with the European principles and standards of governance (Council of Europe, 1985). In 2014, the Cabinet of Ministers of Ukraine adopted the concept of reforming local self-government and territorial organization of power (Order № 333-r, 2014). In 2015, Ukraine adopted a law (Law of Ukraine № 157-VIII, 2020) to regulate direct inter-budgetary relations of the amalgamated territorial communities with the State Budget of Ukraine and to establish the principles and scope of financial support for the amalgamated territorial communities. The adopted methodology (Resolution № 214, 2015) regulated the procedure for the development of a long-term plan for the establishment of the community territory and determined the criteria for the establishment of a viable territorial community.

In 2015, 159 amalgamated territorial communities (ATCs) were established, there were 366 ATCs in 2016, 665 — in 2017, 874 — in 2018, while 924 ATCs were established in Ukraine as of July 2019, in which 29.1% of the population of the country lived (another approximately 42% lived in cities of regional significance with developed local self-government) (Ministry of Regional Development, Construction and Housing and Communal Economy of Ukraine, 2019). Financial decentralization resulted in increased revenues to local budgets from UAH 68.6 billion in 2015 to UAH 189.4 billion in 2019; the share of local budgets in the total budget of Ukraine increased from 45.6% in 2015 to 51.5% in 2019; the amount of financing of regional development from the state budget increased from UAH 0.5 billion in 2014 to UAH 19.3 billion in 2018 (Ministry of Regional Development, Construction and Housing and Communal Economy of Ukraine, 2019).

Ukraine entered the second phase of decentralization at the beginning of 2019, which provided for administrative and territorial reform at the district level, as well as redefining regional and higher subregional prerogatives. The ongoing unification of municipalities makes Ukraine more resilient to Russia's hybrid war and demonstrates adherence to the EU principles of democracy and subsidiarity. Ukraine aspires to become a new example of the political value and administrative usefulness of a non-federal two-tier national system of government. In 2020, those settlements that failed to establish a single territorial community were amalgamated on the basis of set criteria (Law of Ukraine № 562-IX, 2020; Resolution № 807-IX, 2020). This is how a new administrative-territorial system was approved, administrative centres were determined, and the territories of territorial communities were approved.

Since then, Ukraine has implemented a process of political decentralization in order to significantly restructure the centre-periphery relations. This reform of local government involved the transfer of powers from the national to the municipal level (and to a lesser extent to the regional and upper subregional levels). Decentralization is implemented not through federalization, but through the merging of small municipalities and the transfer of political, administrative and financial authority to these amalgamated local communities. One of the main objectives of local self-governments is the management of resource provision of local budgets.

ATCs acquire significant rights to collect taxes, self-government and public policy upon their recognition by the central government. The central government also provides ATC with funding for newly established institutions and the implementation of local development projects. The reform is accompanied by a parallel "sectoral decentralization", primarily in health care and education. As of January 10, 2022, 1,470 communities, 136 districts, 119 district councils and 119 district state administrations were established in Ukraine (Ministry of Development communities and territories of Ukraine, 2022). A total of 296 territorial communities concluded 153 inter-municipal cooperation agreements.

There is a 349.0% increase in revenues of the general fund of budgets of territorial communities in January - November 2020-2021 — from UAH 48.6 milliard to UAH 218.2 milliard (see Figure 2). State financial support for community and infrastructure development in 2021 amounted to UAH 81.8 milliard, while UAH 131.8 milliard was provided for 2022. Figure 3 shows planning of financial transformations of territorial communities for building their capacity.

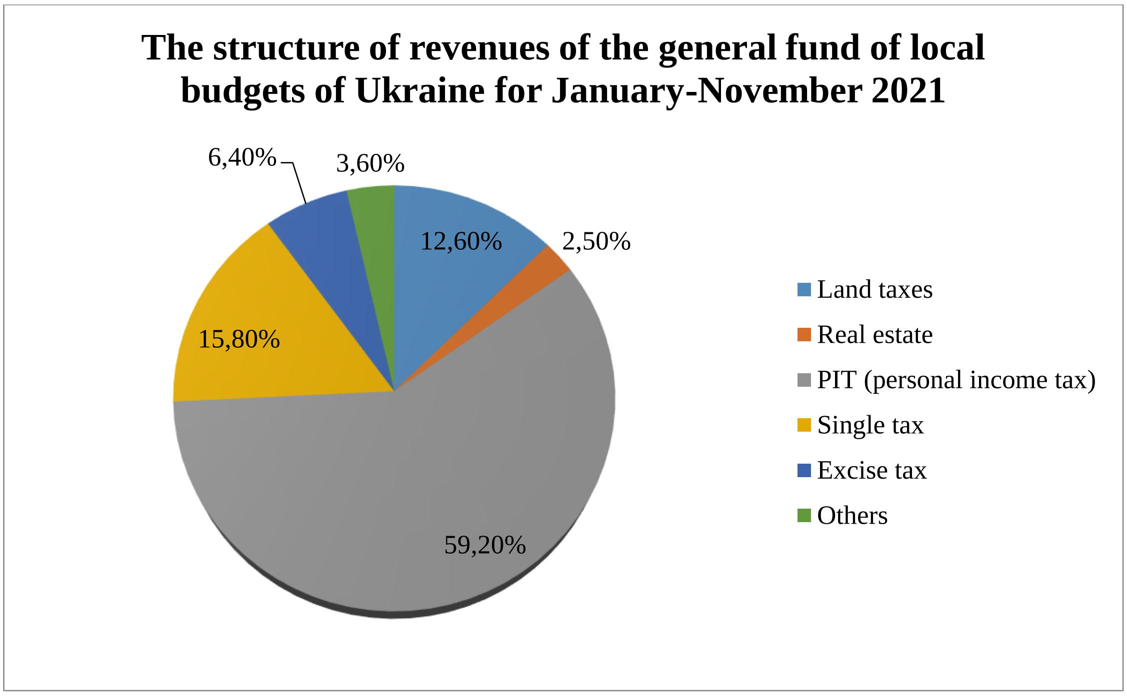

Figure 2. Revenue structure of the general fund of local budgets of Ukraine for January-November 2021 (excluding transfers from the state budget) by territorial communities (according to the Ministry for Communities and Territories Development of Ukraine)

Figure 3. Planned financing of the development of territorial communities of Ukraine for 2022 (grouped by the author)

The share of local budget revenues (general fund excluding transfers) in GDP in 2021 was projected at 7.3%. The share of local budget expenditures in GDP in 2021 was projected at 12.1% (Ministry of Development communities and territories of Ukraine, 2022). As regards social investments in Ukraine in 2020, education was financed from three main sources: investments from state and local budgets (81.25%), own funds of companies and organizations (17.61%), other funds (1.1%) are bank loans, funds of investment companies, foundations, etc. (State Statistics Service of Ukraine, 2020). Healthcare and social support rank second among social areas in terms of the investment size. These areas involve the following sources of financing: funds from state and local budgets (70.69%), own funds of companies and organizations (23.17%), other sources are bank loans, funds of non-resident investors, etc. Arts, sports, entertainment and recreation are funded by state and local budgets (36.34%), from own funds of companies and organizations (63.58%) that have invested in this area, and other sources (State Statistics Service of Ukraine, 2020).

Capacity of the territorial community is the availability of financial resources, infrastructure and HR, which determine the territorial community's ability to provide public services, as well as the opportunity to use unemployed and latent potential (investment, economic, human, managerial, financial, civic engagement) to ensure the well-being of the territorial community. The activities of the territorial community involve coordination between residents and government agencies in solving major problems through participation in management decisions. This also requires a clear understanding of the overall responsibility for the well-being of residents. But residents of rural communities often do not take full responsibility for their own well-being and do not exercise full control over local government activities (17% of residents of large cities, 12% of small towns and only 9% of rural residents are ready for this position) (NISS, 2020).

The reflective rather than proactive established approaches to state regional policy indicate a serious need for the development and implementation of new regional (local) development policy. The approach to local development requires updating to be based on place (place-based theory) and socio-economic development of local communities on the basis of endogenous potential. The new vector of regional development considers low productivity (rates and growth) as a key problem; insufficient use of internal potential; lack of regional competitiveness; interregional and interpersonal inequality to be the key problems. It resulted in the movement towards latent potential, local knowledge, intensification of local development and ensuring the well-being of community residents, regardless of place of residence. Consequently, this requires transformation of the goals of regional development policy as regards reorientation from making up for the shortcomings of the areas that lag behind in the regions in response to shocks (industry decline) to intensifying use of underutilized local potential of territorial communities based on their existing strengths and implementation of innovations. Accordingly, in addition to traditional subsidies and state aid, it is necessary to use other tools out of a wide range: targeted investment in human capital; infrastructure investment; business development support; support for research and innovation; coordination between non-governmental actors.

An example of effective assistance to build the capacity of territorial communities is the PLACED (2020) Project of dynamic digital services related to libraries. The PLACED Project supports the establishment of dynamic urban centres of innovation, citizens' activities to create knowledge and transform this knowledge into part of the general resources of the urban community. The partners of this project are Aarhus University, Denmark; LIRIS - CNRS, France; ENSSIB, France; Dokk1 - Aarhus Public Libraries, Denmark; Chalmers University of Technology, Sweden; Municipal Library of Lyon, France; Lundby Library, Gothenburg, Sweden; RISE Interactive, Sweden. The PLACED Project is a new type of digital library services focused on space and activities. PLACED services support library activities, while library services are typically focused on providing access to a collection of media files. An innovative aspect is that these services collect knowledge gained from these actions, make them part of the library collection and allow future library users to study and access them. So, PLACED (2020) services help to go beyond the institutional walls of the library and make it an integral part of urban life, creating a constantly evolving collection based on urban activities and knowledge accumulation.

Recently, in the EU countries in rural areas there has been a trend characterized by the presence of a certain type of problems. They were caused by the inability to solve the main problems in rural agglomerations using standard top-down policy approaches. The LEADER approach (European Network for Rural Development, 2018) set itself the task of correcting this situation. This initiative was based on the concept that it was possible to increase prosperity in rural agglomerations due to the activity of local residents themselves. Moreover, special emphasis began to be placed on the formation of partnerships of local initiative groups (LAG), which in their composition began to include public, private and civil segments. These LAGs are the main tool for applying the LEADER approach to territorial development, directly involving local representatives in the development and implementation of local strategies, decision-making and resource allocation (Figure 4). This approach has an added value, which is connected with the extended opportunities and rights at the local level through the development, implementation and allocation of resources at the local level. The LEADER approach has been further developed through extension. Community-led local development (CLLD) were formed in various agglomerations, as well as communities related to fishing. Financing was carried out during 2014-2020.

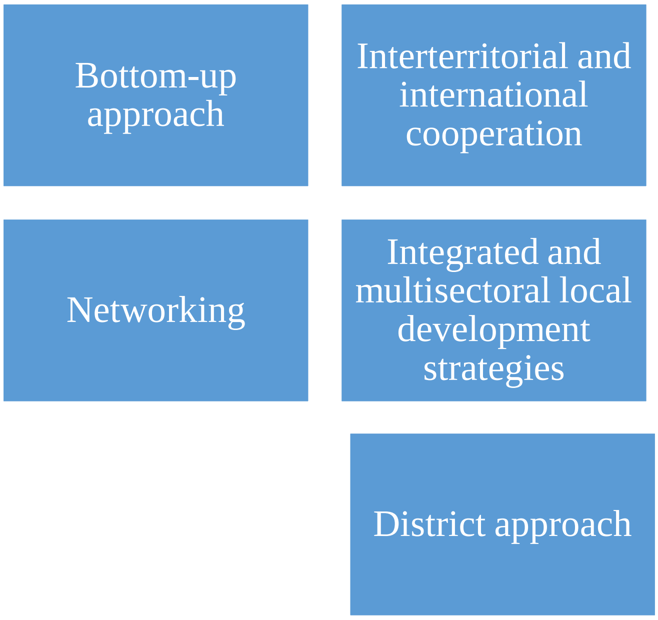

Figure 4. Main components of the LEADER approach for testing in Ukraine (identified by the author)

LEADER took as its basis the principle of the bottom-up approach and is based on that statement, that no one but the locals can know their own problems better. With the right active position, problems can be reduced. The corresponding "bottom-up" principle is reflected in the EU rules, which provide for a "bottom-up" approach. In this regard, it is important to ensure that there is no preponderance of different groups in decision-making.

District approach: LEADER and CLLD programs contain a variety of approaches based on the priorities of the local territory, the mandatory cooperation of neighboring agglomerations. More importantly, collaborative methodologies are being developed to help neighborhoods interact and develop each other. The LEADER approach has worked well in communities with between 10,000 and 150,000 inhabitants (European Union, 2013).

Regional cooperation for territorial growth uses a specific management system Local Action Group (LAG). In the future, the population gets the opportunity to become active partners and initiators of the positive growth of the rural economy of their own agglomerations; this is the defining feature of CLLD, which is characterized by the presence of multi-sectoral local development strategies. With regard to the decision-making process, each respective segment is entitled to propose no more than 49% of the members of the local partnership (European Union, 2013).

In this regard, it is especially necessary to emphasize the role of networking and innovation, which lead to the establishment of a connection between the various participants in the working system. For the LEADER approach, along with inter-territorial and international cooperation in the field of agricultural development, it is also very important. An example of this development is the activities of various new LEADER groups, the European Structural Investment Fund (ESIF). The LEADER project "At home in Emlichheim" (Germany) (European Network for Rural

Development, 2020) was implemented to enable the elderly to maintain their independence for longer through regular preventive home visits. The proposed recommendations were used at a high level in this project: the service provider with a well-developed network has in-depth knowledge of the provision of services at the local level; acts as an early warning system. The LEADER Gratitud Pallars (Spain) (European Network for Rural Development, 2020) was an integrated and innovative project aimed at supporting landscape conservation, climate change mitigation and the development of smart sustainable tourism. The project achieved obvious success of intersectoral cooperation between government agencies, businesses, landowners, local people and newcomers; an integrated approach to environment and nature protection, green tourism and a healthy lifestyle was implemented.

The microproject LEADER "Sozialwierkstat" (Luxembourg), which put an innovative component at its core, and which devoted its activities to youth issues, received special recognition. The activities of this project included volunteering, holding consultative meetings related to employment and professional development (European Network for Rural Development, 2022). The result was the employment of young people in the region.

The activity of the LEADER project in Biertan (Romania) was also indicative. The problem was the poor quality of medical care, which had been declining since the nineties. The poor were especially hard hit. The purpose of this project was to help the population who did not have the opportunity to receive quality medical care, as well as to build trust and further constructive dialogue between residents and local authorities. The result of this project was the operation of a multidisciplinary health center that could provide appropriate assistance to 40 older people with disabilities and another 65 people at home (European Network for Rural Development, 2021). In addition, a significant increase in the professionalism of the local administration and social workers, as well as the level of provision of relevant medical services, has become a positive moment.

A well-known Waterford Project was created and funded in Ireland by the Waterford LEADER Local Action Group jointly with public organizations, charities and other organizations engaged in development. This is one of the elements of a broader strategy aimed at creating a single economic zone, which is used by many Blackwater Valley villages in West Waterford (Ireland) to establish an economic union pursuing a collective goal and vision (European Network for Rural Development, 2021a). In particular, the aim of this Project was to create and maintain ICT-based jobs at the local level through smart jobs strategy that includes animation, research, training, networking, marketing and investment. It is consistent with a number of other measures for the improvement and protection of the environment, and complements them. This Project provided support for the rural development programme, which attracted significant additional capital of EUR 2 million used to start and complete all capital improvements by 2022. Of this amount, EUR 1.2 million came from charities, and EUR 800,000 came from the communities themselves.

We can establish that the human potential influence the development of territorial communities and their self-sustainment through the use of nonmaterial added value in the cultural, educational and medical fields. In this regard, the territorial community should reorient the necessary areas through the development of relevant skills and attraction of innovation in order to build its capacity. Mobilization of untapped capacity requires collecting data on the success of communities and identifying opportunities that have contributed to success. It also requires the organization of a core group to promote the process, fully map the opportunities and assets of individuals, associations and local institutions. Building relationships between local assets for mutually beneficial solutions to the problems that exist in the community is of particular notice. In this regard, it is very important to fully mobilize the EU expert resources for economic development and information exchange, and to gather the widest possible representative group to form a vision and elaborate a community development plan.

Discussion

Relying on Dick-Sagoe and Andraz (2020), the conclusion was drawn that a proper design of decentralization requires excluding the discrepancy between the distribution of costs and revenues and the uneven formula of vertical distribution in favour of the central government. It is, however, appropriate to combat ineffective control and ensure transparency of public spending for the local population. Researchers recommend project-based spending at the community level and extending the rights and opportunities of communities to ensure accountability of local self-governments for costs and revenues.

Sustainable district development is still the subject of research in many countries. According to Mihai and lațu (2020), the interregional economic and social gaps manifested on all scales underlie such scientific interest. The European Union aspires to address these issues by promoting sustainable development. Mihai and latu (2020) emphasize that these development goals are intended to reduce poverty, inequality, unemployment, meet the basic needs of the disadvantaged people and expand community participation in rural development processes, but especially reduce development gaps, including through latent potential.

Masot et al. (2019) confirm that studies dealing with the evaluation of the contribution of the European financial instruments to rural development often proves the significant contributions of the LEADER Programme to the community development. At the same time, Opria et al. (2021) indicate that LEADER produces lower contribution to rather disadvantaged areas. The benefits for isolated, depopulated and underdeveloped areas were minimal. This means that the development gap between EU countries will increase over time, which will have an impact on the effectiveness of the management of European funds (Opria et al., 2021).

According to Tolkki and Haveri (2020), contextual reasons are the main factor that explains why different forms of control can strengthen or weaken governance in different metropolises. In one agglomeration, the governance can be ensured through direct public administration, and in another one — through indirect control, for example, by financing a politically decentralized mechanism. Beeri and Magnússon (2019) maintain that the complete absence of governance by the state is problematic. State control creates a platform for the development of management potential.

Park and Fowler (2021) state that despite the advantages and disadvantages typical for decentralization, the COVID-19 pandemic revealed the institutional limitations of decentralization and the benefits that centralized administrative coordination creates during crises. Researchers believe that one of the most important defining factors of national pandemic response is the degree of balancing the political and administrative aspects of centralization/decentralization.

Lanzaro and Larraburu (2021) indicate that in addition to technical needs, administrative decentralization as a component of public sector development is a response to political games and the result of long-term political systems. According to Hrynchyshyn (2021), businesses as institutional units of the economy are mostly considered separately from the public sector, while civil society is traditionally positioned as untapped potential. Hrynchyshyn (2021) also maintains that the new regional development policy should help integrate their interaction through public-private partnerships, while civil society is one of the important stakeholders in shaping and implementing this policy. Novak (2022) contends that tax administration is a tool to increase revenues to the general budget, and thus to provide expenditures on subsidized establishments and activities as a guarantee of further financial and economic security, socio-economic development of ATCs.

Grillos et al. (2021) notes that teams of civil servants in decentralized and comparable public healthcare systems with centralized governance are often less effective in joint work. The reason is the adverse implications of the reform for the existing employees: new pairs of employees are relatively efficient, while existing employees do not work that well with each other in mixed teams. Researchers conclude that policymakers need to take steps to ensure that the effectiveness of existing employees stays unimpaired by governance reforms.

Conclusions

Decentralization can make public decision-making more efficient and fairer by internalizing the external factors, using all available information, and better matching services provided to the needs. The important elements of a framework for evaluation of the effectiveness of decentralization are participants, authority and accountability.

All communities must have a certain demographic, territorial and productive potential to be financially, professionally and institutionally able to perform their functions and tasks. Decentralization reform is directly related to the development and optimal use of the resource potential of territorial communities. The voluntary amalgamation of territorial communities in Ukraine has created the grounds for the transformation of the territorial structure and subregional level. The amalgamated territorial communities received additional financial resources, expanded their powers and established direct inter-budgetary relations with the state budget. The exercise of these powers through the use of appropriate resources is the background for the formation of the integral potential of the territory and for ensuring its use for the development of the territory.

EU countries strive for building community capacity and stimulate innovation (including social innovation), entrepreneurship and the capacity for changes, encouraging the development and revealing latent potential within communities and territories. The relationship between state control and the opportunities of urban governance in the EU countries indicates the complex relations between the state and agglomerations: even the relationship of control is interdependent rather than hierarchical.

The LEADER Project can be used in Ukraine, especially in promoting new forms of cooperation and partnership between urban and rural areas. Closer cooperation at the local level in urban areas can be promoted through different tools: approaches based on small areas, which may include disadvantaged urban areas, industrial areas, deserted areas, suburbs, etc., small towns and surrounding rural areas. The LEADER project implements subject-related approaches to solving specific urban problems, such as unemployment and the labour market, social isolation, urban mobility or local energy efficiency plans. Approaches to target groups are concentrated on particular groups, for example, youth. This project contributes to the extension of the rights of local communities, including disadvantaged groups, as a tool to address unemployment and social inclusion issues. The analysis of possible implementation of the LEADER Project in Ukraine upon the end of martial law in the country will be the vector of further scientific research in this context.

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The problems in the development of public broadcasting in the polycultural borderland Region of Ukraine

Проблеми розвитку суспільного мовлення в полікультурному прикордонному регіоні України

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Abstract

The paper discusses the main challenges faced by the implementation and development of Public television (Ukrainian: Suspilne telebachennia) in the polycultural borderland of Ukraine (Transcarpathia), considering national peculiarities. The relevance of the research is due to the necessity of a detailed analysis of the organizational and developmental processes of the Transcarpathian Public television, the development forecast, and the search for opportunities and new decisions accounting for the factors that determine its uniqueness. Were used such methods: empirical (observation, description, measuring); theoretical (axiomatic, hypothetico-deductive); general methods (analysis, synthesis, comparison, generalization); unique methods, among which the most productive were the various types of analysis (thematic, genre, stylistic analysis). The given results of the research draw up strategies for the Transcarpathian television and its importance in the conditions of the polycultural region,

Анотація

У статті розглядаються основні проблеми впровадження та розвитку Суспільного телебачення на полікультурному прикордонні України (Закарпаття) з урахуванням національних особливостей. Актуальність дослідження зумовлена необхідністю детального аналізу організаційно-розвиткових процесів Громадського телебачення Закарпаття, прогнозу розвитку, пошуку можливостей та нових рішень з урахуванням факторів, що визначають його унікальність. Були використані такі методи: емпіричні (спостереження, опис, вимірювання); теоретичні (аксіоматичні, гіпотетико-дедуктивні); загальні методи (аналіз, синтез, порівняння, узагальнення); унікальні методи, серед яких найбільш продуктивними були різні види аналізу (тематичний, жанровий, стилістичний аналіз). Наведені результати дослідження формують стратегію закарпатського телебачення та його значення в умовах полікультурного регіону, враховуючи його прикордонне розташування у зв'язку з його історико-культурною, соціально-політичною

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considering its borderland location in connection with its historical-cultural, social-political peculiarity in the context of the rapid development of new media.

Keywords: Public broadcasting, Public television, regional television, polycultural borderland region, new media.

особливістю в контексті стрімкого розвитку нових медіа.

Ключові слова: Суспільне мовлення, Суспільне телебачення, регіональне телебачення, полікультурний прикордонний регіон, нові медіа.

Introduction

In many European countries, the transition from state-owned television and radio broadcasting to public broadcasting underwent during the 1970s. However, this happened no sooner than 2014 in Ukraine. Though, the legislative requirements were set right after the independence of Ukraine in 1997. It was the period of the adoption of Public Broadcasting and Television Service Law for Ukraine. According to Ostapa et al. (2018), 11 bills on Public broadcasting were created between 1997 to 2013. Though, none of these accelerated its development. Some of the reasons for it were as follows: not understanding the content and purpose of such broadcasting; the politicians' intent to abuse the opportunities granted by state-owned broadcasting services; the opinion that only state-controlled broadcasting may serve national and patriotic ideas; the journalists' disinterest towards changes; the lack of competitive environment in the field of Mass media; etc.

A peculiar sign of Ukrainian Public broadcasting is that its activity is aimed at satisfying the information needs of both national and regional levels. Several foreign models of functioning have been discussed prior to its creation. Among them was the Polish model (Kyrych, 2014). As a result, public broadcasting was created based on state television and radio broadcasting. Therefore, the National Council of Television and Radio Broadcasting of Ukraine is a joint-stock company with 100% of the state's shares. Public broadcasting is financed by the State budget of Ukraine and commercial input with gradual transfer to financing by consumers and income from commercial activity. The National Council of Television and Radio Broadcasting of Ukraine joint-stock company is composed of two national television companies, three national radio companies and 22 branches. The latter are regional broadcasters that operate in almost every region of Ukraine (Law of Ukraine 1227-VII, 2021).

The Transcarpathian regional directorate is a branch of the National Council of Television and Radio Broadcasting of Ukraine that was established in 2015 in a similar way other branches appeared in the rest of the Ukrainian regions. It was based on the regional state television and radio company model. It combines the UA: Zakarpattia (former Tisa-1) television channel and two radio stations: Uzhhorod and Tisa FM. It is distinguished by the fact that it is one of the three Ukrainian branches that creates content for ethnic groups and operates in a polycultural borderland region with deep traditions of foreign broadcasting. Considering the former, information safety is a crucial question in this polyethnic region. As has been rightly pointed out by researcher Bidzilya (2017) who studied the formation problems of the national-information identity of the Transcarpathians and the role of the mass media in intercultural communication, the Ukrainian state must be represented in Transcarpathia and propose the borderland regions such information-communication strategy that would support the media designed for and about the ethnic groups, as well as would suggest content about the state created for such citizens in such way deepening the feeling of social responsibility for everything that happens in the country the citizens of which they are (Bidzilya et al., 2020).

This research paper is aimed at studying the peculiarities of the establishment and development of Public television of Ukraine's westernmost region, Transcarpathia; analyzing the context, investigating problems, technical and artistic resources of such broadcasting from its time of emergence in 2015 till now; inspecting the trends of the interaction between the Transcarpathian Public broadcasting and the newest media; elaborating suggestions on a successful transformation of the regional public television in context of historical, ethnocultural, and political specifics of the land in the light of modern challenges and threats. To our mind, a significant disadvantage of Ukrainian Public broadcasting lies in neglecting the regional characteristics while choosing the optimal model, developing the typical structure for all the regional companies, uniting all the principal resources, both human and financial, in Kyiv without the opportunity to decide important questions, to create versatile genre content that would aim at the local viewer in regional companies, all of this resulting in a negative impact on the development of the independent regional Public broadcasting.

Literature Review

Thus, the relevance of researching the Transcarpathian branch of Public television increases in the context of global and local information challenges in the light of the aspirations of our state towards European integration during the process of establishing tolerant intercultural communication as well as in connection with further reforms in the field of media (Potschka & Golding, 2012). There is an increasing need for elaborating a strategy or optimal development plan for Public broadcasting in the borderland region that would combine informational, analytical, cultural, and entertaining content in a rational way. In addition, it should take into consideration the informational, cultural, and religious needs of the largest ethnic groups of the land. Developing an effective operational model for broadcasting in the border area is especially crucial under the conditions of military aggression, considering the need to defend the national information space (Syvertsen, 2001).

Many academic papers concerning the problem of public broadcasting directly or indirectly have been prepared and plenty of theses have been defended by Ukrainian researchers since the 1990s (Husak, 2005; Dzholos, 2017; Kyrych, 2014; Tolochko, 2020c; etc.). For instance, organizational, jurisdictional, and communicational aspects of such broadcasting including on regional level were studied by Dzholos (2017). He correctly pointed out that public broadcasters should reflect the uniqueness of the region and work according to standards under the conditions of rough competence with privately-owned channels. Apart from this, the functionality of television and radio broadcasting was discussed in scientific circles. Thus, researchers Khomenko and Fomenko (2013) studied Public broadcasting from the position of Norbert Wiener's concept of homeostasis. They concluded that such broadcasting can be built on theoretical levels like "creating a signal" (news agency), "improving the signal" (journalistic research services), and improving the audience (television and radio art). The rest of the programs can be developed on the basis of these. In such way public broadcasting would facilitate the viewers' development and decrease the possibility of propaganda to the minimum. As a matter of fact, such a model is partly implemented in the Ukrainian media market. A significant part of the Public television material accentuates the very news segment. However, research, documentaries of their own making, entertaining and educational content are prevailingly concentrated around the main national channel. The broadcast of the regional branches is filled with retransmissions.

The foreign scientific discourse represents research on the problems of Ukrainian Public broadcasting. It includes analytical reports on its operation that describe the efficient ways of financing such broadcasting (Dragomir et al., 2019), research papers aimed at studying the independence of Public broadcasting in the context of European standards (Hruba, 2019). However, there is a lack of papers devoting attention to the regional peculiarities of Ukrainian Public broadcasting, especially to those operating in borderland areas.

Methodology

The principal methods of researching the Transcarpathian Public television are as follows: empirical (observation, description, measuring), which gave the opportunity to spot the most obvious traits of television, capture some of its traits on the level of content and form, register some quality characteristics; theoretical (axiomatic, hypothetico-deductive); general methods (analysis, synthesis, comparison, generalization); special methods, among which the most productive were the various types of analysis (thematic, genre, stylistic analysis). Therefore, we would like to accentuate the observation method among the empirical ones. We referred to it in the first stage of the research in order to find out the characteristic traits of the Transcarpathian Public television and its peculiarities in general. With the help of the description method, we learn the formal and semantic features of the content of the former state television of Transcarpathia, in particular, for the national minorities. The measuring method helped us determine the number of television programs of the former state and now Public broadcasting, the general duration of the content in Ukrainian and other languages. It was possible to find out the principle traits of Public broadcasting with the help of methods of analysis and synthesis. Certainly, we applied the subtypes of analysis while acting in this field. For instance, classification was used to study television content that was grouped by thematic orientation, focus on different ages, specialized audiences, etc. The abstract method made it possible to accentuate those traits of the Transcarpathian television channels that would finally allow us to form a complex understanding about the establishment and development of Public television of the borderland area. As a separate form of the abstract method, idealization was applied during defining the quality of the television programs. The comparison method was implemented at different stages of the research. For example, it was used during the analysis of formal and semantic features of the content. Researchers Fickers and Johnson (2010) correctly point out that television can be studied on the following levels: local, regional, national, and/or global; rural or urban; may take into consideration topographic or geopolitical features. The comparison can be synchronous or diachronic and might indicate the micro-meso-macro-historical perspective (Kitsa & Mudra, 2018). Of not less importance is the method of generalization. It helped us find out the leading tendencies of the functioning of the Transcarpathian Public television from its establishment till today. In addition, it was used to investigate the main challenges taking into consideration the historical, political, and cultural features of the region. The methods of induction and deduction were also important during the comprehension of the tendencies of the Transcarpathian television for development in multicultural, polyethnic, and borderland areas. In regards to special methods, different types of analysis turned out to be the most productive for us: thematic, genre, and stylistic analysis as well as certain sociological, statistic methods or their various means. For example, various types of analysis were applied while researching content. The informal interview was preferred among sociological methods. It was aimed at a profound and versatile study of a specific object. Such a method allowed us to find out the peculiarity of the development of the oldest television of Transcarpathia during a talk with the producer of the current Public broadcaster. Statistic methods and their means helped define the quantitative characteristics of the television content, the proportion of different means of broadcasting including the ones designed for the national minorities.

Results and Discussion

Traditions of Television Broadcasting in the Polyethnic Borderland Region

The television of Ukraine's western borderland region constitutes an important part of the European and national media space. The audiovisual Mass media of the land were established parallel to the development of the radio and attempts to introduce television to the Ukrainian Soviet Socialist Republic and in the context of the European information-communication background. Thus, signals were transmitted onto the territory of Transcarpathia by Czechoslovakia in the 1930s. It embraced Ukraine's westernmost region officially called Carpathian Ruthenia between 1918 to 1939. Broadcasting in the Ukrainian language was established on the territory of Transcarpathia when Carpathian Ruthenia received autonomous status in September 1938. It was during the period of the proclamation of Carpatho-Ukraine which existed for only a few months, though left a noticeable trace in history. The Soviet reign brought along Soviet radio broadcasting to Transcarpathia in November 1945. Television broadcasting was introduced in 1965, but regular broadcasts appeared no sooner than in February 1968 (Tolochko, 2020a).

From the very beginning, the organization of radio and television in Transcarpathia took into account the ethnic aspect. The ethnic landscape of the westernmost land was constantly changing during the last century due to the fact that seven countries and states had existed on this territory since the 19th century. Thus, apart from the Ukrainians being the native nation, the largest ethnic groups in different times were the Hungarians, Romanians, Jews, Roma people, Czechs and Slovaks, Germans, and Russians. According to the census of 1921 and 1930, 62-62.2% of Ukrainians, 17.2-16% of Hungarians, 13.4-13.1% of Jewish people, 3.3-4.8% of Czechs and Slovaks, 1.9-1.7% of Romanians, 1.8-1.9% of Germans, and 2.1-0.3% of representatives of other nationalities resided on the territory of Transcarpathia (Tivodar, 2010). The ethnic situation underwent significant changes between 1946 and 1989. The most populous national minorities after the Ukrainians (68-78.4%) were as follows: Hungarians (17.4-12.5%), Romanians (1.6-2.4%), Slovaks (1.7-0.6%), Russians (1.5-4%), Roma people (0.06-1%), and Germans (0.3%). According to the Ukrainian national census of 2001, representatives of over 100 nationalities and ethnicities resided on the territory of Transcarpathia during the independence of Ukraine (State Statistics Committee of Ukraine, 2001). Since then, the largest native group has been the Ukrainians (80.5%). Apart from them, the largest Hungarian community (12.1% of the land) of Ukraine, the only Slovak community (0.5%) of Ukraine, one of the largest Romanian communities (2.6%), and a populous Roma community (1.1%) reside here as well.

Therefore, no wonder that Ukrainian, Russian, Hungarian, and Romanian language programs began to be transmitted when regular radio and television broadcasting was introduced in the 40-60s. The former state and now Public television channel has been broadcasting programs in the languages of ethnic minorities since then. However, the duration and quality of such broadcasts were significantly different in the USSR. These depended not as much on the size of the minority, but on the ideology of the state.

The state television aired around 80% of its shows in Ukrainian and the rest (around 20%) was transmitted in other languages in the period of independent Ukraine (until 2018). It is true that the television channel had many flaws on the formal and content levels. For example, these ranged from the same type or partially repeated formats inside separate television programs to errors made by the narrators. These problems have been analyzed in previous papers (Tolochko, 2020a).

Overview of Competitive Processes on the Transcarpathian Media Market

A crucial operational aspect of Public broadcasting lies within the competition on the media market, both on a national and regional level. Independent broadcasters must oppose powerful privately-owned media structures and media holdings. They are owned by financial-oligarchic groups that possess significantly larger resources, possibilities to capture audiences and have been prevailingly present on the territory of Ukraine since the 1990s. Syvertsen (2001), a foreign researcher of Public Service Broadcasting in Nordic countries rightly points out that competition between public and commercial broadcasters might, probably, increase in the future. This depends on various factors, mostly on the political system. This is why the main question of the development of such broadcasting arises: will public television and radio broadcasters be able to persuade the consumers each time that they offer a worthy alternative to commercial broadcasting and simultaneously satisfy the needs of the public in information (Syvertsen et al., 2014). Such a principle is present in Ukraine. That means that Public television must prove its competitiveness. It needs to prove the quality of its programs and demonstrate exemplary compliance with standards, thus, differentiating itself from private channels.

Nine commercial television channels have been represented in Transcarpathia since 1991: 21 Uzhhorod (in addition to that came the Hungarian part TV21 Ungvár in 2018), Spektr, Alians-TV and Kray-TB, M-Studio, RTK Khust, Pershiy Kabelniy, Uzhinform, Sirius, and the communal, partly privately-owned Vynohradiv TV. Three of them, namely, Spektr, Alians-TV, and Kray-TB had existed only for several years. Their decline has been caused by problems that can occur in any broadcaster's work, namely the investor does not have interest in supporting the television channel; the channel lacks staff which leads to struggles in creating authentic content; legal errors in the organization of broadcasting. Currently, there are six private and one communal, partly privately-owned channels that have official broadcasting licenses in the region. Four broadcasters belong to the category of local (RTK Khust, Vynohradiv TV, Pershiy Kabelniy, and Uzhinform) and four others belong to regional broadcasters (UA: Zakarpattia, 21 Uzhhorod, M-Studio, and Sirius). Three of them (Vynohradiv TV, Sirius, and Uzhinform) seized to exist in 2019-2020 due to lack of funds and the fact that their owners did not want to support the activity of these channels. This situation clearly illustrates the dependence of the private segment of the Transcarpathian television market on the political-oligarchic groups, their inability to survive on their own under the market conditions, as well as confirms the importance of the independence of public television and radio broadcasting in the region and the country in general.

Therefore, in order to keep a larger part of the audience than the commercial broadcasters, the Public television needs to be more professional, strictly adhere to the standards, comprehensively inform the audience, and offer quality informative-analytical programs, cultural, and educational content.

The Peculiarities of the Formation of the Public Broadcasting on the Basis of the Former State Broadcasting

The Transcarpathian branch of Public television was founded on the basis of the Transcarpathian regional state television and radio company Tisa-1 in Autumn 2015. In the beginning, it embraced the Tisa-1 television channel and the Uzhhorod and Tisa FM radio stations. The first years of functioning of the state broadcaster being a branch of The National Public Television and Radio Company of Ukraine (2015-2016) did not show any significant changes in the level of content and management. Dozens of editorial offices still existed in the structure that aired well-known projects for different ages (adults and children), people of different gender (men and women), nationalities (Ukrainians, Hungarians, Romanians, Slovaks, Germans, Russians, Roma people, etc.), religion, viewers with disabilities, and people with high specialization (programs of political, medical, legal, economical, household, educational, and artistic-cultural character).

The years of 2017-2018 are considered to be a period of active development of Public broadcasting of the westernmost region of Ukraine. Significant transformations took place on the level of content (the number of programs decreased); the name of the channel was changed (Tisa 1 shifted to UA: Zakarpattia in 2018); the staff was reorganized (only 119 workers remained out of 250). The production of unified content was decreased from the former 6 hours to 3 hours 5 minutes; a typical structure was introduced that would favor morning and evening entertainment programs, informative-analytical, broadcastings, and programs in the languages of the national minorities (this concerned the three branches that had such broadcasting). Programs of high specialization began to be shut down in 2017. These were shows on legal, medical topics, etc. We would like to note that the Transcarpathian Public broadcaster was characterized by disadvantages in this period. These were typical for all the regional television channels and were spotted by the yearly audit of 2017. Foremostly, it is the quantitative and not qualitative principle of content-making; unclear show formats (especially of the culturological ones designed for national minorities); the absence of correlation between original television programs and the number of the branch workers and the size of the region; the orientation of the informational-analytical author's programs on the coverage of government activities (PO Detector Media, 2019a).

Upon the creation of Public broadcasting, significant changes on both content and formal level took place in the informational television program *Vchasno* (“Timely”) that was renamed to *Novyny* (“News”) in 2018. The advantages and disadvantages of the news program have been noted in the generalized monitoring materials devoted to breaching professional standards in the news of the regional branches of the Public Broadcasting Company of Ukraine (NSTU). The monitoring was performed by PO Detector media. The newscasts did not have any problems with promptness, accuracy, and variety usually (they devoted attention to every field, such as religion, sport, the war in the Donbas region at least to a little extent). As a result, the indicator of compliance with journalist standards increased between 2017 and 2019. The number of ordered material decreased from 7% in 2017 to 0% in 2019 (PO Detector media, 2018a; 2018b; 2019b). The branch was producing 3 hours 5 minutes on a daily basis in 2019, similarly to other broadcasters in different regions.

Reduction of Public Broadcasting of Transcarpathia

More radical changes for regional studios were proposed by the Concept of regional broadcasting of the NSTU private joint-stock company for 2020–2021. As a result, the informational-analytical block was reduced to almost an hour in length and was proposed to be aired in the evening slot. The one in the morning was integrated into the national Ukrainian morning show. The rest of the programs were proposed to be produced in cooperation with other branches of the Suspilne or via outsourcing. That means they planned to order around three hours of air instead of developing their own product, provide their employees with work, utilize the available resources, update the technical equipment, etc. The principles of content production were expected to be changed. This would lead to the reduction of the number of full-time workers and to the transition to project management (Tolochko, 2020b). Such changes were negatively perceived in many regional studios. Committees for saving Public broadcasting were established by individual activists. Representatives of the National Union of Journalists of Ukraine, politicians, and public figures participated in the discussion. The pandemic situation of Spring 2020 prevented further staff reduction. Thus, the employees were brought to part-time positions. Some of them remained to work and were involved in producing interregional content. Due to underfinancing of Public broadcasting, the launch of important projects was delayed to Autumn 2020.

In such a way, many changes took place in the Transcarpathian branch of Public television since the establishment of Public television and radio broadcasting. They were implemented on the level of management (instead of the Transcarpathian State Television and Radio Company branches were created; names of the television channels were changed), program grid (unique broadcastings were reduced; informational-analytical and entertainment shows were prioritized; editorial offices were closed and versatile programs along with them), production organization (creation of programs in cooperation with other branches or on outsourcing), and in the staff list (reduction of personnel). Such transformations as well the operational peculiarities of the Public television noted in the Concept of regional broadcasting for 2020-2021 indicate that the regional branches are gradually being transformed into bureaus, they are decreasing the number of their own products, prefer media products made to order from private third party structures and purchased content. For instance, the 2020 report notes that the company purchased "almost 200 hours of documentaries and programs about nature from well-known European companies like Offthefence and TVF" (PO Detector media, 2021).

Challenges Faced by the independent Public Broadcaster

The public broadcasting faces the challenges of the digital era in Europe. Researcher Hruba (2019) mentioned the problem of increasing competence in the form of online platforms like Netflix. They have a significantly higher budget than any other independent broadcaster and their services are regulated many times less than those of traditional broadcasters. Another challenge is the political pressure on independent public television broadcasters of Europe (Hruba, 2019). One of the largest problems of the Ukrainian Public broadcasting is the severe budget cut. "Public broadcasting has never received 100% of state financing since 2017 when The National Public Television and Radio Company of Ukraine (NSTU) was registered. However, it is provided by the Law On Public television and radio broadcasting of Ukraine" (Zhuk, 2020). Due to underfunding in 2020, it had to abandon the planned upgrades, including equipment for work, as well as had to reduce the cost for creating content. The lack of financial incentives in the regional branches and content cut demotivate the employees to continue working in the team of the Public television. That is the reason why many specialists sometimes including employees with over 20 years of experience leave the company each year. This is a significant loss for the broadcaster. Open sources prove that at least nine employees were dismissed in Kyiv and the regions along with leading members of the Suspilne in 2020.

It should be noted that the underfunding of the Ukrainian Public broadcasting is a decisive, though, not the only factor that determines its opportunities and further development. Another important question is the informational decentralization that is missing from Public broadcasting. General management is carried out from Kyiv. The amount of work is determined according to the approved conception on broadcasting for two years. Therefore, to our mind, these questions should be reviewed. Perhaps, the experience of European countries should be considered in regards to organization of broadcasting in the regions. For example, a dual system and informational decentralization are implemented in television and radio broadcasting in Germany. This means that the television and radio companies that are subordinate to the federal lands, air in the premises of their own regions on a third program. Respectively, the content of the third channel is unique for each region and makes its own percentage contribution to the general broadcast (Lersch, 2010; Potschka & Golding, 2012; Dzholos, 2017).

It is regretful that even the reports of the European partners (Dragomir et al., 2019) conclude that solutions for the improvement of the financial situation and cost reduction should be the optimization of local networks, the sale of property, and attracting tenants. On the contrary, it is accentuated that in order to survive, Public broadcasting must compete with private broadcasters and interact with its audience much better, understand its needs and study its interests in the increasingly difficult digital market. The European partners state the impossibility of rejecting state funding and note the absence of future perspectives if done so. Two scenarios have been proposed. One of them suggests the creation of a special fund for financing when money is obtained through lending radio frequencies. The other one presumes granted financing from the general state budget. However, it is hard to implement such a model.

Since the beginning of 2020, the Public broadcaster has been developing its own digital platform of the same name that showed good results in its first year which is constituted in the annual report. The *Suspilne Novyny* (“Suspilne News”) website has grown ten times larger. It had 340,000 unique visitors and 670,000 views in December 2019 and 3.4 M unique visitors and 9.4 M views in December 2020 (PO Detector media, 2021). Interaction between the Public broadcaster and the newest media is manifested through the popularization of content via social networks being used as an information source (in particular, obtaining unique photo and video content); live streaming of television programs, and uploading separate releases or creating short videos for social networks. We have analyzed the pages of the Transcarpathian Public television in the social networks for the period from 2019 to April 2020. Such researches of the popularization of the programs of the Transcarpathian Public broadcaster in the social networks were performed in 2015-2016. This allowed to track quality changes. In such a manner, the state television channel was present in the Facebook (social network) and YouTube (video hosting platform). It was also present in Twitter and Google+ until 2018. Pages in Instagram and Telegram were launched in the end of 2019. The number of people who liked this page on Facebook (i.e. subscribed to the page and viewed its updates in the news feed) was 12,900 in November 2019 and increased to 21,500 by April 2020. We would like to note that the approach and methods of content creation in the social networks changed after the transition from state channel into Public television. In particular, they stopped repeatedly publishing fragments of narrations and posting links to their YouTube channel. These were practices known from the page of the previous state broadcaster (Tolochko, 2016). Almost every publication of the page was organized in the following way: there was an authentic text in which the main content was explained (or a piece of news briefly introduced); the problematic questions raised in the news release were named; the new topic announced and its relevance justified; the authors of the report, its presenters, and the guests of the program were mentioned; all of this with the utilization of an acceptable number of smileys and symbols in order to diversify the text. The video quality and the improved technical conditions made it possible to view the video content directly in the social network and air it in live stream, comment, and react to it in real time. Previous researches clarified that, if compared to the private channels of Transcarpathia, the Public broadcaster is the most consecutive and innovative in terms of creating content for versatile social networks. It is the result of the work of a separate digital department (Tolochko, 2016).

If we refer to the European experience in combining traditional broadcasters with the newest media, we will find out there are advantages in involving the audience not only in content viewing but also in its creation at some point. Modern television media are a space for active involvement of audience. Syvertsen (2001) rightly noted that the audience no longer simply watches TV, it takes part in whatever happens on the screen, it reacts to the messages in the social networks, etc.

For instance, the German Public Service Broadcasting (PSB) tries to integrate social networks into television (which in this case is called social television). An example of the integrated social television in the field of the German PSB is the Funk content network. The Internet network is financed by the license fee on the television and radio. However, the broadcasting designed prevailingly for the youth and with its interaction is streamed on YouTube (Stollfuß, 2019).

Apart from the above-mentioned, another problem of the Transcarpathian Public television that requires immediate resolution is fixing the technical difficulties of signal delivery. Significant changes took part in the media market on regional level in 2018-2019 when satellite signal-receiving was blocked in Ukraine. This turned out to be a major challenge for the Transcarpathian television market too. This problem was especially severe in mountainous areas, since around 50% of the region's population was covered by digital broadcasting in 2018. There were six transmitters of digital signal in the largest cities and regional centers. Digital broadcasting networks that used the existing towers were created in 26 cities, villages and 11 areas of Transcarpathia. However, they do not cover the entire territory of Transcarpathia. In order to establish constant receiving of digital signal on the entire territory of the region, 66 radio and television towers should be installed (that used to be retranslators of signals for the furthest points of the mountainous areas) and the equipment that remained after analogue signal has been disconnected (42 towers) should be modernized. It is important to install new towers in the mountainous area.

The UA: Zakarpattia television channel continued to broadcast satellite signals in 2019 since it had not been subject to blocking. According to the reports of the representatives of the Council that monitors the technical peculiarities, the broadcaster leads full broadcasts on all the multiplex transmitters of the region. However, it is impossible to tell, if the number of the viewers increased or decreased after the transition to digital broadcasting after satellite broadcasting had been seized, as well as, what programs of which broadcasters do the Transcarpathians watch since no suchlike monitoring had been performed in the region. At the same time, the quality of signal delivery and knowing the likes of the audience are important components of the work of any television channel, in particular, the Public broadcasting of Ukraine. This threatens Transcarpathia with watching the available programs via satellite, including the television channels of the aggressor.

Conclusions

Under the conditions of information threat and military actions carried out by the Russian Federation against Ukraine, the role of Public broadcasting is increasing as well as the role of the regional television channels that account to people independent from the government and business is increasing since they can be used as platforms for communication. Considering the multicultural character of Transcarpathia and other specific factors, the Public broadcaster should have more rights and opportunities for content creation in this and any other region. Such should be advantages in technical equipment, an extensive network of offices, enough funding, and independence in decision making. On the contrary, reducing the amount of content, the perspective of turning the branches into correspondent bureaus, standardizing the programs as claimed by the concept for developing regional broadcasting put under threat the very existence of regional Public broadcasting.

The Public broadcaster needs to take into consideration the national-historical and mental peculiarities of the audience in order to be competitive in the borderland area where the tradition of listening to and watching foreign broadcasters by the local residents has been usual since the last century due to the availability of the television and radio programs.

Monitoring and control of broadcasting and its content with the aim of media space protection and prevention of inter-ethnic conflicts was and still remains to be important. Apart from this, subtitling foreign broadcasting is important from the point of view of establishing good intercultural communication. A relevant direction of the activity of the Public broadcaster is the production of their own informational, analytical, culturological, educational programs for the title nation and ethnic minorities. Attention should be paid to destroying myths and stereotypes, establishing democratic values, respect for Ukraine, its history, and culture.

An important step of 2020 was the creation of a digital platform of the Public broadcaster that led to the popularization of television content in the newest media. Such direction of work should be enforced. In general, the image of the broadcaster should be taken care of, since researches demonstrate that only one third of the audience knows that there is Public broadcasting in Ukraine after four years have passed since the launch of the branches and seven since the introduction of the Public broadcasting service itself.

The future of the Transcarpathian Public broadcasting directly depends on the quality of the digital broadcasting in the region, the coverage of which remains unsatisfying in the mountainous area where there is a severe need in installing additional television towers. Utilizing the resources of radio and television towers and the possibilities of providers of program services can be promising. A strict information strategy should be developed in this field. It needs to take into consideration the peculiarity of Transcarpathia as a region and the main challenges waiting here. Due to the lack of information provision, the Transcarpathians might continue compensating for this information gap via the mass media of foreign countries that is especially dangerous during the period of military instability and outer threats.

Therefore, it is important that the Transcarpathian regional television preserved its own specificity (in particular, broadcasting for ethnic groups), deepened it, and simultaneously understood the needs of its audience and took them into consideration while producing television programs. Researching the stages of the establishment and development of the audiovisual space of Ukraine's western borderland region proves a lasting tradition of polynational broadcasting. Under a competent strategy, the latter can play a significant part in preventing interethnic conflicts, information threats and facilitate Ukraine's establishment as a democratic legal multinational country, a full-right member to be of the European Union.

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Influence of the occupational burnout syndrome on the work attractiveness among social workers

Влияние на "синдрома на професионалното прегаряне" върху "привлекателността на труда" при социални работници

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Abstract

The objective of this article is to study and analyze the influence of burnout syndrome on the "work attractiveness" in social workers. For the purposes of the analysis, an empirical study was conducted among 170 social workers from 142 social services in Bulgaria. The data from the study confirmed though partially but statistically significant, the dependence of work attractiveness on the parameters of the occupational burnout syndrome in the professional social work practice. The following tendencies have been outlined:

- Influence of the "occupational burnout syndrome" in the part of emotional exhaustion on the work attractiveness. The high level of emotional exhaustion does not presuppose low work attractiveness, just the opposite.

Абстракт

Целта на настоящата статия е да изследва и анализира наличието на влияние на „синдрома на професионалното прегаряне" върху „привлекателността на труда" при социалните работници. За целите на анализа е проведено емпирично проучване с контингент от 170 социални работника от 142 социални услуги на територията на България. Данните от изследването потвърждават, макар и частично, наличието на влияние на „синдрома на професионалното прегаряне" върху „привлекателността на труда" в професионалната практика. Наблюдават се следните тенденции:

- Влияние на „синдрома на професионалното прегаряне" в частта на емоционалното изтощение върху „привлекателността на труда". Високото ниво на емоционално изтощение не предсказва ниска привлекателност, а обратно.

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• Influence of the "occupational burnout syndrome" in the part of emotional exhaustion on the probability of leaving. The dependency between the high emotional exhaustion and the low work dissatisfaction precondition a higher probability of leaving.
• Influence of the "occupational burnout syndrome" in the part reduction of personal achievements on the work attractiveness. The high reduction determines the higher level of occupational dissatisfaction.
Our study shows that specification of social work depends both on the conditions of labor and the personal qualities of the social workers.

Keywords: social work, social services, occupational burnout syndrome, work attractiveness.

• Влияние на „синдрома на професионалното прегаряне" в частта на емоционалното изтощение върху вероятността за напускане. Зависимостта между високото емоционално изтощение и ниската неудовлетвореност от труда предсказва голяма вероятност за напускане.
• Влияние на „синдрома на професионалното прегаряне" в частта редукцията на личностните достижения върху „привлекателност на труда". Високата редукция детерминира и по-висока степен на неудовлетвореност на труда.
Изследването показва, че спецификата на социалната работа зависи както от условията на труд, така и от личните качества на социалните работници.

Ключови думи: социална работа, социални услуги, синдрома на професионално прегаряне, привлекателност на труда.

Introduction

In Bulgaria the reform in the social sphere and more particularly the reform in the social services began in 1998. Priorities of the Bulgarian social policy, representing the reform in the social sphere, are the processes of decentralization and deinstitutionalization. The focus is on the transition from institutional care to services enabling the people to stay in their community and family environment.

The regulation on the status of the social services is contained in a specially adopted new *Social Services Act* No: 24/22 (2019).

This law contains the legal definition of social services which are based on social work and determines them as "activities in support of the people" (Social Services Act No: 24/22, 2019).

The same legal document provides that the social services are based on social work, individual approach and individual assessment of the needs (Social Services Act No: 24/22, 2019).

Social work is defined as an "activity…directed towards support of the separate individual, the family, groups or communities for improvement of their quality of life through development of skills to use their own abilities and those of the community in response to their needs" (Social Services Act No: 24/22, 2019).

The present article presents one of the social services intended to provide residential care for adults with disabilities where a team of experts – a manager, a social worker, a medical person, a psychologist and an occupational therapist support the users in their efforts to lead an independent life.

The social service for residential care for adults with disabilities provides 24-hour care in an environment close to the family. Within this meaning it meets the need of a structured and flexible model of a residential service, corresponding to the international standards for support to an optimal degree of the clients' independence and serves as a preventive measure for their entry into an institution.

The social service is a model of social service of integrative nature. On the one side, it complies with the current Bulgarian law governing the social services in the community of resident type and on the one side it is based on the *main principles of social work* for provision of customized social care depending on the needs for services of disabled people and their abilities to take an active part in the process of support.

In search for the specification of the social work in the social service, the authors of the present article study different parameters in the social worker's activity (Benkova et al., 2018).

More specifically they study the "occupational burnout syndrome" and the "work attractiveness". The results of the research of these two indicators are reflected in our publications (Benkova et al., 2017; Benkova, Vlaeva, Peeva, & Raleva, 2021).

The present article examines the influence of the "occupational burnout syndrome" on the "work attractiveness".

The aim of the article is to outline the specification of the social worker's professional profile through the influence of the "occupational burnout syndrome" on the "work attractiveness".

The study covers 170 social workers, practicing in 142 social services for residential care for adults with disabilities in Bulgaria.

Theoretical Framework

The conceptual framework of the present analysis is determined by the content of the two main concepts - "occupational burnout syndrome" and "work attractiveness", the consideration of which follows.

Occupational burnout syndrome

Research related to burnout began in the 70s of the 20th century and is related to human-oriented professions - doctors, teachers, social workers, police officers, etc. (see Bradley, (1969); Lemaire, Wallace, (2017); Jaoul & Kovess (2004); Grochowska, Kubik, Romanowska & Lebica (2018)). Prolonged practice of these professions results in emotional exhaustion, cognitive weakness and physical fatigue. This condition of public sector workers was first named in 1974 by one of the pioneers in this type of research, H. Freidenberger (1974) "burnout" or "professional burnout". Burnout is seen as "an affective response to increasing stress in the workplace, the most important feature of which is the ever-increasing imbalance of internal energy resources and as a result - emotional exhaustion, physical fatigue, cognitive weakness." (Shirom, 1989). C. Maslach & Shaufeli (1993) defines burnout syndrome, initially as a social problem and not so much as a scientific phenomenon.

In the specialized literature the problem of burnout in social work is systematically addressed (Frieiro Padín et al. 2021) a. Burnout syndrome has been the subject of a number of studies (Wang et al., 2019), specificlly, the preconditions for burnout in social work under Covid's conditions are analyzed (Martínez-López et al., 2021), as well as the influence of sociodemographic variables on burnout syndrome among social workers (Gómez-García et al., 2020).

One of the most popular definitions of burnout relevant to social work research is that of Maslach and Jankson. This article uses Maslach and Jackson's (1996) definition: "Burnout is a syndrome of emotional exhaustion, depersonalization and dissatisfaction with self-realization/ decreased personal achievement". The popularity of this definition is due to the fact that the most widely used questionnaire - MBI, includes all three dimensions mentioned in this definition.

The specialized literature indicates different factors which predispose to burnout (see Rudaleva, Kabasheva & Khairullina (2018); McCormack & Cotter (2013); Kim, Moon, Han (2010)).

In the present article personal and organizational factors are an object of interest.

Personality traits that predispose to "burnout": self-doubt; impatience; attachment to traditional values; the need for approval; excessive devotion and dedication to work; idealism and perfectionism" (Freudenberger, 1986).

The organizational factors provoking the "professional burnout" in the employees are: insufficient professional autonomy; the need for constant meeting with people; role conflicts; role uncertainty; limiting the possibility of personal achievements; work overload; external stressors, such as noise, vibration, etc. (see Poulin & Walter (1993); Koustelios, A. (2001); Seay-Morrison et al., (2021)).

Thus, as a result of the combination of organizational factors and personal characteristics, different risk situations in which individuals may find themselves can be constituted.

As such, the following are listed in the literature: overloading the same person with many roles and commitments, which does not allow for a short break; neglecting the needs of 'dependents' in favor of administrative, financial and bureaucratic considerations; inadequate leadership and inadequate supervision; lack of training and orientation in the specifics of the work; lack of social interaction and mutual support among employees in the organization.

Work Attractiveness

In the specialized literature the term "attractiveness" is used widely. It is viewed as a characteristic of group cohesion (Dontsov, 1979), a motivational factor (Ilyin, 2000), attitude regarding a profession (Rean & Kolominskii, 1999) or a professional activity factor (Snetkov, 2000). Various terminologies are used to define "work attractiveness" –

desirability, emotional relation, significance. Generally, work attractiveness is studied within motivational theory – as a motivational factor (Dalal & Singh, 1986) and procedural theories as valence (Ingram & Bellenger, 1983). Research focused on the forming mechanisms of work attractiveness can be considered in two groups: one focusing on organizational factors (Fletcher & Jones, 1992) and second focusing on individual factors (Fields & Shallenberger, 1987).

In the current article and conducted research, the authors understand "work attractiveness" as "measuring perceptions or experiences of work's attractivity or the emotional-cognitive component of one's relationships (expectations) to their work environment, determined by their perceptions of that environment" (Ateg et al., 2009). The difference between the evaluation of actual work conditions and the perception of the state of the desired conditions is the numerical expression of work attractiveness (Nikiforova et al., 2007). Three categories construct the model of work attractiveness: work satisfaction (aspects that the employee perceives as a result of work performance), attractive work content (dimensions relating to the abilities and characteristics of employees encountered during work performance), and attractive work conditions (conditions surrounding the work) (Ateg et al., 2009).

Methodology

The empirical study of the influence of the "occupational burnout syndrome" on the "work attractiveness" of the social workers in social services for residential care for adults with disabilities uses the results of the two parameters separately.

The study of the "occupational burnout syndrome" of the social workers in the social service for residential care for adults with disabilities is carried out through the diagnostic method of K. Maslach, S. Jackson under an adaptation of N. E. Vodopyanova (Vodopyanova & Starchenkova, 2017). The method of studying of the occupational "burnout" syndrome was applied – Maslach Burnout Inventory (MBI), with the help of which the test for assessment of the level of occupational burnout is carried out (Maslach et al, 1996).

The MBI questionnaire contains 22 positions allocated in three subscales: *Emotional exhaustion, Depersonalization* and *Reduction of personal achievements*. The questionnaire is adapted after N.E. Vodopyanova (Vodopyanova & Starchenkova, 2017).

Each subscale has two dimensions: frequency (how often the social workers have such feelings) and intensity (strength of such feelings). The occupational burnout syndrome is presented as a variable, varying between low, medium and high levels.

When studying the parameter "work attractiveness" the aim is to determine the subjective attractiveness of the labour of the social worker as attractiveness of the separate parameters of the labour activity of the practice of the social work in the social service.

Work attractiveness is studied as one of the most important criteria for assessment of the socio-psychological climate in the service. This socio-psychological climate is perceived as coordinated opinions, assessments and attitudes of the team towards the conditions and circumstances of work.

For the study of the subjective attractiveness of the work for the social worker in the social service, the diagnostic method of V.M. Snetkov was used – Diagnostics of the work attractiveness (Fetiskin et al, 2002). The set of tools has been approved in the practice of social studies, which is an argument for its reliability (González-Rodríguez et al, 2020). The questionnaire contains evaluative statements about the different aspects of the team work. The proposed assessments are neither correct or incorrect, good or bad, all of them are important to a different extent for the separate person. The questionnaire consists of two parts, each of them with 56 questions. The evaluation of each question is under a 10-point scale and each number is interpreted in the following manner:

Table 1.
Evaluation scale.

GRADE	Part I and II	Work attractiveness
Extremely high	10	9..10
Very high	9	7..8
High	8	5..6
Increased	7	3..4
Upward trend	6	1..2
Medium	5	0
Downward trend	4	-1..-2
Decreased	3	-3..-4
Low	2	-5..-6
Very low	1	-7..-8
Extremely low	0	-9..-10

Source: Personal elaboration, 2022. Results obtained with SPSS statistical package.

The evaluation with 10 points means that the evaluated quality is persistent in the activity of the team (work). In the cases where though rarely, this quality is absent, the grade is 9, and so on until 0, which designates complete unavailability of the relevant quality, i.e. it has never been present.

The study under this diagnostics goes through the following **stages**:

1. In the **first part** the actually existing conditions and work circumstances are assessed. It assesses the degree of relevance of the statements to the professional activity in the team where the studied person is working.
2. The second part gives an assessment of the same conditions and circumstances reflected in part 1, but from the point of view of the wishes (the respondent's needs). In this part in the answer to the statements they should be in compliance mostly with the personal desires and interests of the studied person and what is most important in his occupational activity and what is not so important.

All studied **needs** reflected in the questions from 1 to 56 in the two parts are grouped in 14 **scales**.

The ratio between these two scores is a parameter of **subjective work attractiveness** in the given team.

The parameter 'probability for leaving' is an element of the general specification of the work attractiveness of the social workers in the social service. The probability for leaving is within the range between 0 and 1.

The study was carried out in compliance with the Ethics code of Trakia University (Ethics code, 2019).

Limitations

The research has its subjective and objective limitations related to the refusal of some of the social workers to fill in the relevant diagnostics, as well as the fact that some of the social services do not have the position of "Social Worker", despite the legal requirement for such.

The number of actual fillings varies for different diagnoses. The study of the "burnout syndrome" covers 163 validly completed diagnoses.

In the study of the indicator "work attractiveness" 147 diagnostics were validly filled in by the participants.

Hypothesis

We believe that the occupational burnout syndrome has an infuence on the work attractiveness in the social workers within the social services for residential care for adults with disabilities.

Methods

The processing of the obtained results was carried out using Microsoft Excel and SPSS. The data were introduced and processed by IBM SPSS Statistics 24 using descriptive statistics, Chi-squared test, Kolmogorov-Smirnov normality test, Student's t-test and non-parametric Spearman correlation, Anova dispersion analysis with significance level for zero hypothesis P>0,05.

Immediate observations of the professional practice in the social service were performed by means of work of one of the authors as a social worker.

Sociodemographic characteristics

The studied individuals were divided by the following signs: **age, sex, work experience, education, remuneration and probability of leaving**.

Table 2.
Sociodemographic characteristics of the respondents.

Age	Aged from 22 to 38		Aged from 39 to 49		Aged from 50 to 60		Over 61	
	44	33,8%	41	31,5%	41	31,5%	4	3,2%
Sex	Male		Female					
	21	16,15%	109	83,85%				
Work experience	Up to 5 years		From 6 to 10 years		Over 10 years			
	58	45,67%	47	37,01%	22	17,32%		
Education	Master's degree		Bachelor's degree		Other			
	25	21,55%	36	31,03%	55	47,41%		
Remuneration	Below 500		Above 500					
	78	63,41%	45	36,58%				
Probability of leaving	Willing to remain at their workplace		With a tendency to remain at their workplace		Medium value of the scale 0,5			
	67	45,56%	58	39,44%	22	14,96%		

Source: Personal elaboration, 2022. Results obtained with SPSS statistical package.

The summarized socio-demographic specification of the questioned respondents shows that: The contingent of the study includes 170 social workers from 142 *social services* on the territory of the entire country, provided that not all of them have correctly filled out the questionnaires.

The age of the participants in the study is from 22 to 66 and the predominant part thereof is at the age of 40 + (the average age of the contingent is 41.1).

Under the "sex" sign, the findings are that the female presence prevails in the studied contingent.

Most of the studied respondents fall within the group of persons with work experience up to 5 years.

The number of persons occupying the position of Social worker without any special education is bigger than that with education in Social activities/Social work (Bachelor's / Master's degree).

The larger part of the studied contingent falls within the group of low remuneration.

Comparatively optimistic is the tendency with respect to the probability of leaving in the studied social workers.

Results and Discussion

The results of the study of both parameters show the following:

Regarding the "occupational burnout syndrome" in the three scales, the study shows the following:

1. The high level of emotional exhaustion preserves the largest relative share of the respondents 65 (39.9%), i.e. in the social workers in the service there are features such as low self-assessment, alienation, irritation and intolerance to the others, leading to changes in the interpersonal relations.
2. In the study of depersonalization, it was established that the biggest number of respondents falls in the low level 61 (37.4%), i.e. the social workers in the social service show emotional distance and indifference, formally perform their professional obligations in the lack of personal compassion, they are uncertain in their own efforts.
3. The study of the reduction of personal achievements shows that the dependency is

reversible, and the biggest number belongs to the respondents in the low level 44 (47.2%), i.e., the social workers in the *social service* service have the feeling of incompetence in the professional sphere (their practice) and inability to cope with their duties, their professional motivation is reduced.

The study of the degree of subjective work attractiveness of the social worker in the *social services for residential care for adults with disabilities* as attractiveness of the separate specifications of the practice of social work indicates the following:

- The biggest dissatisfaction reflected as a low rate, the social workers express with respect to the personal material and social procurement.
- Work attractiveness as one of the most important criteria for assessment of the socio-psychological climate in the service shows a general tendency of decrease, i.e. increase in the level of dissatisfaction of the workers involved in the service.

Results of the study of factor influence

Having studied the "occupational burnout syndrome" and "work attractiveness", a factor influence of burnout on attractiveness was sought. For the purposes of this article, only the statistically significant relationships presented in the following tables are followed.

Influence of the "occupational burnout syndrome" on the "work attractiveness"

1. ***Influence of the subscale of emotional exhaustion on scales from "work attractiveness".***

Table 3.
Influence of the emotional exhaustion on the work attractiveness.

Independent variable	Dependent variable	Degree of the independent variable	Mean of the dependent variable	F;P
Emotional exhaustion	Scale 3 "Warm and trustful relations within the team"	Low emotional exhaustion	8,25	F=3,9; p<0,05
		Medium emotional exhaustion	7,40	
		Strong emotional exhaustion	8,53	
	Scale 4 "Recognition from personal authority"	Low emotional exhaustion	8,61	F=3,20; p<0,05
		Medium emotional exhaustion	7,79	
		Strong emotional exhaustion	8,37	
	Scale 13 "Public recognition of personal contribution and of the importance of the work of the team in general	Low emotional exhaustion	8,25	F=6,29;p<0,001
		Medium emotional exhaustion	7,41	
		Strong emotional exhaustion	8,44	

Source: Personal elaboration, 2022. Results obtained with SPSS statistical package.

The dispersion analysis shows influence of subscale emotional exhaustion as a component of the occupational burnout syndrome on the work attractiveness of the social worker. The emotional exhaustion influences scale 3 – Need for warm and trustful relations (F=3,9; p<0,05), scale 4 – Need for recognition and personal authority (F=3,20; p<0,05) and scale 13 – Need for public recognition of the personal contribution and the importance of the team work in general (F=6,29; p<0,001). For low and high emotional exhaustion, higher work attractiveness is reported under scales 3, 4 and 13, and the medium level of emotional exhaustion determines statistically lower work attractiveness of the social worker.

2. ***Influence of the emotional exhaustion on the probability of leaving***

Table 4.
Influence of the emotional exhaustion on the probability of leaving.

Independent variable	Dependent variable	Degree of independent variable	Mean of the dependent variable	F;P
Emotional exhaustion	Probability of leaving	Low emotional exhaustion Medium emotional exhaustion Strong emotional exhaustion	1,45 1,97 1,96	F=3,42; p<0,05

Source: Personal elaboration, 2022. Results obtained with SPSS statistical package.

The higher emotional exhaustion is, the higher the probability of leaving the profession.

3. ***When studying the influence of subscale depersonalization on the scales "work attractiveness" there are no statistically significant connections.***

4. ***Influence of subscale reduction of personal achievements on scales from "work attractiveness".***

Table 5.
Influence of the reduction of personal achievements on the work attractiveness.

Independent variable	Dependent variable	Degree of independent variable	Mean of the dependent variable	F; P
Reduction of the personal achievements	Scale 1 "Creative and interesting work".	High reduction of the personal achievements	7,30	F=3,61; p<0,05
		Medium reduction of the personal achievements	8,14	
		Low reduction of the personal achievements	8,28	
	Scale 3 "Warm and trustful relations in the team"	High reduction of the personal achievements	6,82	F=3,33; p<0,05
		Medium reduction of the personal achievements	8,01	
		Low reduction of the personal achievements	7,36	
	Scale 4 "Recognition from personal authority"	High reduction of the personal achievements	6,96	F=6,26; p<0.001
		Medium reduction of the personal achievements	8,30	
		Low reduction of the personal achievements	7,83	
	Scale 7 "Principles and respectful relations in the team"	High reduction of the personal achievements	6,08	F=4,86; p<0,001
		Medium reduction of the personal achievements	7,01	
		Low reduction of the personal achievements	7,67	
	Scale 9 "Active position about life of all members of the team"	High reduction of the personal achievements	6,48	F=4,15; p<0,05
		Medium reduction of the personal achievements	7,77	
		Low reduction of the personal achievements	7,51	
Reduction of the personal relations	Scale 10 "Good organization of labour"	High reduction of the personal achievements	5,61	F=4,41; p<0,05
		Medium reduction of the personal achievements	6,78	
		Low reduction of the personal achievements	6,70	
		High reduction of the personal achievements	6,25	F=4,51; p<0,05

Scale 11 "Common results of the whole team"	Medium reduction of the personal achievements	7,39	
	Low reduction of the personal achievements	7,15	
Scale 14 "Communication 'under the vertical' and 'along the horizontal'".	High reduction of the personal achievements	6,26	
	Medium reduction of the personal achievements	7,31	F=3,06; p<0,05
	Low reduction of the personal achievements	7,23	

Source: Personal elaboration, 2022. Results obtained with SPSS statistical package.

The results of the dispersion analysis show influence of the reduction of the personal achievements on work attractiveness in the social service in the following scales:

1. Scale 1 – *Need for creative and interesting work* – the higher the reduction of the personal achievements is, the lower the work attractiveness is under scale 1 (F=3,61; p<0,05).
2. Scale 3 – *Need for warm and trustful relations in the team* - the highest degree of reduction of the personal achievements determines statistically significant the lowest work attraction of 3 scales (F= 3,33; p<0,05).
3. Scale 4 – *Need for recognition and personal authority* – the higher degree of the reduction of personal achievements determines a low value of work attractiveness under scale 4 (F= 6,26; p<0,001).
4. Scale 7 – *Need for principle and respectful relations in the team* – the high level of reduction of the personal achievements determines a statistically significant low level of work attractiveness under scale 7 (F= 4,86; p<0,001).
5. Scale 9 – *Need for an active life position of all team members* – the higher reduction of personal accomplishments is, the lower the value of work attractiveness is under scale 9 (F= 4,15; p<0,05).
6. Scale 10 – *Need for good labor organization* – the highest degree of reduction of personal achievements determines in a statistically significant aspect the lowest work attractiveness under scale 10 (F=4 ,41; p<0,05).
7. Scale 11- *Need for common success of the whole team* – the higher level of reduction of personal achievements determines in a statistically significant aspect a low level of work attractiveness under scale 11 (F= 4,51; p<0,05).
8. Scale 14 – *Need for communication "under the vertical" and "along the horizontal"* – the higher the reduction of the personal achievements is, the lower the work attractiveness is under scale 14 (F= 3,06; p<0,05).

Discussion

The main problems which the social workers from the social services for residential care for adults with disabilities face are determined through an exhaustive empirical study.

The study presented in this article supplements the specification of the social work in the social service.

The results outlining the profile of the social worker in the social services on the territory of Bulgaria by socio-demographic parameters showed the following: women at the average age of 41, with work experience at this position up to 5 years, with remuneration below BGN 500 (approx. 280 USD) and education other than Social activities / Social work. This represents the general tendency in the profession of social work – feminization of the profession, insufficient public recognition by the society and low remuneration.

As a result of the empirical study and the analysis performed, the following tendencies of theoretical and practically applied nature have been outlined:

- Influence of the "occupational burnout syndrome" in the part of emotional exhaustion on the work attractiveness. The social workers within the social services for residential care for adults with disabilities with low and high emotional exhaustion show higher work attractiveness, i.e. less dissatisfaction, while those with a medium level of emotional exhaustion report statistically lower work attractiveness. Probably the low emotional exhaustion is attractive by itself, as the people are preserved in the profession. The high emotional exhaustion may be related to devotion to the profession or the ambition for a career growth, which also maintains attractiveness. The hypothesis is partially confirmed. The high level of emotional exhaustion does not presuppose low work attractiveness, just the opposite. This is a very interesting result;

- Influence of the ‘occupational burnout syndrome’ in the part of emotional exhaustion on the probability of leaving. It was found out that the dependency between the high emotional exhaustion and the low work dissatisfaction precondition a higher probability of leaving. Even for the work attractiveness, which means that they would probably remain in the profession of social worker but not in the social services for residential care for adults with disabilities;
- Influence of the “occupational burnout syndrome” in the part reduction of personal achievements on the work attractiveness. The high reduction, i.e. decreased capacity for work, the lack of confidence in one’s own strengths, the loss of faith in the accomplishment of future plans in the social workers in the social services for residential care for adults with disabilities determines the higher level of occupational dissatisfaction.

The data from the study confirmed though partially but statistically significant, the dependence of work attractiveness in the profession of social work in the social services for residential care for adults with disabilities on the parameters of the occupational burnout syndrome (i.e. the parameters of the professional activity in the professional practice*)*. The importances of the practical application of the results of the study clearly outline the need for:

- establishment of professional environment stimulating the increase in the satisfaction with the labor of the social worker in the social services for residential care for adults with disabilities with reduction of the possibilities for occurrence of dissatisfaction;
- development of programs for prevention of the “occupational burnout syndrome” and “work attractiveness” and their application in the practice of social work.

Conclusions

Social work in the social services has its specifications. Our study shows that this specification of the social work in the social services for residential care for adults with disabilities depends both on the conditions of labor and the personal qualities of the social workers.

The results of the presented study show that the “occupational burnout syndrome” and “work attractiveness” as parameters of the quality of social work should be considered in their interdependence, and the summaries and conclusions are directed to the practice of the social workers.

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Performing musicology: retrospective, methodological principles, looking to the future

Музичне виконавство: ретроспектива, методологічні принципи, погляд у майбутнє

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Abstract

The history of performing musicology is a vast panorama of traditions in the context of national schools and styles of certain eras. It provides a key to deciphering individual and widely used techniques. Her legacy helps not only to comprehend the process of the formation of the art of outstanding representatives of world musical performance, but also opens up unlimited prospects for the further development of performing skills and enriching it with new content. In this article, the author collects and studies materials on the topic of research. The purpose of this publication is an analysis of sources (the quality effects model), revealing the history of performing musicology and its key methods which give grounds for constructing hypotheses regarding the prospects of this direction in the context of world (including Ukraine`s art) culture. The author gives different types of performing musicology analysis including integrative, systematic and comparative methods. It's a base for the aim of this work which consists of the creation of hypotheses connected with the performing musicology`s future.

Анотація

Історія музичного виконавства - це велика панорама традицій в контексті національних шкіл і стилів певних епох. Це дає ключ до інтерпретації окремих та широко застосовуваних прийомів. Спадщина музичного виконавства допомагає не лише осмислити процес становлення мистецтва видатних представників світового музичного виконавства, а й відкриває необмежені перспективи для подальшого розвитку виконавської майстерності та збагачення її новим змістом. У цій статті автор збирає та вивчає матеріали на тему дослідження. Метою даної публікації є аналіз джерел (модель якісних ефектів), розкриття історії музичного виконавства та його ключових методів, що дають підстави для побудови гіпотез щодо перспектив цього напряму у контексті світової (зокрема української мистецької) культури. Автор наводить різні види аналізу музичного виконавства, включаючи інтегративний, системний та порівняльний методи. Це є основою досягнення мети даної роботи, що полягає у створенні гіпотез, пов'язаних з майбутнім музичного виконавства.

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Keywords: performing art, musical science, systematic and comparative analysis, polyanalysis, history and methods of performing musicology.

Ключові слова: виконавське мистецтво, наука про музику, системний та порівняльний аналіз, поліаналіз, історія та методи музичного виконавства.

Introduction

The main goal of the article is to open a panorama of performing musicology in the past, at the moment and to make prognose for future. It is a conception of our publication. It is based on exploration of the history of performing art and performing practice. This theme is actual because performance has its long way of evolution and a lot of schools, styles, and national traditions. Performing musicology is a branch of musical science which is developing dynamically today. The figure of musician-performer has its own special place in modern musical culture. Different questions connected with the theory and the history of the performing art is actually for modern musicology (Garratt, 2018). This article is based on different resources connected with the musicology of performing art. There are different types of performing musicology analysis: systematic, comparative analysis and a prognose of the subject`s development in the future. There are different aspects of its exploration. Among them we can mark such as the aspect of performing-analytical thinking projection and the aspect of connection between the way of organization of musical material and composer`s stylistic thinking, the aspect of semantics in a musical work and the aspect of intonation`s analysis, the aspect of performer`s co-creation with the composer and the aspect of neo-folklore in the performing artistry (Stelmashchuk, 2021). The aspects of future musicians-performers` disclosure as a person and the aspect of insurance, the cultural direction, the aspect of the performance training of future music teachers and the aspect of an integration of different elements into the subject of performing musicology researched by scientists of Ukraine. The themes of performing skills (particularly, concert performance skills) and interpretation are researched by Plokhotniuk and Ivanova (Plokhotniuk, 2016; Ivanova, 2017). It also becomes very important for performing musicology, the aspect of interdisciplinary (Lobova et al., 2020). The aspect of Ukrainian performing art as a component of spiritual culture and the aspect of students' national self-consciousness in the process of learning and performing, the aspect of methodology connected with the formation of performing culture of future music teachers are in the sphere of interest's author by Mihalyuk (2019). The aspect of cognitivism in this sphere is explored by Haumann (2015). The process of implementing an ethnic tradition in performing practice is researched by Morgenstern (2019). In contemporary performing musicology opened the aspect of using the innovative technologies in musical art too (Ward, 2019). Scientists demonstrate the deep connection between social life and musical culture. Particularly they note the process of forming art societies (Garratt, 2018; Dunkel, & Schiller, 2020; Campbell & Stewart, 2005). The best traditions of historical approach to the performing musicology are continuous by Garratt (Garratt, 2016). But all these valuable sources need to be integrated in one big analytical sphere. And this sphere is a new method of performing musicology`s exploration at the moment and in future. So methodology of the research we share in this article is a collection and analysis of thesis and main thoughts from works dedicated to the performing musicology and a creation of performing musicology`s development hypothesis. It's also an aim of this work. Methodology of the publication includes also principles connected with the search of systematization of all material we have today. The main method of the exploration and the making of the author's own hypothesis here is an analysis including its different types. In order to implement it the author finds works which are close to each other with their goals of exploration and with a picture of performing art they describe. We give a system of performing musicology aspects and make a conclusion which shows the main vectors of development in this sphere of culture.

Methodology of the study research model

Method

In this article the author uses different types of performing musicology analysis. Among them it can talk about integrative, systematic and comparative analysis. The first one is supposed to unite similar materials from different sources. It gives an opportunity to explore the main principles of performing musicology research taking place in different countries and different periods of time. It also provides the base for the next type of the analysis, which is the systematic one. It allows to make the sources` groups, which have their own general context. The context describes the main sides of the performing musicology sphere, uniting similar principles of different branches of musical art. The last type of the analysis helps to find the depth of every component of performing science because the comparative analysis shows a real number of important questions connected with musicology in the past, at the moment. The author of this publication also implements the method of hypothetical analysis which is based on searching and learning performing musicology`s materials. All these types of musical science exploration have two main sources. They are empirical and scientific methods. The first of them gives a lot of valuable materials because it is based on search and collection information from the cultural life of society. The second of them needs to use deep theoretical research of all sources scientists get by empirical method. So these two ways of performing musicology exploration are in deep connection with each other. These main and important methods include a number of necessary components. Among them we can provide such as: principle of search; principle of experiment; principle of monitoring; principle of description; principle of analyses; principle of classification. Principle of search is a mechanism of getting a wide and deep knowledge of a subject. It finds the implementation mainly in such spheres of performing musicology as history of it, national and spiritual traditions. Principle of experiment is very important for getting results of the exploitation in such spheres of performing musicology as developing student`s concert skills and the integration of different components of study. Principle of monitoring provides scientists with information connected with the future musician`s personal development and integrative process between performing practice and society`s life. Principle of description makes a panorama one of the performing musicology spheres such as formation of the social art groups. Principle of analysis is unique for all sciences and for performing musicology particularly. It takes place in research of different components of performance such as intonation, the performer's psychological image, the quality level of cultural direction in process of learning, the historical pictures of performing art and the innovative technologies` implementation in it. Principle of classification is a way to systematisation all materials the author got during research. The fact of using all these principles shows that performing musicology as a branch of science has a serious foundation of union between musical practice and analytical thinking. So the main methods of performing musicology`s exploration (the search of the most important sources connected with performing science and practice; monitoring, description, analysis and systematization of all materials) are united with the author`s conception of a new principle of research which is called polyanalysis.

Results and discussions

Spheres and problems of performing musicology

It was the time when performing musicology made the monitoring, fixed and explored only one theme, one problem connected with the process of performance. It had its own positive side, because this principle gave a deep answer for one big question. This question was addressed to improvisation. Then, this sphere of musical science began to fill with knowledge from other disciplines. The basis of it was the fact that performing musicology researches the creative realisation of human resources. And it needs to explore the components of a person's development in the process of learning and performing practice. In accordance with it scientists began to pay attention to other sciences such as pedagogy, psychology, sociology. It made the subject of performing musicology wide enough. It gave opportunities to take answers for more different questions addressed to the performing arts' nature.

At the moment performing musicology is a wide scientific sphere. There are many serious themes and problems in the field of specialists` interest. Performing musicology as a subject is in a deep connection with pedagogy, psychology, sociology, and innovative technology today.

A number of scientists research the problems of performing musicology in the light of pedagogical practice. Particularly it noted an importance of the systematic continuous improvement of the student`s performing technique. Plokhotniuk works in this branch and shares her points of view: the students get experience in the process of interpreting works on stage. This fact plays a leading role in training the future generation of performing arts masters in Ukraine. This is facilitated, to a large extent, by familiarizing young performers with the depth of the figurative content and the spiritual and value orientations of composers of different eras, national schools and styles (Plokhotniuk, 2016).

Scientists also see an importance of keeping the best traditions of cultural direction in the pedagogical sphere. Mikhailiuk explores the main questions of this direction in her dissertation: the practice of modern higher education requires the creation of the necessary conditions to ensure the cultural direction of performance training of future music teachers, as well as for in-depth knowledge of the educational potential of Ukrainian piano art. These conditions can be implemented by methodological principles of student motivation. The purpose of the orientation-motivational stage is to ensure a conscious interest in the performance of future music teachers. Mihalyuk (2019) notes a role of national self-consciousness in the field of musical training: there is activation of students' national self-consciousness in the process of learning and performing Ukrainian piano works; providing dialogue bases of interaction of the teacher and the student in the course of mastering of domestic piano heritage. Performing musicology is also in a deep connection with psychology. The process of interpretation supposes different emotional statements of musicians and this fact influences the picture of performing art. It has become one of the main performing musicology branches which studies such categories as person in performance and the image of interpreter. The problem of learning about a person in music is researched by Mykhailiuk: the professional training of students of higher music and pedagogical educational institutions should be aimed not only at professionals but also at the personal growth of the future music teacher (Mihalyuk, 2019). The problem of analyzing the performer's psychological image is explored by Siryatska. It determines the character of the images of those compositions, which the master turns to and, in fact, the style of his interpretation. This raises the question of disclosing and studying the psychology of personality, the realization of its unique potential in the process of performing activities. The interpreter's characterization reflects the peculiarities of his game. This fact explains the relevance of the psychological and analytical approach to the study of performing activities as a specific sphere of creativity Stelmashchuk (2021).

A wide panorama of the evolution of the connections between psychology and music gives scientist Haumann. In his work there is one of the modern directions in musicology. It's cognitive musicology. This sector of musical science has its main goal and task, which consists of the research of the historical-scientific presuppositions in the psychology of music. The author offers an overview of basic empirical research, which belongs to the end of the 19th century and the beginning of the 20th one. The historical overview focuses on the early development of ideas and discoveries in the psychology of music during the late 19th century, and the first decades of the 20th century (Haumann, 2015, p. 12). He opens a very important idea, connected with the psychology of perception music by performers and listeners. That makes a new form and methods of musical research because the scientists work in a wider field. It's the interdisciplinary sphere. “Cognitive Musicology is a fairly recent sub-discipline of musicology that suggests drawing on disciplines outside traditional musicology, to study and explain musical phenomena. It finds its primary approaches to music in the interdisciplinary fields of the Cognitive Sciences. The goal of the Cognitive Sciences is to study how humans apply and respond to any kind of information. In Cognitive Musicology, the basic theory is that music may be understood as a type of information that humans perceive. To study how humans process any information in the world in which we live, the Cognitive Sciences combine theories and research methods from the humanities and the natural sciences, such as psychology, semiotics, computer science, and neuroscience” (Haumann, 2015, p. 13). He speaks about different methods of describing cognitive psychology. He shows not only qualitative methods of understanding the process of perception music but the ones which belong to the theory of music. “Theoretical methods in Cognitive Musicology combine theories of musical structures with theories of how the human mind processes musical information. These interdisciplinary theories provide theoretical tools to analyze the perceptions and experiences of the tonal and rhythmic structures in music. Also, theoretical methods are applied, to analyze associations of music and meanings, beyond the domains of sounds and musical structures' ' (Haumann, 2015, p. 14). The author also uses neurophysiological methods of musical perception`s exploration. He provides measurements of brain activity as people listen to, or play music (Haumann, 2015, p. 16). Method of computer modeling helps him too. He gives a deep and wide picture of cognitive musicology as a science. “Cognitive Musicology is a relatively new field. However, it has a partial, 150-year historical scientific background in the tradition of the psychology of music. The psychology of music and Cognitive Musicology combine the study of music with investigations into the psychological mechanisms underlying music perception and performance” (Haumann, 2015, p. 45). He completes the steps of this direction and gives a logical system of it. This system is deeply connected with the historical methods of musical science (Tuchowski, 2021).

Performing musicology as a part of human culture is supposed to be in touch with social life. Scientists describe and analyse the leading role that the arts organizations are playing in society life. They make a monitoring of the influence of new technologies to contribute to communication between groups of visual artists with different backgrounds and cultural experience throughout and beyond regional places. Particularly they describe the work of the Flying Arts society in Australia (Campbell & Stewart, 2005). An unusual research in the musicology sphere offers scientist Garratt from Great Britain. He analyses musical art and performing art too in a social life context: how have the relationships between music and politics changed over time and across cultures, and are the familiar tools we use in dealing with them fit for purpose? Garratt`s work helps to understand how these fields interact, offering a rigorous reappraisal of key concepts such as power, protest, resistance, subversion, propaganda, and ideology. He explores and evaluates a wide range of perspectives from contemporary political theory, engaging with an array of musical cultures and practices from medieval chant to rap. In addition, it discusses current ways in which the relationships between music and politics are being reconfigured and re conceptualized (Garratt, 2018). This kind of research is interesting for another scientist. Dunkel and Schiller are learning the problem of populism in the cultural life of society (Mani, 2021). They note that populism has been researched from a great array of disciplines in the humanities and social sciences over the last decades. Scientists discovered this deep and serious question in the sphere of musicology (particularly in the branch of popular music). The theme “Populism and music” as they explain have been intricately connected at least since the nineteenth-century populist movement in the United States and popular music studies have a long tradition of research into music and politics, subcultures and counter-cultural movements that challenge the hegemonic ‘power bloc’. So, the scientists are exploring a range of international and interdisciplinary contributions from different perspectives, including popular music studies, ethnomusicology, and cultural sociology (Dunkel & Schiller, 2020).

Performing musicology also demonstrates its deep connection with historical, intellectual and spiritual cultures of humanity. The problem of historical reading of performing arts traditions is opened by Garratt. He explores the role of organ music and organ performing art during the First World War. Garratt notes that organ music tends to be associated with religion rather than politics, and with order and continuity rather than violence and upheaval. But if the organ was worlds apart from the horrors of the trenches, its associations with religion, stability and the established order gave it a powerful ideological heft. The organ was one of the primary musical emblems of nationhood in Germany and Austria in the period of First World War (Stefan Schmidl). Garratt revealed to us that German organ works from the war years engage more extensively, and often more overtly, with religious national narratives. Within German organ music, such narratives can be divided into three overlapping categories, each of which approaches the meaning and significance of the war through the lens of particular Christian concepts: 1) apocalyptic narratives offering prolepsis or anticipatory stories of victory, religious awakening and societal transformation; 2) narratives presenting the war as a test and sacrificial process leading to a purer, redeemed nation; 3) narratives of individual sacrifice and transfiguration” (Garratt, 2016, p.391). It is an example of great historical exploration of performing art and composer practice. But not only this way of performing musicology research is known.

Scientists learn the presence and implementation of such elements as intellectuality in performing musicology. It can be intellect in its classical version and also the newest type of the one: the innovative technologies. As for the first type we can introduce the work of Sumarokova. The intellectuality here is a power of thought in performing art. There are several aspects that are very important for performing musicology as a science. The scientist opens:

- the aspect of connection between the way of organization of musical material and composer`s stylistic thinking;
- the aspect of intonation`s analysis (the analysis of monotheism);
- the aspect of performing-analytical thinking projection.

Musical style is analyzed in the projections of performing-analytical thinking; composer's style is studied as a prerequisite for performing interpretation (Sumarokova, 2014). The bridge between classical and innovative intellect of performing musicology exploration is a work of Atanasovski. He explores the challenges of the “affective turn” and maps new avenues of music research with the help of semiotic models.

Atanasovski shares four paths of enquiry, in deviation from the semiotic models: the discovery of the non-signified materiality and its potentiality to generate affects, the potentiality of affect to de-signify, the ability of sign machines to catalyze the production of intensities and, finally, the power of social machines to overcome the produced affect through non-discursive mechanisms (Atanasovski, 2015). He argues that the affective turn in musicology can provide a different structuring of a view from without and a view from within, calling both for finely tuned “close reading” and for the ability of the researcher to grasp the performative context. The most important thing he has opened is the post disciplinary as a fact of modern musicology of performing arts. He notes that the cited examples of contemporary sound and music studies prove the complexity and variegation of the challenge which effective turn presents to our disciplines. The semiotic models are both divergent amongst themselves and asking for a different kind of analysis compared to what we are used to – different methods and competences through which we truly enter into the post disciplinary age. He made a conclusion that the effective turn challenges us to restructure and extend both the view from without and the view from within the music itself (Atanasovski, 2015).

The newest type of performing musicology`s intellectual sphere is the software used in learning process and performing practice. Scientist Ward implements the exploration in this branch. He notes that the newest system of distance learning is an effective method of contemporary performing practice realisation. He concentrates his attention on the Irish musical culture, but this material is actually for other countries (Ward, 2019). He gives statistical information about the place of software in this sphere: the Internet is now a central resource in the transmission of Irish traditional music, with over 80 per cent of Irish traditional musicians citing that they use online resources. The Online Academy of Irish Music (OAIM) is a website that offers online tuition, and employs innovative virtual pedagogies including Virtual Classrooms, Virtual Sessions, Jam Sessions and Virtual Reality Sessions. Through ethnographic means and focusing on the OAIM as a case study, this article highlights the connection between music and social learning in the ITM tradition (Ward, 2019).

One of the most important branches of performing musicology is national spiritual culture. It was introduced in the work of Sumarokova. She gives a number of categories of it:

- the aspect of semantics in a musical work;
- the aspect of neo-folklore in the performing artistry;
- the aspect of spiritual and national musical traditions.

These are all aspects that illuminate the context of contemporary musical practice (Sumarokova, 2014).

The component of performing musicology`s spiritual culture is the ethnic traditions which opens in the work of Morgenshtern. Felix Morgenstern from the University of Limerick began to explore a theme connected with Irish Traditional Music in Germany. The German performance context contributes important new understandings of the routes that Irish musical practices have taken globally. There is a process of the study of Irish traditional music as part of the ethnomusicological project. There is the exploration of the ethnic-national and diasporic terrains of musical identity construction and negotiation. There is an elucidation of a recursive interplay between discourses and musical practices, and trace how this crucial intersection has informed the German engagement with Irish traditional music both historically and in the present (Magalhães & Pires, 2019). The project identifies agents that fashion, control and disrupt these narratives, and uncovers trajectories through which these processes unfold. The ethnographic responses of interlocutors in relation to larger bourgeois late Enlightenment and Romantic discourses have profoundly tethered folk music to the cultural enterprise of nationality in Ireland and Germany (Morgenstern, 2019). At the moment it is a new era of performing musicology. This subject goes through the transformation and becomes an integrative musical science which unites different spheres of human life. In this way are scientists: Mykhailiuk, Garkusha. They note that there is a fact that musical pedagogy, performing art and psychology are connected with each other. There is a practice result of it. It reveals psychological and pedagogical features of the process of performing interpretation music as a synthesis of musical education and artistic creativity. The peculiarities of music performance, on which the author's method of formation of musical-performing thinking is based, are revealed too (Garkusha, 2016). Performing culture of a future music teacher is defined as an integrated professional and personal property that characterizes a high level of mastery of artistic knowledge, musical performance skills, pedagogical competencies, which is expressed in the ability to artistically sound and pedagogically appropriate interpretation of the content of a musical work, activity of person`s professional and creative growth (Mihalyuk, 2019). So, performing musicology as a science needs to be renovated with the principle of integration of different branches of human life in it. The aim of the article is to make analysis (systematic, comparative) of the performing musicology`s main sources and to propose her own hypotheses of development in this subject in the future.

Analysis (The sources systematisation and comparison)

The author of this article sees a great importance of all these works. In this publication she uses different principles of performing musicology exploration. Among them there are searches for necessary materials, systematisation and classification of it all, and the method of comparing different conceptions and scientific points of view to the performing musicology. She makes synthesis of all conceptions researching performing musicology.

All the sources divide into groups in accordance with the main thought (the idea) of their content. It's systematic analysis.

One of the groups unite performing musicology and other disciplines: history, psychology, sociology. It's an interdisciplinary group.

There are aspects it consists of:

- the aspect of historical approach in performing musicology;
- the aspect of interaction between performing musicology and the social life context;
- the aspect of the forming art societies;
- the aspect of an integrated professional and personal property;
- the aspect of the analyzing the performer's psychological image.

The other group describes different sides of musical pedagogy connected with the performing art. It`s a group of pedagogical ideas and methods. There are aspects it consists of:

- the aspect of methodology connected with the formation of performing culture of future music teachers;
- the aspect of future musicians-performers` disclosure as a person;
- the aspect of the presence the necessary conditions to ensure the cultural direction of performance training of future music teachers;
- the aspect of students' national self-consciousness in the process of learning and performing;
- the aspect of the instilling of students` concert performance skills.

In the performing musicology sphere there is a very deep theme connected with the main source for every nation. The theme opens people's ancestry and its history, its life with the help of knowledge of the spiritual culture. It's a group of spiritual (cultural and ethnic) traditions. There are aspects it consists of:

- the aspect of ethnic musical art`s practice;
- the aspect of neo-folklore in the performing artistry;
- the aspect of Ukrainian performing art as a component of spiritual culture;
- the aspect of spiritual musical traditions;
- the aspect of semantics in a musical work.

The most popular now is the group which researches innovative processes in human life. It's a group of innovations.

There are aspects it consists of: the aspect of the innovative technologies in performing musicology
But the biggest group is the one which explores different questions connected with the theory of performing musicology. It's a group of theoretical thoughts. There are aspects it consists of:

- the aspect of performing-analytical thinking projection;
- the aspect of the interpretation;
- the aspect of intonation`s analysis (the analysis of monotheism);
- the aspect of connection between the way of organization of musical material and composer`s stylistic thinking;
- the aspect of semiotic models` exploration performing musicology as the post disciplinary research;
- the aspect of performer`s co-creation with the composer.

It must be noted that the deep and extensive questions of performing musicology are learned by Ukrainian scientists. They are interesting in instilling of students` concert performance skills, analyzing the performer's psychological image, performing-analytical thinking projection, intonation`s analysis, connection between the way of organization of musical material and composer`s stylistic thinking, performer`s co-creation with the composer, spiritual musical traditions (Ukrainian performing art as a component of spiritual culture) (Table 1). This table gives us a picture of one of the most important spheres of human culture. So modern performing musicology gives a lot of valuable materials. These sources open a wide panorama of history, methods and help to make hypotheses for the future. The author can share her own point of view too. Performing musicology begins its new life in human culture context. It becomes a science which integrates different disciplines. So this period of time, which is the post disciplinary era, offers new decisions and branches in the sphere of learning the performing musicology.

Table 1.
Comparative analyses of explorations from Ukrainian and foreign sources.

Ukrainian performing musicology	Foreign performing musicology
1. Scientists learn in their works several questions at the same time. 2. Specialists deeply research contemporary themes. 3. Authors of scientific publications unite in their works elements from different spheres of cultural, social life. 4. Scientists pay a lot of attention to the problem of preparing the future musicians. 5. Specialists see a great importance of presenting the elements of spiritual and national traditions in the process of students` learning.	1. Scientists as a rule explore one theme (one main question). 2. Specialists research contemporary spheres connected with innovative technologies. 3. Authors of scientific publications do not often unite elements from different spheres of life. 4. The problem of preparing the future musicians is not a priority for foreign performing musicology. 5. The theme of saving spiritual and national traditions in the process of students` learning does not take such a wide place in contemporary musical science.

Source: author's development

It is necessary to use polyanalysis in order to get full answers for all questions standing before scientists now. This type of exploration can give the map of contemporary performing musicology today. It opens wide perspectives for musicians, scientists in different spheres and unites them in work connected with the exploration of music.

Conclusions

This article has given a description, systematization, classification and comparative analysis of a wide panorama of scientific points of view, exploration`s process, principles and results. There were different pedagogical methods too. There is a lot of material connected with the learning of performing musicology and practical work of musical teachers, specialists of innovative technologies. It is possible to see that performing musicology integrates other disciplines too. Making the analyses of all the material we have come to the conclusion that there are main aspects` group of realization performing musicology`s methods. They are: an interdisciplinary group; a group of pedagogical ideas and methods; a group of spiritual (cultural and ethnic) traditions; a group of innovations; a group of theoretical thoughts.

The last group of performing musical aspects is the biggest one because it collects, explores, analyses different questions connected with musical science. All of the groups are important and actually enough but the last one gives a wide picture of this sphere of human culture. It integrates discoveries of other groups such as an interdisciplinary group, a group of pedagogical ideas and methods, a group of spiritual (cultural and ethnic) traditions, a group of innovations. All of them help to open wide the world of performing musicology and give valuable thoughts connected with the future of this sphere. We suppose that it will be the center of performing musicology`s development in the future too. It has optimal opportunities in accordance with its own nature. It reacts to all innovations in society. It also includes mechanisms of reception and scientific transformation of all phenomenological cultural spheres. This field is wide enough. It consists of different components, such as people`s spirit and pedagogical traditions and achievements, artist`s psychology, the world of digital technologies. So this group of performing musicology aspects has wide perspectives but it must remember that it`s foundations are all other groups of the musical science and practice. We have to note that Ukrainian scientists made great work in this direction. They have given us a lot of valuable material connected with the research of musical pedagogy, psychology of performing art, the nature of people`s ethnic and spiritual sources. We also share our hypothesis for the future of performing musicology. We have come to the conclusion that it will be an interdisciplinary sphere, which makes synthesis of all achievements from pedagogy, psychology, sociology, modern technology too. That's why a conception of polyanalysis is actually not only this time but also in the future. All disciplines constantly and continuously develop. It has great influence on every scientific and practical sphere. This fact is connected with development of the performing musicology too. It must be noted that in modern society there is an important component of life. That component is a deep and wide connection between practical and theoretical work of different schools and between empirical and scientific methods of exploration. It gives opportunities for collaboration of scientists from different countries. This cultural communication will bring (as we suppose) a new quality in the process of learning, collection and systematization of materials, scientific analyses and will give new deep discoveries, which help to get not only national but also world culture`s achievement.

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Features of Modern Ukrainian Military Prose (on the example of Bohdan Zholdak's film story "Ukry" and Yevhen Polozhii's novel "Ilovaisk")

Особливості сучасної української воєнної прози (на прикладі кіноповісті «Укри» Богдана Жолдака та роману «Іловайськ» Євгена Положія)

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Abstract

The purpose of the article is to study the artistic features of Bohdan Zholdak's military prose "Ukry" and Yevhen Polozhii's "Ilovaisk". The methodological basis of the study is complex and is based mainly on the tools of traditional literary studies (comparative-typological, comparative-historical and specific-textual types of literary analysis) using elements of motivational analysis. The article examines military prose as a phenomenon of modern Ukrainian literature; genre diversity of works dedicated to the realities of the anti-terrorist operation and the war in Donbas; the main problems that writers raise. It is determined that Bohdan Zholdak's film story "Ukry" shows "a noble, active, strong hero who defends freedom, justice and universal ideals." Zholdak's style (burlesque-postmodern) depiction of characters is considered with their positive and negative sides, true language and emotions. Yevhen Polozhii's novel "Ilovaisk" was analyzed, based on the memoirs of soldiers who survived the Ilovaisk pocket. It is determined that the writer turns to the traditional

Анотація

Мета статті – дослідження художніх особливостей воєнної прози «Укри» Богдана Жолдака та «Іловайськ» Євгена Положія. Методологічна основа дослідження має комплексний характер і базується, у першу чергу, на інструментарії традиційного літературознавства (порівняльно-типологічному, порівняльно-історичному й конкретно-текстуальному видах літературознавчого аналізу) з використанням елементів мотивного аналізу. У статті досліджено воєнну прозу як феномен сучасної української літератури; жанрову різноманітність творів, присвячених реаліям АТО та війні на Донбасі; основні проблеми, які порушують письменники. Визначено, що в кіноповісті «Укри» Богдана Жолдака показано «благородного, активного, сильного героя, що відстоює свободу, справедливість та загальнолюдські ідеали». Розглянуто жолданівський стиль (бурлескно-постмодерний) зображення персонажів: з їхніми позитивними й негативними сторонами, правдивою мовою та емоції. Проаналізовано роман «Іловайськ» Євгена Положія, в основу якого лягли спогади бійців, що

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plot and depiction of heroes, using the features of existentialism and naturalism, often resorting to contrast in the reproduction of pictures of frontal and peaceful Donbas, and ideological beliefs of older and younger generations. It is proved that in the works of modern Ukrainian literature there is a deep rethinking of the war, which poses a potential threat not only to the individual country and its inhabitants, but to humanity in general. The authors affirm the idea of peace as the highest human value.

Key words: military prose, film story, literary discourse, novel, Russian-Ukrainian hybrid war.

пережили «Іловайський котел». Визначено, що письменник звертається до традиційного сюжету та змалювання героїв, використовуючи риси екзистенціалізму та натуралізму, часто вдається до контрасту як у відтворенні картин фронтового й мирного Донбасу, так і ідейних переконань старшого й молодшого поколінь. Доведено, що у творах сучасної української літератури відбувається глибоке переосмислення війни, яка несе потенційну загрозу не лише окремій країні та її жителям, а людству взагалі. Автори утверджують ідею миру як найвищої людської цінності.

Ключові слова: воєнна проза, кіноповість, літературний дискурс, роман, російсько-українська гібридна війна.

Introduction

The Russian-Ukrainian hybrid war has become a powerful catalyst for the development of modern literature. Today, a new niche in the publishing market is filled with books about events in the East of the country. Initially, military prose took the form of a collection of Facebook notes, memoirs of anti-terrorist operation participants, reportage and documentary publications. Subsequently, works of art were published: novels, film stories, tales, novelettes. The writers present their own vision of the war, drawing on their experience, as each of them was either mobilized to the front or visited the destroyed towns and villages of Donbas with volunteer help. The boom in military literature that we are witnessing today shows that the theme of war is related to the problems of culture, the desire of artists to comprehensive and unbiased rethinking it. Artists interpret events in the East, debunking the myth of friendship between peoples, laid down in previous epochs. The authors build a new model of Ukrainian culture of the XXI century.

Literary critics are increasingly turning to the topic of the Russian-Ukrainian war. Thus, Yaroslav Polishchuk (2016) and Olha Derkachova (2017) in their scientific research described collections of poetry about events in the East. Anton Sanchenko (2019) researched the most popular books about the ATO, the secrets of their success and genre originality. Nina Herasymenko (2019) and Sofia Filonenko (2015) reviewed novels about the war by Ukrainian writers. Maryna Riabchenko (2019), a literary critic, analyzed the genre and artistic features of combatant prose. Bohdan Zholdak's (2015) film story "Ukry" and Yevhen Polozhii's novel "Ilovaisk" are mentioned sporadically in literary criticism, so the study of the artistic specificity of these works is relevant.

The purpose of our work is to study the artistic features of Bohdan Zholdak's military prose "Ukry" and Yevhen Polozhii's novel "Ilovaisk".

Achieving this purpose involves solving the following tasks:

1) to characterize military prose as a phenomenon of modern Ukrainian literature;
2) to find out the problem of genre definition of Bohdan Zholdak's work "Ukry";
3) to investigate the truth of the characters of the main characters of the film story;
4) to consider the real events that formed the basis of the novel "Ilovaisk" by Yevhen Polozhii;
5) to analyze the heroism and humanity of Ukrainian soldiers who were on the brink of life and death.

The scientific novelty of the work lies in the systematization and deepening of the conception about the structure of modern Ukrainian military prose in terms of artistic tradition understanding. For the first time, the subject of literary analysis is a film story and a novel about the Russian-Ukrainian war, general and special in each of them.

Theoretical basis

At different times the phenomenon of war considered by scientists as a natural state, a counterweight to peace for the normal development of society. Ivanna Stefiuk's scientific research "The First World War as a Social Anomaly (Philosophical and Literary

Aspects)" considers different approaches to understanding the nature of war. In particular, Kenneth Waltz supposes the state to be the cause of the conflict, i.e. the war is purely political. In contrast, John Keegan believes that through war, society solves religious and cultural issues (Stefiuk, 2013).

In the twentieth century, the problem of war and interstate conflicts became quite acute, as humanity has survived two world wars. The main categories operated by the society of that time were war and peace. At this time, the idea of pacifism to condemn all forms of war as an instrument of foreign policy is actively spreading. We can learn about the political consequences and economic losses of countries involved in military conflicts from historical sources, while fiction must convey changes in the psychology and worldview of people who found themselves in the vortex of war.

The war in eastern Ukraine has become one of the leading themes of modern literature. In recent years, many different publications about the Russian-Ukrainian war have been published. One of the first researchers of works on this topic was Hanna Skorina, who compiled a list of books about the ATO, which included both paper and electronic publications, as well as online diaries (Armyfm, 2019). The list numbered more than 400 items. According to Hanna, this is not enough to form a "full-fledged literary layer". However, we can say that the number of authors and works of art has recently increased significantly and military prose occupies a prominent place in the modern literary process.

Today, the authors depicting the events in the East of the country are civilians and direct participants in the anti-terrorist operation (Slapchuk, 2015). According to research by Oleksandr Mymruk, books by civil authors, which include writers, journalists and volunteers, are divided into two categories: "books of mass literature and books of "high shelf" (Mymruk, 2019).

ATO writers can also be divided into two categories. The first covers mobilized authors and volunteer writers, the second – fighters who showed a talent for literary work during the war. The undeniable advantage of these works is that the everyday life of the military is shown truthfully, they are ordinary people who are betrayed, left without help and used as living targets. Heroes have such feelings as fear, joy, peace, pleasure. They are not idealized, as is often the case in fiction. In view of this, literary critics distinguish combatant as one of the types of "military prose".

With the advent of combatant prose in the modern Ukrainian literary process, it is increasingly possible to trace the mention of the concept of "lieutenant prose". However, we support the statement of Maryna Riabchenko (2019), who believes that comparing works of Soviet literature and modern "military prose" is incorrect. The main focus should be on differences: not all modern authors have the rank of officer, most had nothing to do with the army. As for the main function that relied on the works of "lieutenant's prose", it is the formation of a person with the right views and beliefs.

Speaking of military prose, we cannot ignore such a genre as anti-war novel. There is no definition of this phenomenon in the literary dictionary. The anti-war novel is similar to military, fascist, battle, and military literature. The difficulty of determining, according to literary critic Kateryna Hurduz (2015), lies in the differences between the methods of presenting the war and its artistic interpretation. In Ukrainian literature, the anti-war novel is not associated with the works of writers of the "lost generation". Thus, the reflection of military everyday life is influenced by national tradition. "The key genre marker of the anti-war novel is a powerful humanistic pathos aimed at condemning the war, exposing its criminal perverted nature" (Hurduz, 2015, p. 133). Of course, we cannot equate the anti-war novel with modern military prose completely, but these two phenomena are united by a true reflection of the war and its consequences, a condemnation of any armed conflict between states.

In our opinion, another important aspect in the study of works on the Russian-Ukrainian war in the East is women's prose. Nina Herasymenko (2019) presents "The Story with a Woman's Face" in her scientific research, noting that the works of women writers are not intended to aestheticize reality, but to give the reader the opportunity to form their own opinion about military events in the East of our country. The genre of works of artists is also diverse. If men's prose is characterized by the creation of diaries, memoirs, essays, women's prose is mostly represented by pure melodramas or has a powerful melodramatic flow. Thus, using the traditional literary plot, "writers were able to artistically summarize the facts and real life stories that embody the humanistic pathos and national idea" (Herasymenko, 2019, p. 89).

Maidan-themed military books evoke strong emotions, such as pain and tender emotion.

Thus, military prose is genre-diverse. It covers film stories, action movies, short stories, diaries, memoirs, novels, melodramas. Well-known writers and journalists are involved in its creation.

Methodology

In our research we use the following methods: descriptive, typological, contextual and cultural-historical. The main one is the typological, with which we found features of the image of war theme in various literary works. Descriptive and contextual methods are used in the study of historiography to learn the problem of Ukrainian military prose formation. By means of cultural-historical method the specifics of the artistic and stylistic structure of Bohdan Zholdak and Yevhen Polozhii's letters are revealed.

The methodological basis of the study is complex and is based primarily on the tools of traditional literary studies (comparative-typological, comparative-historical and specific-textual types of literary analysis) using elements of motivational analysis.

Results and discussion

Bohdan Zholdak's "Ukry" as "the best prose book defending freedom, justice and human ideals"

The first literary attempts of Bohdan Zholdak date back to the 60s of the twentieth century. His creative output includes plays, screenplays, as well as many short feature, animated and documentary videos. The "Ukry" film story has twice been awarded prestigious prizes. Thus, in 2015 the writer received the Bohdan Khmelnytskyi Literary and Artistic Prize from the Ministry of Defense of Ukraine for the best coverage of military issues in literature and art, publicism and journalism, aimed at establishing high humanistic, state-building ideals, raising the prestige of the Armed Forces of Ukraine. Also in 2016, the film story won the international literary competition "Warriors of Light" in memory of the hero of the Heavenly Hundred Mykhailo Zhyznevskyi. The book is dedicated to Heorhii Toropovskyi, an eighteen-year-old soldier who died while returning to the anti-terrorist operation zone after vacations. One of the conditions of the competition was the presence in the work of "a noble, active, strong hero who defends freedom, justice and universal ideals" (Karasiov, 2016). The writer managed to portray a whole cohort of such desperate defenders of the Motherland. Those were young men and women who went to the war voluntarily, according to their ideological convictions.

The author himself added the book "Ukry" to combat prose. Literary critics disagree on the genre definition. Thus, the following definitions sound: "a mosaic novel", a film story, a series of film fragments, "national action, written in hot pursuit" (Levchuk, 2016). "Ukry" does not have a clear plot and consists of thirty-seven stories or, according to Iryna Troskot (2015), "trench fables". In addition to the theme of the war in Donbas, the main characters are common. However, attentive critics note that Bohdan Zholdak introduces episodic characters in separate sections, which are no longer found by the end of the novel.

Bohdan Zholdak's war prose "Ukry" was published firstly in separate publications. The author himself was worried about the name, because the word "ukry" began to be actively used in society. Separatists in Donbas contemptuously call Ukrainians "ukry" or "ukropy" (that means "dill"). However, since the beginning of the Russian-Ukrainian hybrid war, these words have become branded, and chevrons with them adorn the clothes of soldiers and volunteers.

The annotation to the film story states that the work is based on real events, and modern Ukrainian soldiers are compared to the heroes of Ivan Kotliarevskyi's "Aeneid". They "desperately joke with death, defending their land and honor". Bohdan Zholdak writes short stories in an ironic and humorous style.

In the film story, the events and actions of the heroes are often exaggerated, seemingly frivolous, but at the same time they show the intelligence of the fighters. In borderline situations, the guys find a way out even where the logic of the plot cannot be. Humor has always supported Ukrainian fighters, and with funny antics they tried to diversify the gray military existence, when they sat in the trenches for several days, because the sky above their heads was torn by battle shells. It was hard to call it a life, but everyone remembered their purpose – to protect the Motherland from the enemy.

Yar Levchuk (2016), exploring the elements of Kotliarevskyi's prose in the film story "Ukry", points out that Bohdan Zholdak writes some episodes in such spirit. In particular, the fabrications of Zhora and Michurin about neutralizing the enemy. These heroes are very similar to the Ukrainian Cossacks, who embodied the people's strength of spirit and indomitable will in the fight against the invaders.

The language of the work is also impressive: alive, without complicated terminology, twisted syntactic constructions. Transmitting the speech of Ukrainian soldiers, the writer uses the surzhik, which also indicates the reality of the events. Bohdan Zholdak also adapts the Russian language to the national tradition. Thus, we can say that the film story "Ukry" is written in a purely Zholdan style, even more – burlesque-postmodern.

The writer in "Ukry" has an unusual approach to the theme of war. His main merit is the depiction of the front Donbas without the use of documentary images. Ukrainian fighters appear to be ordinary people, and the protection of the borders of their native country, in their opinion, is the duty of every conscious citizen, so we will not see in the film story the pathetic glorification of the ATO participants.

The main characters are fighters from one unit: Lieutenant Michurin, Zvirobii, Gray, Hunter, Zhora, Jura, Vlad-Stolytsia, Vitko, Halia-Chupacabra. They are completely different, and in a peaceful life their paths would not cross. But the war unites officers and poachers, experienced and young, men and women.

Already at the beginning of the work, Bohdan Zholdak sharply twists the plot, introduces the lieutenant, who after his vacation returns not to the unit, but to the positions surrendered by Ukrainian soldiers, so he comes under heavy fire. He received his call-up after a successful operation, outwitting the separatists: "Everything can be said about the lieutenant, but he had an anticipation, and it did not fail" (Zholdak, 2015). As a senior, Michurin was the first to go into dangerous operations, because he felt responsible for very young fighters, the youngest of whom was only eighteen. In addition to courage and bravery, the lieutenant had remarkable acting skills. So, disguised as an old grandfather, he handed the militants firewood with explosives, which neutralized the entire unit: "At that moment, a distant explosion sharply threw darkness. Then it detonated again, and several times more powerful" (Zholdak, 2015).

Skilled in martial arts is Zvirobii, who came to the anti-terrorist operation zone as a volunteer: "After prison, he immediately volunteered, not because of any patriotic views or unemployment, but because he looked at katsaps (Russians) there, as they put themselves, although most of our compatriots were among them, but it was the most furious" (Zholdak, 2015). According to the hero, poaching, for which he served his sentence, is hard work, because you need to be able to skillfully disguise and track down the prey. Therefore, Zvirobii's skills in the Russian-Ukrainian war came in handy. As a true hunter, he felt ambushes, disguised enemies, gunners, who were often indigenous. As Bohdan Zholdak writes his heroes from life, they can come out of different situations with victory or failure. Zvirobii is so obsessed with reconnaissance that he loses his landmarks and is taken prisoner. Like Ivan Kotliarevskyi's Trojans, cunning helps to avoid torture and death. The Ukrainian military was not only able to escape, but also captured several separatists.

The writer pays considerable attention to Zhora – Heorhii Toropovskyi, an eighteen-year-old soldier who died under unusual circumstances. The young man was most fascinated by various electronic devices: thermal imagers, stereo tubes, radars, drones. He always paid attention to trifles, at first glance, everyday things, but in the war they had a hidden meaning. "Of course, according to such unimportant observations, it can happen as in boxing: when you blink, you miss the most interesting thing – a knockout, that is, somewhere you will not see the enemy, but here Zhora had a reliable support: an anticipation. He heard from the spine any important changes in reality…" (Zholdak, 2015). Sometimes he was called a Psycho or a Psychologist for his ability to recognize people. For the separatists, Heorhii Toropovskyi was extremely dangerous, so they hunted for the boy and in peaceful territory. "He was returning from Kyiv to the front, and, of course, he had no idea that even from the capital it was impossible to talk about it on the phone. He was not easy, at school he jumped on trains, at the anti-terrorist operation he received a medal, saved his sworn brothers from death, had a lot of experience, and he was tracked down in a simple civilian train – a soldier can be seen from afar – killed and thrown out of the train" (Zholdak, 2015). Thus the story of the Ukrainian fighter Zhora ended.

The author showed the Russian-Ukrainian war in Donbas from different angles: through the eyes of residents who divided into two camps: those who supported the Ukrainian fighters, and those who worked for the new leadership of the DPR and LPR. Of course, the latter turned out to be more. Influenced by provocative Russian TV programs, illusory ideas of a better life in a separate territory, locals despise the Ukrainian army, calling the fighters "ukrops", "Banderas" and "khokhols". In his work, Bohdan Zholdak depicts the destroyed towns and villages of Donbas, militants' shelling of women and children, abandoned elderly people. The writer leaves the ending of some parts of the film story open for the reader to draw his own conclusions.

Thus, Bohdan Zholdak's military prose "Ukry" today can be called rightly one of the best examples of modern Ukrainian literature about the realities of the ATO. The collection of film episodes is united by the chronotope of the Russian-Ukrainian hybrid war. The main characters have absorbed the best features, so it is not surprising that the film story is compared to "Aeneid" by Ivan Kotliarevskyi. And Lieutenant Michurin, Zvirobii, Zhora, Gray and Hunter – to the Cossacks-characterists who defended Motherland with their courage, bravery and ingenuity.

Heroic and tragic events of the Russian-Ukrainian war in the pages of Yevhen Polozhii's novel "Ilovaisk"

In 2015, the world saw a novel in the short stories "Ilovaisk" by Yevhen Polozhii. At the Publishers' Forum in Lviv, the book was recognized as the best about the war, and its author was awarded a cash prize. At the International Literary Competition "Coronation of the Word" the novel received a special award. Work on the book lasted from October 2014 to August 2015. Yevhen Polozhii based his novel on the real events that took place on August 29-30 near Ilovaisk. These are the stories of the fighters who found themselves in the Ilovaisk pocket. In the work we observe a masterful combination of writing and journalistic work. The novel consists of sixteen short stories that tell about the courage and heroism of Ukrainian soldiers. The author himself noted that "Ilovaisk" is a completely artistic work, although to write it Yevhen Polozhii met and talked with almost a hundred members of the ATO, took seventy interviews. The writer invents the names and call signs of his characters, but everyone has a prototype. It is noteworthy that the book was published in two languages: Ukrainian and Russian, because the war united Eastern and Western Ukraine, and among the natives of Donbas there were many volunteers who went to defend their homeland from the enemy. The author tried to convey the color, mood, emotions of the fighters who managed to escape. "I did not want to lose the energy of the narrators, so I used this bilingual technique" (Lykhohliad, 2015).

While writing the novel, first of all Yevhen Polozhii wanted to find out who was to blame for the deaths of several hundred soldiers of the Ukrainian army: "If they do not respect the dead, they do not respect the living". The writer used the testimony of volunteer battalions "Donbas", "Dnipro-1", "Kherson", "Peacemaker", "Dnipro-2", "Kryvbas" and others. All events are depicted truthfully, without artistic interpretation. The author's undoubted merit is that he portrayed the Russian-Ukrainian war through the eyes of an ordinary soldier who found himself at the front without proper knowledge, experience and weapons. Yevhen Polozhii, unlike Bohdan Zholdak, does not exaggerate the main characters. If in the film story" Ukry" the fighters defend the checkpoint, try not to give up controlled positions, in the novel "Ilovaisk" the main focus is on the ability to survive in the terrible conditions in which the military found itself due to a failed command. The writer clearly draws the line between positive and negative characters, their ideas and beliefs. We can assume that this was influenced by the further life of the participants of the Ilovaisk pocket, as many of them were disappointed in the intention of the Ukrainian army leadership to preserve the territory of the country and its defenders. "We still have a strange command – we pass information for a week about the movement of Russian troops, about the illegal crossing of the state border by numerous columns of equipment, about the possible encirclement – no reaction" (Polozhii, 2015). Some of the volunteers continue their service in other units. Prominent representatives of military leaders in the novel "Ilovaisk" are Colonel Hrachev, who died with his soldiers, and Khomchak, who fled when the first shelling began.

We can say that a writer Polozhii prevailed over Polozhii as a journalist, so "Ilovaisk" is a work of art with fictional words and details, not a documentary. The author turns to the traditional plot and depiction of the characters, using the features of existentialism and naturalism. The novel "Ilovaisk" is an example of classical war literature, not popular non-fiction. According to Yevhen Polozhii, the memories of the fighters who survived the Ilovaisk pocket cannot be regarded as historical evidence, as people were under severe psychological stress, they had hallucinations, and perceived certain events differently. "Absolutely peaceful people got into this war, and for many of them the experience of

Ilovaisk, in fact a very cruel experience, was the first combat experience" (Lykhohliad, 2015).

The writer pays considerable attention to the image of Donbas. In his depiction he uses contrast: "The villages of Donbas and Dnipropetrovsk region were strikingly different. In Donbas, you will not see anyone on the streets, not even a chicken runs, let alone people or cows, and even if residents show up, they try to hide in the yard so as not to start conversations" (Polozhii, 2015). For example, Bohdan Zholdak in "Ukry" mostly presents the indigenous population as separatists, disguised mercenaries of the DPR and LPR, and tippers-off. They openly despise Ukrainian soldiers and try to destroy them. In his novel, Yevhen Polozhii points to the pro-Russian sentiments of the civilian population, their fascination with the "Russian world", but at the same time ordinary people are helping our soldiers escape and survive. A striking example is a doctor who professes DPR policy, but puts professional duty above, which is why he treats Serioha Kaban: "As a doctor, I don't care whose soldier you are – Ukrainian, Russian or Chinese. To me, you are firstly a patient whom I must cure. Human health is the most important thing, and politics is useless here" (Polozhii, 2015). The author also shows that the worldview of many Ukrainians is changing, but they are able to respond to other people's troubles. For example, Tymofiiovych from the Crimea, a retired colonel who received Russian citizenship, or Stiopa from DPR. They are the ones who save Kaban and help him get to the territory controlled by Ukraine. Of course, we cannot justify them, but their actions deserve attention, because the heroes risk their own lives. Yevhen Polozhii also uses contrast. The ideal family is only an illusion of family happiness, and the fascination with the ideas of a new life leads to the betrayal of loved ones. The writer enters into the text a letter of confession of a boy whose father survived near Ilovaisk. War, in addition to death, well shows the essence of man, his insides. So, a mother leaves the family for ghostly ideas and remains to profess Gubarev's policy, while the father goes to the front to defend the Motherland from enemies.

"A separatist now lives in my apartment with my mother, my mother met him at a rally, he reminds her of Gubarev with his crazy eyes, and of Putin speaking in a predatory insidious manner. He walks around our checkpoints in our car, he lies on our couch and watches at our big plasma Russia-24 and Lifenews – at least he has something of his own. He yawns sweetly and thinks of squeezing someone else tomorrow" (Polozhii, 2015). In this short story Yevhen Polozhii showed the war through the eyes of a child. The feeling of patriotism is mixed with the feeling of hopelessness of the situation. But the worst thing is the betrayal of a loved human.

At first glance, the novel consists of individual episodes of events near Ilovaisk, but there are heroes whose fates run through the whole work. These are Greg from Dnipro-1, Hrim and a nurse Murka from Donbas. But, according to the author, "the protagonist is the tragedy itself" (Tolokolnikova, 2015). Yevhen Polozhii uses the example of Greg's family to show the clash of two generations – older and younger. "My father categorically did not believe in today's people, in their ability to create large-scale projects, to be organized in a creative group, to make constructive and consistent changes" (Polozhii, 2015). In his opinion, the current generation can be considered lost, because it is accustomed to the policy of consumption, so the events on the Maidan and the first armed riots in the East he did not take seriously. The old man had an unshakable belief that no one could quarrel between two fraternal peoples. In the image of Greg's father, the writer recreated the worldview of the people of the Soviet epoch. At the same time, he is one of the most tragic in the work, because "the old man managed to change his faith. He renounced the past, tore it up and threw it in the trash, along with a ticket of a member of the CPSU that was not needed but carefully hidden in a drawer" (Polozhii, 2015). But he has a future – a son-volunteer who defended the Motherland. Yevhen Polozhii managed to recreate skillfully the emotional experiences of heroes who say goodbye to the past and have the strength of will to accept a new future.

Many of the heroes of the novel are residents of Donbas. That is how Slava Snizhok got his call sign, because he was from the town of Snizhnyi. In peacetime he worked as a teacher of Russian language and literature. When the war broke out, he left his wife and children and volunteered because he decided to defend them from the enemy. Snizhok became the first killed in the Ilovaisk pocket.

In the pages of the novel, we meet Mark Paslavskyi, nicknamed Franko, a US citizen with Ukrainian roots. A successful financier, a man who revolves around the highest circles, finds himself in our war. He is not indifferent to the fate of the country. "When we win, I will become chairman of the National Bank of Ukraine and break all the schemes of the oligarchs" (Polozhii, 2015). In our opinion, the writer in the image of

Franko showed that patriotism does not depend on a person's place of residence or financial situation. Marko Paslavskyi makes us think about the question: why do volunteers go to the Russian-Ukrainian war from abroad, while the majority of Donbas residents are hostile?

In the novel "Ilovaisk" the author focuses the reader's attention on certain details. One of them is the young age of the fighters. Yevhen Polozhii, acquainting with the main characters, gives the facts of their biographies. Among the fighters were teachers, miners, workers, entrepreneurs, judges who had families. But the main focus is on eighteen- and twenty-year-old soldiers thrown into the maelstrom of war without any support. Entire battalions were destroyed. "Those spiritualized, patriotic, sincere people are not left" (Myronova, 2015).

In some short stories, Yevhen Polozhii uses the principle of naturalism to recreate the horrors of war: "Hrim covered his head with his hands, all he felt was pieces of burnt human flesh falling on him, which gave off a disgusting smell" (Polozhii, 2015). The pictures of interrogations and tortures of the Ukrainian military are not indifferent: "He could not imagine how he sits in the basement, and every day freaks come to him and break bones with an iron pipe, shoot his knees, pinch his fingers […] and force him to beg for pardon" (Polozhii, 2015). But along with the atrocities of Caucasian mercenaries, the writer depicts young Russian soldiers who happened to be at war. Those guys came to the state border to study and only in Ilovaisk they realized that everything is really happening. They were of no value to the command of the Russian army, so they were shot along with Ukrainian soldiers during the assault.

Thus, in the novel "Ilovaisk", Yevhen Polozhii recreated a military operation that suffered the greatest defeat during the entire period of the Russian-Ukrainian war. The book is a testimony and memoirs of soldiers who managed to survive in the Ilovaisk pocket. The author showed the courage and cowardice, feat and betrayal that often occurs in war. Ukrainian fighters are not exaggerated heroes, but ordinary people who defend their Motherland. The novel "Ilovaisk" reveals the truth of the war, shows the events of August 29-30, 2014 through the eyes of its participants, and therefore is perceived by critics and readers quite ambiguously.

Conclusions

In recent years, many works on the realities of the anti-terrorist operation and the war in Donbas have appeared in the Ukrainian literary discourse. They impress with their genre diversity. Military prose has undergone certain changes: from diary entries and notes on social networks to novels, short stories, film stories, poetry. Well-known writers, journalists, and the military, whose artistic talent was revealed during the events in the East, raised the topic of war in their works. Problems covered by military prose – life and death, heroism and betrayal, friendship, mutual assistance, justice, family relationships, violence, destruction. And the most important, in our opinion, is the idea of the struggle for peace, the moral responsibility of human to society.

Bohdan Zholdak's film story "Ukry" shows "a noble, active, strong hero who defends freedom, justice and universal ideals". The author managed to portray a whole cohort of such desperate defenders of the Motherland. The writer creates a living character with its positive and negative sides, true language and emotions. Joking with death, the heroes, sometimes exaggerated, resort to courageous deeds, relying only on their ingenuity and good luck, which makes them similar to the heroes of Ivan Kotliarevskyi's "Aeneid".

Another striking example of literature on the Russian-Ukrainian hybrid war is Yevhen Polozhii's novel "Ilovaisk", which is based on the memoirs of soldiers who survived the Ilovaisk pocket. According to the author himself, this is a completely artistic work based on real events. The writer turns to the traditional plot and depiction of the characters, using the features of existentialism and naturalism. After the presentation, the novel was perceived by readers and critics ambiguously, as it revealed the truth of the war, the reasons for the greatest defeat of the Ukrainian army during the entire period of hostilities in the East. The novel "Ilovaisk" is "the soldier's truth" in its almost completely authentic form.

Thus, Bohdan Zholdak's film story "Ukry" and Yevhen Polozhii's novel "Ilovaisk" are united by the artists' convictions in the victory of the Ukrainian army, as the main characters of military prose have their prototypes. In the works of modern Ukrainian literature there is a deep rethinking of the war, which poses a potential threat not only to the individual country and its inhabitants, but to humanity in general. The authors affirm the idea of peace as the highest human value.

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Rights of a child born through the use of assisted reproductive technologies in the EU countries and Ukraine

Права дитини, народженої за допомогою репродуктивних технологій в країнах Європейського Союзу та Україні

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Abstract

This article aims to identify the features of the European Union and Ukraine legislation on the rights of children born through reproductive technologies and the practice of its application. To achieve this goal, first of all, an analysis of an array of sources in the field of the rights of children born with the help of reproductive technologies was carried out. The paper compares the legislation and practice of the European Union and Ukraine regarding the rights of children born with the use of reproductive technologies, which was achieved through comparative law. The historical-legal method has made it possible to outline the changes that have taken place in the approaches to the rights of children born with the help of reproductive technologies in countries whose legislation and practice have been specially studied. The synthesis method was applied, which helped to form a comprehensive vision of the rights of children born with the help of reproductive technologies in the European Union and Ukraine countries. The direction of research on ensuring

Анотація

Метою цієї статті є виявлення особливостей законодавства країн Європейського Союзу та України щодо прав дітей, народжених за допомогою репродуктивних технологій, та практики його застосування. Для досягнення поставленої мети насамперед здійснено аналіз масиву джерел у сфері прав дітей, народжених за допомогою репродуктивних технологій. У роботі зіставлено законодавство та практику країн Європейського Союзу та України в аспекті прав дітей, народжених за допомогою репродуктивних технологій, що вдалося досягти внаслідок використання порівняльно-правового методу. Історико-правовий метод дав змогу окреслити зміни, що відбулися в підходах до прав дітей, народжених за допомогою репродуктивних технологій, в країнах, законодавство та практику яких спеціально досліджено. Застосовано метод синтезу, що сприяв сформувати комплексне бачення прав дітей, народжених за допомогою репродуктивних технологій, в країнах Європейського Союзу та Україні.

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and guaranteeing the right to life of children born with the help of reproductive technologies is promising.

Keywords: adoption, assisted reproduction, assisted reproductive technologies, natural motherhood, rights of the child, right to life, surrogacy, freedom of will.

Перспективним є напрям дослідження забезпечення та гарантій права на життя дітей, які були народжені за допомогою репродуктивних технологій.

Ключові слова: усиновлення, штучне відтворення, репродуктивні технології, природне материнство, права дитини, право на життя, сурогатне материнство, свобода волі.

Introduction

The ways of giving birth to a child resorting to science and technology have expanded greatly in the 21st century. The use of assisted reproductive technologies encompasses important ethical, social, socio-economic, legal and even religious aspects. The use of reproductive technologies has raised many issues related to human rights and freedoms, dominated by the disputes over the parentage of those children. The problems of child and organ trafficking, securing the right to know parents and the story of origin are particularly acute.

EU and Ukrainian legislation provides for assisted reproductive technologies ranging from in vitro fertilization (IVF) to surrogacy (Medical Center "Leleka", n.d.). As a result, more than 200,000 children conceived by artificial insemination are born each year. Moreover, in some EU countries (Denmark) citizens have the right to have a child through the use of IVF free of charge.

The national and European legislation addresses the issue of assisted reproduction mainly from the parentage perspective. Basay (2014) defines surrogacy as the implantation of an embryo belonging to a spouse and created through in vitro fertilization for the purpose of childbearing and childbirth, carried out by mutual agreement of persons entitled to use this method of assisted reproductive technologies with the subsequent child transfer to the appropriate persons. The features of surrogacy are the following:

- Mutual agreement of persons involved in the surrogacy program;
- Admitting only those persons to this program who are entitled to it;
- The fact of conception through IVF followed by embryo implantation;
- The embryo used to implement this method of assisted reproductive technologies must belong to the spouses. The use of the genetic material of the spouses is one of the main conditions for surrogacy. There are 3 options for surrogacy, namely: the use of the wife's egg and husband's sperm; use of the wife's egg and donor's sperm; the use of the donor's egg and husband's sperm.
- The main purpose of surrogacy should be to bear and give birth to a child.

These methods become especially relevant when it is impossible in a natural way. As a consequence, the rate of use of reproductive technologies has recently increased noticeably, while complex and sensitive ethical issues related to the use of such technologies have not been resolved at the state level. At this stage, governments focus mainly on the right of adults to create a family and have children or on banning all forms of assisted reproduction, depending on public policy.

The issue of the right of a child born through the use of assisted reproductive technologies remains, however, inadequately developed. Therefore, national law and practice do not recognize the unborn child as a subject of rights, treating it as an object of a surrogacy agreement: an "embryo". The new-born child still remains subject to the contract until the parties fulfil their obligations to transfer the child to the parents. Hence, the child is objectified as an object of trade. It is important to emphasize that the ways in which assisted reproduction is regulated have significant implications for children's rights, which must be taken into account in the development and application of legislation on the use of assisted reproductive technologies. This necessitates a detailed research on relevant issues.

The expression of the will of persons who have applied for the use of reproductive technologies is the main requirement and the initial stage of their service. The intention of individuals in the use of reproductive technologies is evidenced by informed consent. This issue is especially relevant in wartime if a man has agreed to freeze his reproductive cells as part of the process of using reproductive technologies, agreeing to fertilize a woman. Therefore, whether this consent will be relevant if the man dies arises. These and many other issues are highly relevant, as they directly affect those who use reproductive technologies and the unborn child's rights.

So, the issue of the development of the rights of children born through the use of reproductive technologies is becoming increasingly important with a view to the European integration of Ukraine. This problem is especially relevant with regard to the adaptation of national health care legislation to European law. These factors determine the topicality of this research. In particular, the issue of the child's right to life, knowledge of his or her origin and contact with his or her biological parents is particularly acute.

The aim of this article is to identify features of the legislation development and security of the rights of children born through the use of reproductive technologies in Ukraine and the EU. This research involved the following objectives:

- determine the place of the rights of children born through the use of reproductive technologies in the legal system;
- analyze the state of practical realization of the rights of children born through the use of reproductive technologies;
- identify the main gaps and trends in the development of the rights of children born through the use of reproductive technologies in Ukraine and the EU.

Literature Review

Many recent researches in the field of law, social and medical sciences conducted by the scholars around the world dealt with the issue of the rights of people born through the use of assisted reproductive technologies. This indicates the growing urgency of this issue on a global scale. Somerville (2007) emphasizes that the most basic right of every person is the right to be born and to know his or her natural origin. The rights of those children also include the right to know their biological parents and, if at all possible, to bring them up. But the same-sex marriages require changes in legislation that would enshrine children's rights to know their biological origins and families.

Mohr and Koch (2016) reviewed the evolution of IVF in Denmark. It was found that disputes between medical authorities, debates on the range of persons entitled to access reproductive biomedicine and changes in individual and social identity through the use of assisted reproductive technologies accompanied the introduction of IVF in Denmark. The first child, Troels Renard Ostberg, born through the use of assisted reproductive technology, came into the world in 1983. But the rights of the child, including the right to privacy, were not adequately protected despite the success of the procedure.

Studying the regulations in the field of assisted reproductive technologies and (re)definition of human rights in Poland in 2018, Mishtal (2019) pointed out that the public debate in Poland has been dominated by the struggle for reproductive rights since the political revival of the Catholic Church in 1989. In 2015, the state adopted the In Vitro Policy to regulate assisted reproductive technologies, which became a milestone.

Madeira (2015) studied information consent as a form of expression of the will of persons who wish to use reproductive technologies. The researcher positions that informed consent should not be a one-time signing of a document but a process that lasts throughout the treatment period. Patients are unpredictable, they make decisions based on a wide range of problems, both individual and relationship, and sometimes they are even irrational.

Honkasalo (2018) explored the substantiation of the demand for sterilization of Finnish transgender people to maintain reproductive justice. Finnish citizens are still debating the withdrawal of the sterilization provision from the Transgender Act demanding to reform parental legislation and the legislation on affordable, accessible and fair reproductive health for transgender people. So, this author raised the moral and ethical issues of the rights of children born to transgender couples.

Haug and Milewski (2019) dealt with the attitudes towards assisted reproductive technologies among immigrant and non-immigrant women in Germany. The author notes that the social demand for assisted reproductive technologies is growing in Western countries because of the low birth rates, high childlessness rates and the gap between the desired and actual number of children.

The research by Montanari Vergallo (2019) considers the surrogacy experience of Italy. The birth of children who are then raised by parents who may have no genetic or biological connection to them became possible due to surrogacy. The national criminal code of Italy prohibits medical assistance to reproduction, but the legislation of this country does not affect the parents' ability to legally register children born abroad through surrogacy.

Rallo et al. (2021) noted COVID-19 strongly affected infertile couples. Italy, like most European countries, has closed most assisted fertilization centers since the outbreak of the pandemic. We consider that access to assisted reproduction methods for sterile and infertile couples should be part of the right to health, not the alleged parentage right or a tool to increase the birth rates, the decline of which was caused, among other things, by the COVID-19 pandemic.

Methods

This research paper involved modern general scientific, as well as political and legal research methods. The comparative law was an important method to analyze the regulation of assisted reproductive technologies in Ukraine and the EU in the 21st century.

The method of systematization was involved in the research to generalize and classify the consequences of the use of assisted reproductive technologies. A systematic review of the scientific literature was carried out with further comprehensive analysis of data related to the use of assisted reproductive technologies.

Ukrainian and European academic and practical materials on the research subject were reviewed in this paper. The sample was based on the resources that provided information to study the background and history of assisted reproductive technologies.

The legislation of some EU countries (Great Britain, Denmark, Germany, Poland, France, etc.) and Ukraine in this field is analyzed. It provided for the analysis of international law and international business practice in this field. The research procedure provided for determining the topicality and research prospects of the subject matter.

The first stage of the study involved a review of scientific sources for 2014-2021 to analyze the main aspects and theoretical foundations of reproductive technologies in the EU and Ukraine.

The next stage involved the selection of practical materials for research through an integrated approach to examine the material and to identify the main problems and prospects of this research. We further examined the relevant regulations of Ukraine and the EU to verify the results. The appropriate practical materials on the research topic were monitored.

An important objective is examining the issue of realization of the rights of children born through the use of assisted reproductive technologies in the EU countries and Ukraine.

The object of research is social relations that arise in the course of realization of the rights of children born through the use of assisted reproductive technologies in the European Union and Ukraine.

Results

The review of the studies found that assisted reproductive technologies are a relatively young field of research. The use of reproductive technologies is necessitated by socio-economic, environmental or biological factors. Socio-economic factors include the need to build a career, the inability to plan a pregnancy. Environmental and biological factors include unfavorable environmental factors and infertility, which may result from environmental problems.

It is important to note that different EU countries have different approaches to assisted reproductive technologies. In our opinion, the religious policy of the state becomes important in this case. For example, the EU countries (Italy, Poland), where religion plays a significant role, often ban assisted reproductive methods. Secular states have a more balanced policy in the legal regulation of assisted reproductive technologies. However, not every country has paid much attention to securing the rights of children born through the use of reproductive technologies. In our judgment, even religious states, where the embryo has a sacred meaning and is subject to protection, primarily protect the established religious and ecclesiastical canons. This results in an ignorance of the interests and rights of the child.

We can identify radical, democratic and moderate approaches to the use of assisted reproductive technologies. This division reflects general approaches to political ideologies. The supporters of radical approaches advocate the preservation of the a ban on any assisted reproductive technologies. The representatives of moderate views consider it necessary to let a person retain the right to decide on these issues. The individual approaches to determining the interests of a child born through the use of modern technology exist already. At the same time, the supporters of democratic approaches advocate granting reproductive rights to the entire population without exception. Accordingly, security of the rights and interests of children is not a priority for this group, they focus on the rights and interests of parents. Table 1 shows examples of countries and their attitudes towards altruistic and commercial surrogacy.

Table 1.
The state of surrogacy in some countries.

Item No.	Country	Altruistic surrogacy	Commercial surrogacy	Since
1	Spain	prohibited	prohibited	-
2	Italy	prohibited	prohibited	-
3	Austria	prohibited	prohibited	-
4	Sweden	prohibited	prohibited	-
5	Germany	prohibited	prohibited	-
6	Estonia	prohibited	prohibited	-
7	France	prohibited	prohibited	-
8	Portugal	allowed	prohibited	2016
9	United Kingdom	allowed	prohibited	1985
10	Netherlands	allowed	prohibited	1994
11	Greece	allowed	prohibited	2002
12	Canada	allowed	prohibited	2004
13	Australia	allowed	prohibited	1986
14	Ukraine	allowed	allowed	1997
15	Russia	allowed	allowed	2011
16	USA	allowed	allowed	1980
17	Israel	allowed	allowed	1996
18	Belarus	allowed	allowed	2016
19	Georgia	allowed	allowed	1997
20	Czech Republic	allowed	allowed	2014

Source: authors.

We can see that most leading European countries prohibit commercial surrogacy. These are the first attempts to protect both the mother's interests and the child's interests. In most cases, supporters of those approaches oppose the objectification of the mother's and child's body. It is also determined that surrogacy agreements are human trafficking at the bottom of fact. Table 1 contains the data on a total of 20 selected countries, including 11 EU countries, the United Kingdom, which withdrew from the EU, and 2 associate members of the EU (Ukraine and Georgia). In some countries (Austria, Germany, France, Norway, Sweden, Estonia) violation of the reproductive legislation is punishable. Non-commercial surrogacy is not prohibited in the UK, the Netherlands, Denmark, Portugal and the Czech Republic. This method is not regulated by law, while not being prohibited in Greece, Belgium, Spain and Finland.

So, an analysis was carried out on the example of the countries of the former Soviet Union to demonstrate a similar policy on surrogacy. Ukraine has a long history of using reproductive technologies. In particular, Ukraine is considered one of the surrogacy centers. Accordingly, Ukraine is one of the world's centers of children's organs trafficking, child trafficking, children resale and further exploitation. Moreover, children's life is not controlled or supervised upon transferring abroad.

Ukraine has significant shortcomings in legislation and monitoring the future of children born through surrogacy. Children find themselves in the EU, Britain and other countries from Ukraine not only in families that need the services of a surrogate mother. There are many cases of selling children as commodities for organs. So, the lack of control over the future of children and proper inspection of customers of relevant services in Ukraine violates the rights of children, making them a commodity and contributing to the objectification of surrogacy services.

We believe that the adoption of the Convention on the Rights of the Child (United Nations, 1989) is one of the reasons for the changes. The EU didn't have the approach to the rights of children born to surrogate mothers. The issue of protection of the rights of such children in accordance with the Convention on the Rights of the Child has been raised only in recent years. Article 7 stipulates that a child has the right to know his or her parents; a child has the right to life according to Article 6. Article 35 provides that states must prevent child trafficking. Most EU countries agree that the birth of children through surrogacy violates children's rights and contributes to the objectification of both children and mothers. This is why commercial surrogacy is significantly limited in EU countries. Unfortunately, we can see a negative trend in child trafficking in Ukraine, which stains both the country's reputation and the decriminalization of crimes against children in general.

There is a conflict of interest of potential parents and the child in resolving this issue. It is important to note that the interests of the child are not taken into account when using assisted reproductive technologies.

This issue should be considered in detail as Ukraine is considered one of the centers of commercial reproductive business, supplying surrogate mothers (Table 2). According to statistics, there are about 500 surrogate pregnancies in Ukraine per year (Lytvyn & Hrudieva, 2021). There is no more accurate official data in Ukraine as of the beginning of 2022. There are approximately 40 reproductive medicine clinics operating in Ukraine with an annual volume of about 2,000 operations per year (Caritas Ukraine, 2021).

We surfed the web for propositions to become a surrogate mother in Ukraine. We selected 10 propositions by the method of analysis and systematization to compare in this article. The analysis of Table 2 allowed stating that the requirements for surrogate mothers are similar in different clinics and medical centers. Moreover, the allowable age of a potential surrogate mother varies from 18 to 44 years. In addition to the health requirements of a potential surrogate mother.

Table 2.
Available propositions of surrogacy in Ukraine as of 2022.

Item No.	Proposition	Resource	Requirements for the mother			Payment
			Age	Children	Health	
1	Artemida Surrogacy Centre	https://artemida.ua/	19-36	1+	Good health and no bad habits; no caesarean section; Rh positive	Up to EUR 25,000
2	IVMed Fertility Centre	https://mamasur.com.ua	21-37	1+	No bad habits; no medical contra-indications to pregnancy; mentally healthy woman; Rh positive	EUR 15,000
3	Ya Mama Surrogacy Centre	https://imama.com.ua/ua/	19-36	1+	No hereditary diseases; Rh positive; no bad habits; no caesarean section	EUR 18,000 to EUR 25,000
4	Ukraina Surrogacy Centre	https://surrogacy.com.ua/	19-36	1+	No hereditary diseases; positive Rh; no bad habits; no caesarean section	From EUR 14,000
5	Yuzko Medical Centre	https://ivf.ua/hochu-buti-surogatnoyu-matirjyu/	21-35	1+	No medical contra-indications	No data
6	BioTexCom Clinics	https://biotexcom.com.ua/uk/pro-kliniku//	18-44	1+	Mental and physical health; no bad habits	Up to EUR 29,200

7	Adonis Family Solutions agency	https://fertilitysolutionsagency.kiev.ua/contact-us/	18-35	1+	No bad habits; no mental or oncological diseases; no hereditary chronic gynaecological and genetic diseases, no HIV or tuberculosis, etc.	Up to EUR 29,200
8	Maternitate Surrogacy Centre	https://bespllodie.net.ua/anketa-uchasnyka/	19-44	1+	No hereditary diseases; Rh positive; no bad habits; no caesarean section	EUR 14,000
9	Mama Plus Reproductology Centre	https://surogatnoematerinstvo.com.ua/uk/	18-43	1+	no medical contra-indications to childbirth; good physical and mental health; psychologically ready to bear somebody else's child and transfer this child to the biological parents immediately after birth	Up to EUR 29,200
10	Surrogacy Ukraine	https://surrogacy.net.ua/contact/	22-36	1+	No medical contra-indications; moral and psychological stability; responsibility; desire to help a childless couple	EUR 19,000

Source: Adonis Fertility Solutions Agency, (n. d.); Artemida Surrogacy Center (n. d.); BioTexCom Clinics, (n. d.); IVMed Fertility Center (n. d.); Mama Plus Reproductology Center. (n. d.); Maternitate Surrogacy Center (n. d.); Surrogacy Ukraine (n. d.); Ukraina Surrogacy Center. (n. d.); Ya Mama Surrogacy Center. (n. d.); Yuzko Medical Center. (n. d.).

None of the selected examples provides the security of the child's right to know his or her mother after birth. According to the requirements, the mother also has no right to refuse to transfer or visit the child after birth. Moreover, there is no mechanism for monitoring and appropriate state and protection of children's rights. Therefore, Ukrainian practice transforms surrogacy into child trafficking.

It should be noted that all the studied resources present the positive experience and benefits of surrogacy, provide relevant examples. But there is no information on the risks of surrogacy for the health of women and children, the adverse consequences, etc. No Center raised the issues of moral aspects as well as the rights of the child. The child is considered the object of trade, which is subject to transfer under the contract. Therefore, a potentially positive image of surrogacy is created and idealized. Furthermore, there is no information on the surrogate mother's possible contact with the child in the future and the child's right to know his or her origin and the surrogate mother.

So, the commercial component is criminalized and condemned in EU countries, where surrogacy is recognized as a last resort. In contrast, there is a tendency to commercialize this type of reproductive medicine in Ukraine. All the above indicates the current negative trend of violation of the rights of the child born through surrogacy.

We further consider the use of another type of reproductive medicine: IVF in the EU and Ukraine. There is a more liberal attitude towards IVF in the EU in contrast to the negative attitude towards surrogacy. Moreover, IVF has become widespread in some countries.

The research found three main positions in the EU in relation to the IVF procedure:

– the state supports IVF (Denmark);
– permitted at the citizens' expense (Czech Republic, Latvia);
– prohibited (Italy).

Directive 2004/23/EC of the European Parliament and of the Council of March 31, 2004 (EUR-Lex, 2009) regulates this issue by setting standards of quality and safety for the donation, purchase, testing, treatment, preservation, storage and distribution of human tissues and cells. But the national legislation and guidelines for assisted reproduction in the EU is country-specific. The EU countries enshrine an important aspect of a child's right to know his or her parents (donors) and origin in their legislation in different ways. For example, the Federal

Republic of Germany provides the right of children to know the identity of their biological parents.

The study of the examples of IVF in the UK indicated a fairly high rates of application of in vitro fertilization (National Health Service UK, n. d).

So, we can state that approaches to supporting and securing the interests of the child are gradually evolving in Europe. The rights of the child are becoming increasingly important despite the existence of different approaches to the use of assisted reproductive technologies.

Discussion

The problem of the rights of children born through the use of assisted reproductive technologies has become pressing in recent years on a global scale, where assisted reproductive technologies themselves have raised significant questions. The development of assisted reproductive technologies results in the emergence of new forms of childbearing, family reproduction and filiation practices, which raise the issue of the need and the way of legal recognition of these new family structures (Haug & Milewski, 2019). Therefore, the issue of protecting the interests of the child from a legal, socio-economic, biological and ethical perspective has become urgent.

Scholars admit that the further struggle related to these technologies will become fiercer and more difficult as the pool of knowledge base expands (Gryshchenko et al., 2021; Honkasalo, 2018).

Different EU countries have different approaches to assisted reproductive technologies. For example, there are 21 fertility clinics in Denmark, nine of which are state-funded and twelve are privately funded.

In general, the European Parliament renounced surrogacy by adopting its Resolution of December 13, 2016. On February 2, 2016, were signed the Paris Charter, calling on European countries to respect the international Convention for the Protection of Human Rights that they have ratified. Sixteen organizations from 18 EU countries have recently signed a call to stop surrogacy. It was recognized that such procedures violate the rights of the child (Marinelli, 2020).

There is another approach to this issue, which relies on the principle of exercising parental rights by infertile couples. The laws of Ukraine do not provide a detailed regulation of the surrogacy procedure (Mendzhul, 2019).

Researchers emphasize that the surrogacy procedure does not adequately addresses the interests of the child, while meeting the interests of adults in the first place. The children themselves experience the greatest manipulations, as they are deprived of the right to a decent way of conception and birth, to knowing of their biological parents (Yarema, 2019). For this purpose, the Constitutional Court of Germany has ruled in 1989 that children have the right to know the identity of their biological parents. That resulted in the creation of a database of donors in July 2018 at the German Institute for Medical Documentation and Information in Cologne. The information should be kept until the child approves it, or for 110 years (Isenson, 2018). The citizenship of the new-born child is also the problem. Furthermore, the child is unprotected in cases where the intended parents and the surrogate mother abandon the child. Those children are sent to an orphanage in most cases.

Another threat was posed by the emergency caused by COVID-19 restrictions (Rallo et al., 2021). Some 2022 studies found that the global pandemic COVID-19 posed an epidemiological and social threat at all levels, but did not have a significant impact on the state and legal regulation of the reproductive business in the world (Rodríguez-Varela et al., 2022).

There is a growing number of court cases in Europe regarding disputes over the possibility of using embryos created through IVF by a former spouse. The cases on the struggle for custody of a child born to a gestational surrogate mother, etc. also remain unresolved (Crockin, Altman & Edmonds, 2021). Therefore, there are still many controversial issues to be studied and resolved even despite quite successful practices.

Conclusions

The use of assisted reproductive technologies has been prompted by the development of technologies and the increasing infertility rates. There are different approaches to the issues of using assisted reproductive technologies due to both social, religious and ethical factors. As of 2022, the right to a healthy life, the right to know their history and other rights of children born through the use of reproductive technologies are not properly protected. So, surrogacy is the reason and method of child trafficking. In general, the approaches to understanding the possibility of using assisted reproductive technologies are different in Ukraine and the EU: while surrogacy is prohibited in most of the EU countries, the whole surrogacy business is established in Ukraine. It should be noted that the COVID-19 pandemic of 2019-2022, which has complicated realization of the rights of children born through surrogacy, has become a pressing issue for all countries.

Therefore, we can conclude that the EU countries and Ukraine have different approaches to the use of assisted reproductive technologies. The EU is more committed to protecting the rights of the child. But we should note a significant expansion in the understanding of the risks of assisted reproductive technologies in recent years. We can state that the European countries have conflicting approaches to regulating this issue.

The findings of this research would allow a more effective and systemic approach to the development of reproductive policy in Ukraine, as well as its adaptation to the EU regulations. Determining the peculiarities of reproductive tourism in Ukraine is considered to the prospects for further research in this area.

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Corporate social responsibility in modern transnational corporations

Корпоративна соціальна відповідальність у сучасних транснаціональних корпораціях

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Abstract

Since the beginning of 2015, corporate social responsibility (CSR) models have been changing in connection with the trend towards the transition of joint value creation of corporate activities and consideration of stakeholders' interests. The purpose of the academic paper lies in empirically studying the current practice of social responsibility of transnational corporations (TNCs). The research methodology has combined the method of qualitative analysis, the method of cases of agricultural holdings in emerging markets within the framework of resource theory, institutional theory and stakeholders' theory. The results show that the practice of CSR is integrated into the strategy of sustainable development of TNCs, which determine the methods, techniques and forms of communication, as well as areas of stakeholders' responsibility. The internal practice of CSR is aimed at developing norms and standards of moral behaviour with stakeholders in order to maximize economic and social goals. Economic goals are focused not only on making a profit, but

Анотація

З початку 2015 року моделі корпоративної соціальної відповідальності (КСВ) змінюються у зв'язку з тенденцією до переходу спільного створення цінності корпоративної діяльності та врахування інтересів стейкхолдерів. Мета наукової роботи полягає в емпіричному дослідженні сучасної практики соціальної відповідальності транснаціональних корпорацій (ТНК). Методологія дослідження поєднала метод якісного аналізу, метод кейсів агрохолдингів на ринках, що розвиваються в рамках теорії ресурсів, інституційної теорії та теорії зацікавлених сторін. Результати показують, що практика КСВ інтегрована в стратегію сталого розвитку ТНК, що визначає методи, прийоми та форми комунікації, а також сфери відповідальності стейкхолдерів. Внутрішня практика КСВ спрямована на вироблення норм і стандартів моральної поведінки з зацікавленими сторонами з метою максимізації економічних і соціальних цілей. Економічні цілі орієнтовані не лише на отримання прибутку, а й на мінімізацію витрат через потенційні ризики корупції, шахрайства, конфлікту інтересів. Система корпоративної соціальної відповідальності

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also on minimizing costs due to the potential risks of corruption, fraud, conflict of interest. The system of corporate social responsibility of modern TNCs is clearly regulated by internal documents that define the list of interested parties and stakeholders, their areas of responsibility, greatly simplifying the processes of cooperation and responsibility. As a result, corporations form their own internal institutional environment. Ethical norms help to avoid the risks of opportunistic behaviour of personnel, conflicts of interest, cases of bribery, corruption, and fraud. The theoretical value of the research lies in supplementing the theory of CSR in the context of the importance of a complex, systematic approach to integrating the theory of resources, institutional theory, theory of stakeholders in the development of strategies for sustainable development of TNCs, the practice of corporate governance and social responsibility.

Keywords: Corporate social responsibility, corporate ethics, compliance, smart corporation, sustainable development.

сучасних ТНК чітко регламентована внутрішніми документами, які визначають перелік зацікавлених сторін та зацікавлених сторін, сфери їх відповідальності, що значно спрощує процеси співпраці та відповідальності. В результаті корпорації формують власне внутрішнє інституційне середовище. Етичні норми допомагають уникнути ризиків опортуністичної поведінки персоналу, конфлікту інтересів, випадків хабарництва, корупції та шахрайства. Теоретична цінність дослідження полягає в доповненні теорії КСВ у контексті важливості комплексного, системного підходу до інтеграції теорії ресурсів, інституційної теорії, теорії зацікавлених сторін у розробці стратегій сталого розвитку ТНК, практика корпоративного управління та соціальної відповідальності.

Ключові слова: корпоративна соціальна відповідальність, корпоративна етика, комплаєнс, розумна корпорація, сталий розвиток.

Introduction

The models of corporate social responsibility (CSR) of transnational companies are being transformed due to legal changes, increased government requirements for environmental protection, protection of labour rights and changes in forms and working conditions. Companies are increasingly frequently implementing a comprehensive system of CSR based on sustainable development strategies, which includes achieving economic, social, environmental development goals and at the same time taking into account the interests of various stakeholders. An integrated approach involves a combination of resource theory, institutional theory and stakeholders' theory as the main ones for explaining and implementing CSR (Ashrafi, Magnan, Adams & Walker, 2020). The approach outlined is important in the context of the fact that the implementation of the CSR model is focused on people and labour resources due to a number of unfulfilled needs and rights and the impact of corporations on the life quality (Renouard & Ezvan, 2018). The above-mentioned tendencies require a detailed study of the practical implementation of measures within the CSR models introduced in corporations.

The purpose of the academic paper lies in empirical studying the modern practice of social responsibility of transnational corporations (TNCs).

Literature Review

Corporate social responsibility is represented by the norms, standards and methods of economic, social, environmental activities while in the execution of financial and legal obligations, involving the implementation of long-term strategy with defined results by top management of corporations (Ashrafi, Adams, Walker & Magnan, 2018). The founder of CSR theory Bowen (2013) defines the concept of social responsibility as "obligations of businessmen to pursue those policies, to make those decisions, or to follow those lines of action which are desirable in terms of the objectives and values of our society". Sarkar & Searcy (2016) analysed 110 definitions of CSR, formed in 1953–2014, which allowed them to systematize the basic conceptual fundamentals of the theory in terms of three stages of its development. Dahlsrud (2008), based on an analysis of 37 definitions of CSR for the period of 1980–2013, argues about the similarity of interpretations of this concept. Berger-Walliser & Scott (2018), based on an analysis of CSR trends in the US, EU, China, India, define this concept as "a clear obligation of corporations to socially and ethically be responsible to the society". Moon & Parc (2019) note that the social activities of corporations can create value in the framework of the development strategy and the new "Smart Corporation" concept. At the same time, the society should recognize the value of cooperation within the framework of corporate activities. Agudelo, Jóhannsdóttir & Davídsdóttir (2019) adhere to the similar opinion: "the comprehension of corporate responsibility has evolved from being limited to making profits to including a broader set of responsibilities, in particular, to the belief that the primary responsibility of companies should be aimed at creating shared value". Renouard & Ezvan (2018) understand CSR as a responsibility for human development in two ways:

a) holistic responsibility shared by companies with other actors for the protection of humanity.
b) the direct responsibility of each company for its impact on stakeholders' capabilities.

In the scientific literature, there are different theoretical models of CSR, among which the Carroll Pyramid theory, the Triple bottom line theory and the stakeholder theory can be considered as the principal ones. In most cases, corporations most often use a stakeholder methodology with an emphasis on the shareholders' interests and a formal consideration of the interests of the society. However, recent studies point to a comprehensive systematic approach towards the implementation of CSR, aimed at realizing the interests of owners and the society (Brin & Nehme, 2019). Since the 1950s, several CSR models have been developed in order to clarify the respective roles and responsibilities of corporations in relation to shareholders and stakeholders, whose strengths, benefits and challenges are represented in Table 1.

Table 1.
Summary of the main properties and characteristics for three CSR theories; The Carroll Pyramid theory, The Triple bottom line theory and the stakeholder theory (created by authors)

CSR Theory	**Characteristics of CSR Theories**		
	Strength of the Theory	**Benefits of Applying the Theory**	**Challenges in Applying the Theory**
The Carroll CSR Theory	Taking into account four main responsibilities for CSR approach: economic, legal, ethical and philanthropic Arranging the four responsibilities in the order of the hierarchy	Revealing good citizen image for corporation Improving the reputation of corporations	Prior to implementing the Carroll CSR theory, external social and environmental situations must be studied; it will take more time and effort to apply the theory
The Triple Bottom Line Theory	Taking into account three main responsibilities for CSR approach: economic, social and environmental	Supporting the corporation to achieve sustainability	When using the approach, any corporation has to balance between the three CSR responsibilities in order to achieve sustainable goals in society and ecology
The Stakeholder Theory	Taking into account the interest of various stakeholders groups	Allowing the corporation to maintain a strong interrelation and interconnection with community and business components. If the aim is achieved, the company will gain the trust and loyalty of all stakeholders	When using the approach, any corporation has to balance the interests of all stakeholders and adopt a transparent policy with them

Source: Brin & Nehme (2019).

Ashrafi, Adams, Walker & Magnan (2018) identify the main stages of development of the CSR concept as follows:

1. The period of 1953–1982, which is characterized by two opposing viewpoints of scientists, namely: the responsibility of the corporation to develop economic, social and legal obligations; recognition by supporters of the classical economic ideology of the free market as the sole responsibility of corporations - towards achieving economic goals. During this period, the main concept of CSR lies in the voluntary fulfilling by

corporations of economic, legal and social obligations.

2. The period of 1983–2002, characterized by the introduction of ethics in CSR practice, the inclusion of environmental issues, sustainability and stakeholders' interests in corporate strategy.
3. The period of 2003–2014, the key components of CSR models are environmental aspects, stakeholders' interests, ethical issues (Sarkar & Searcy, 2016).

Since the beginning of 2015, corporations have been introducing new CSR models that provide for the implementation of activities within the framework of sustainable development strategies beyond the legal requirements (Pintea, 2015). The ethics of corporate activity remains a significant component of CSR, depending on the level of development of the country where the corporation operates (Sharma, 2019). CSR models have been also moving away from the traditional social / charitable focus towards a more holistic view of social, environmental and economic responsibility; the transition to the theory of the triple result is underway (Dahlsrud 2008; Sarkar and Searcy 2016). The modern CSR theory postulates that the social responsibility of any corporation is no longer limited to making a profit and complying with the law. Currently, corporations face the challenge of upholding the values and interests of shareholders, as well as consumers, employees, communities, government, the environment and other stakeholders (Nasrullah & Rahim, 2014a; 2014b). Creating shared values is also an integral part of the modern CSR theory (Carroll, 2015): "In fact, businesses engage in CSR because they see in the framework the benefits for them as well as society". McLennan & Banks (2019) note that corporations prefer relationships and interactions built within a corporate structure over tangible outcomes in the context of longer-term effects. That is precisely why CSR projects are implemented as part of sustainable development strategies in the long term. According to the viewpoint of Ashrafi, Magnan, Adams & Walker (2020), the CSR model is integrated into the corporate business strategy. Corporate policy and the set of actions within the scope of CSR are supported by internal and external mechanisms based on resource theory and institutional theory. This should be in line with the interests and expectations of internal and external stakeholders. In addition, this tendency is facilitated by globalization and growth, the expansion of the activities of transnational corporations, the call of governments for greater social, environmental responsibility, disclosure of information about the activities and transparency of the various risks of performance (Berger-Walliser & Scott, 2018).

Thus, the tendencies in the development of the theory and CSR models are discussed in the scientific literature in connection with various factors of the internal and external environment. Scholars dispute about the strengths, benefits and conceptual principles of CSR. New models of social responsibility focus on creating shared value and value of corporate activities, taking into account the interests of stakeholders in the framework of the sustainability strategy. A multipronged approach to integrating the CSR model involves a combination of resource theory, institutional theory and stakeholder theory.

Methodology

The research is based on the theory of resources, institutional theory within the framework of the institutional environment of the corporations functioning in Ukraine on the example of the main agro-industrial holdings (Renouard & Ezvan, 2018; Ashrafi, Magnan, Adams & Walker, 2020). In particular, the academic paper explores the issues of forming the internal institutional environment of agricultural holdings on the basis of a comprehensive approach of companies towards the integration of the CSR conceptual fundamentals.

The case analysis method has been used to qualitatively study the practice of corporate governance and social responsibility of corporations in the agro-industrial sector of Ukraine. In order to conduct a detailed analysis of the practice of implementing the CSR concept of agro-industrial enterprises, agricultural industrial holdings have been selected, where corporate governance has been introduced in accordance with international standards.

In the course of the research, the information, statistical data of agricultural holdings posted on official websites have been used, namely:

1) corporate development strategies, sustainable development reports and management reports, where economic, social, environmental goals are defined and actual indicators of their achievement are given;
2) programs and codes of business ethics, compliance, code of ethical conduct and investigation procedures;
3) internal documentation on the ethical principles of staff behaviour in order to

minimize opportunistic behaviour and increase the level of rationality of decisions, especially of top management;
4) documentation on policies for managing conflicts of interest and preventing, combating fraud and corruption;
5) policy of interaction with suppliers; 6) anti-discrimination policy.

Results

The internal documentation of corporate governance, strategic documents of sustainable development of TNCs, management reports are the basis for building a system of social responsibility of companies.

Myronivsky Hliboproduct (hereinafter referred to as MHP Group, MHP, and Company) was founded as a vertically integrated company, a leader in the Ukrainian markets of industrial poultry production and export of chilled poultry meat. MHP has European equity and foreign production assets in the Netherlands, Slovenia, Slovakia, as well as a distribution office in the UAE. The Company has 40 independent divisions (enterprises) located in 16 regions of Ukraine, and about 28 thousand employees as of 2019. MHP is one of the world leaders in the agricultural market in the field of poultry farming. Sustainable development of MHP takes place in the main areas as follows: innovation, corporate social responsibility, environmental protection, product quality and safety, responsibility for personnel, charity. The substantively built CSR system is an important component of the sustainable development strategy. The Charitable Foundation comprises 31 managers who are responsible for the organization, control and implementation of CSR activities and projects in the regions of MHP enterprises.

The Stakeholder Engagement Plan (MHP, 2020c) is a significant component of the Environmental and Social Impact Assessment (ESIA) of the MHP agro-industrial holding. The purpose of the Plan lies in improving and facilitating the decision-making process, promoting the timely creation of a productive structure that actively engages stakeholders and provides them with all opportunities and communication tools designed to share views, recommendations and discuss issues affecting the Plan. The Plan is considered as an effective tool towards facilitating active partnerships and effective communication between MHP and stakeholders, which is critical to a long-term sustainable development strategy. Stakeholders are defined by a company as any person, group or organization that has an interest in the results of the work. Key stakeholders are any stakeholders who have a substantial impact on the work or feel a significant influence, and where these interests and influences must be recognized if the result of the work is to be successful.

The Stakeholder Interaction Plan (MHP, 2020c) includes as follows:

1) determining the structure of the company based on areas of activity;
2) disclosure of information on legal requirements, international operating practices, company responsibilities, internal standards and CSR policies;
3) identification of stakeholders;
4) involvement and consultation of stakeholders;
5) reporting and mechanisms for filing complaints, namely CSR monitoring, reporting and control, handling of complaints, roles and areas of responsibility of the parties.

The Stakeholder Interaction Plan clearly defines the categories of interested parties and stakeholders, their area of interest (Table 2), which significantly simplifies the process of cooperation, interaction between them by identifying key areas of responsibility.

Table 2.
List of MHP's interested parties and stakeholders

Categories of interested parties	Categories of stakeholders	Sphere of interests
International organizations	IFC – International Finance Corporation; EBRD (European Bank for Reconstruction and Development) – EBRD Headquarters in London – Kyiv Office	Compliance with environmental and social performance standards and EHS Guidelines (Occupational Safety, Environment and Safety); Compliance with EBRD environmental and social policies (2014), including EHS best practices, environmental and social impact assessment, environmental and social action planning.
Authorities / Government bodies	Government of Ukraine, including: Ministry of Agrarian Policy, Ministry of Emergencies, Ministry of Ecology and Natural Resources, Ministry of Health, Ministry of Social Policy, Public Health Epidemic Service, Fire Safety Authorities, Social Insurance Fund	Design solutions; Urban planning; EIA requirements; Permission for emissions / discharges; Emergency planning; Details on the operation and change of services; Employment and labour protection; Acquisition of land; Health and safety of workers.
Suppliers / Services	Various contractors for the supply of services, products and equipment, including: "METRO Cash & Carry Ukraine" LLC, "Lysoform Medical" LLC	Information on delivery; EHS requirements and standards, including occupational safety and health requirements;
Suppliers / Services	"Energy Group" LLC, "Eco" LLC, "Ecolab Ukraine" LLC, "Food Plant" LLC, PJSC "UHL-MASH"	Profitability and financial performance of MHP; Transport and logistics connections and infrastructure; Access to tenders and contracts for the supply of goods and services for MHP.
Clients / Consumers / Partners	Branch "Poultry Complex", "Vinnytsia Poultry Farm" LLC, Branch "VKVK", "Vinnytsia Poultry Farm" LLC, "Sobar Group" LLC, "Production and Trade Enterprise Adonis" LLC, "Agrotechnics" LLC, "Regulus Expedition" LLC, "Ûnghajnrìh Lift Truck" Pe "Montažventilâcìâ", Engineering company "Techprylad", "Mea food solûšnz" LLC, "Mea Vestfaliâ" LLC, "Galpodšipnik" LLC	Product quality and biosecurity; Security and reliability of supply chains; EHS requirements and standards, including occupational safety and health requirements; Maintaining and ensuring the level of production yield.
Employees	MHP staff, managers and directors, especially MHP Group employees; Contractors, Retirees; Workers' families	Internal training and responsibilities; Employment, social policy and procedures Occupational safety.
Local communities and community groups	Municipalities of the regions City council in more than 500 towns Village councils and local associations in the relevant districts of Vinnytsia and Cherkasy Major opinion leaders in local communities People residing near any area of MHP activity Schools Landlords Vulnerable groups (women, the elderly, the illiterate, etc.) Local enterprises and suppliers	Involvement in development (including design solutions) / construction works; Changes in services and capabilities, including pricing; Changes in local access and public transport; Tax revenues from local entrepreneurs and service fees; Impact on the environment and other local communities (logistics, etc.) and mitigation; Accommodation of employees; Employment; Obtaining education; Land lease opportunities, price reviews; Provision of drinking water and roads; Emissions of effluent water; Use and protection of forestry; Local hospital and medical care; Local education and schooling; Easier access to MHP products.

Non-governmental public organizations	Public organizations “Bank watch”, “Ecoaction”, “Lydyzhynska Public Council”, “People’s Center for Environmental Control”, “Voice of Nature”, “Living Planet”, “All-Ukrainian Ecological League”	Corporate website; Social networks; Telephone hotline; E-mail; Ordinary mail; Feedback form on the corporate website; Regular meetings with non-governmental organizations; Round tables and dialogues, open days and visits to places; Regular meetings with non-governmental organizations; Round tables and dialogues, open days and visits to places; Exchange of reports on sustainable development.
Media	Non-governmental public organizations Local newspapers and radio Television and online broadcasters	Development and procurement plans; Impact on the economy and local community, including pricing; Impact on the environment; Revenue from advertising; Notice of employment and establishment of the statute; Public information campaigns and consultations.

Source: (MHP, 2020c).

The plan also defines the mechanism of interaction with the various ways of interest, including means and tools, methods of communication, interaction (Figure 1). The objectives of external communications lie in ensuring constant interaction with target audiences regarding activities, efficiency, development and investment plans, as well as their implementation. External communication methods typically include hereinafter contained forms of communication, frequency of events, and specific stakeholder groups. The Department of Corporate Social Responsibility and the Chief Environmental Officer of MHP bear overall responsibility for processing consultations and disclosing information, including organizing the consultation process, communicating with selected stakeholder groups, collecting and processing comments / complaints, and responding to any such comments and complaints. Depending on the nature of the comment / complaint, they will be provided to the relevant person of the company for response and will be monitored until closing.

Figure 1. Mechanism of interaction with stakeholders.
Source: (MHP, 2020c).

MHP adheres to the Cyprus Company Law (CAP 113) and voluntarily applies the provisions of the corporate governance regime set out in the UK Corporate Governance Code as practically as possible. The principal aspects of MHP's corporate governance policy are specified in the Charter of Corporate Governance approved by the Board of Directors (hereinafter referred to as the "Board") on May 10, 2018. MHP strictly adheres to all laws and regulations in all territories where the company is represented, including local and international norms and standards applicable to production and business in Ukraine, the Netherlands, Slovakia, Slovenia, Bosnia and Herzegovina, Croatia and Macedonia. MHP applies international standards to corporate operations and internal procedures, including IFC and EBRD environmental and social performance standards, which are publicly available.

Corporate governance includes supervision over the activities of the Group of Enterprises of PJSC "MHP", which provides as follows:

1) competent and balanced management;
2) reliable planning;
3) ensuring sound management and internal control;
4) maintaining proper accounting and other records;
5) compliance with legal and regulatory obligations (MHP, 2020d).

Corporate governance practices of PJSC "MHP" include conflict of interest management policy, integrity management policy, development of ethical principles of doing business, anti-money laundering and anti-terrorist financing policy, anti-bribery and corruption policy. For instance, business ethics policy includes the Business Ethics and Compliance Program of PJSC "MHP", which forms a culture of integrity and compliance of business practice with the legislation of Ukraine, international regulatory legal acts and internal ethical principles of doing business in accordance with the Code of Ethics of MHP (2020a). This means that the relevant norms and standards of conduct with internal and external stakeholders are applicable at PJSC "MHP", in particular, in order to reduce transaction costs connected with dishonest behaviour of personnel with clients, contractors, partners, government authorities. The Code of Ethics provides for the organization of the necessary measures on preserving and increasing the value of the business, ensuring compliance with long-term obligations of the company and minimizing the risk of corruption.

The practice of corporate governance involves managing the procedure of conflict of interest, which occurs when a top manager has his own interest in concluding a certain agreement contradicting the company's agreement. In such case, the top manager notifies the Management Board of any conflict or potential conflict; however, he cannot participate in voting. The top manager is obliged to inform the Chairman of the Board about the conflict. At the general meeting of shareholders, a special report is drawn up on any transactions in which any of the directors may have a personal interest, which is contrary to the interests of the company; this report is disclosed to the shareholders of the company. For instance, during June–July 2020, 4 000 key employees of all enterprises of PJSC "MHP" have undergone safe and simple procedures for declaring conflicts of interest. Most of the identified conflicts have already been resolved. According to the data of the financial service of PJSC "MHP", on average, each such conflict of interest causes the company about 10 000 USD in losses. The Security Service of PJSC "MHP" has revealed several cases of intentional concealment of conflicts of interest, including in the units of Perutnina Ptuj (MHP, 2020a).

The purpose of internal regulations and policies lies in establishing the procedures and controlling processes, ensuring compliance of MHP operations with applicable laws and norms and internal rules and standards of the MHP Group, and protecting the MHP Group and its employees from relevant ethical, legal and business risks. All policies are reviewed by the MHP Council at least once a year. Along with this, the responses of stakeholders are collected and analysed in order to improve policies, and additional research results are integrated into the updated version of each policy. MHP is also committed to notify about its corporate standards and programs to employees and the public through the Company's main communication channels (including the MHP corporate website www.mhp.com.ua) as part of a broader effort to engage employees and stakeholders in volunteer initiatives. MHP annually evaluates the effectiveness and impact of its corporate contributions. The assessment measures how regularly MHP maintains a dialogue with communities and key stakeholders, and how this helps to improve the management of existing projects and identify future opportunities.

PJSC "MHP" puts demand towards the staff to comply with the Code of Ethics, Code of Conduct for Compliance in Trade and Production and other policies related to business hospitality and gifts, insider trading, anti-money laundering, validity of promotional materials and other activities (MHP, 2020b). PJSC “MHP” has implemented the Copa Cogeca Principles of Ethical Conduct, the United Nations Food and Agriculture Organization’s Global Principles of Business Ethics and the United Nations Global Sustainable Development Goals 2030, defining the benchmark of the highest ethical standards in the field of agro-industrial structures around the world. The company cooperates with 7 groups of stakeholders, namely: employees, communities, government agencies (government agencies of all levels and institutions in the presence of MHP companies), media (district, regional, national media), business partners, international and non-governmental public organizations, investors (IFC, EBRD, banking institutions, shareholders of the company).

In order to avoid legal and regulatory risks, PJSC “MHP” carries out management activities, forasmuch as the company may suffer from regulatory events in any of the countries in which it operates, including changes in fiscal, tax or other regulatory regimes. Potential consequences include increased expenditures on satisfying new environmental requirements; possible expropriation of assets; the emergence of taxes or new requirements for the maintenance of local property. The management of PJSC “MHP” actively monitors regulatory developments in the countries of operation. Financial Control of PJSC “MHP” has organized the tax service and the treasury in full compliance with local laws in the jurisdictions in which the business is registered. The company pays taxes in full in all jurisdictions in which it operates. In addition, PJSC “MHP” is consistently developing and integrating regulations on the abuse of market conditions by management personnel into business practice standards.

PJSC “MHP” also maintains control in order to prevent bribery and corruption. Material bribery or corruption incidents can lead to significant reputational damage, unfavourable relationships with stakeholders, financial penalties and, consequently, they may result in the loss of the business licence. PJSC “MHP” maintains reliable anti-bribery and corruption policies and procedures that are regularly reviewed and monitored by the Audit Committee. These include a code of ethical conduct and investigation that all employees must adhere to in matters such as bribery, gifts, suppliers and customer relations, conflicts of interest and other potentially corrupt activities. PJSC “MHP” has a hotline for reporting suspected bribery and corruption transactions.

A similar practice of transaction cost management exists in the joint-stock company Ukrlandfarming, which includes the ethical principles of staff behaviour defined in the internal documentation in order to minimize opportunism and increase the level of rationality of decisions, especially of top management. JSC Ukrlandfarming has formed its own principles, values and rules of conduct, including legality, fair competition, anti-bribery, compliance with agreements, respect for staff, ensuring their professional development, in particular, professional skills through technology, conducting socially responsible business (Official site of JSC Ukrlandfarming, 2020).

Agro-industrial group Kernel is also characterized by a similar transaction cost management practice, including ethical business conduct, compliance, and corporate governance. Business ethics and compliance include the elements as follows: ethical norms and standards for building a business reputation based on transparency, honesty, responsible leadership, legality and rules of conduct, social responsibility and sustainable development, environmental friendliness of business (Kernel Official Website, 2020c); conflict management and anti-fraud, anti-fraud and anti-corruption policies (Kernel Official Website, 2020d); supplier engagement policy (Kernel Official Website, 2020b); anti-discrimination policy (Kernel Official Website, 2020a); compliance. The corporate governance of Kernel includes the audit committee and audit of the company, the finance department headed by the CFO, the legal department and the corporate investment department.

The practice of corporate governance of agro-industrial groups is accompanied by constant changes, in particular, reorganization. For instance, the agro-industrial holding “Astarta-Kyiv” has carried out a comprehensive reorganization of the dairy farm management system in order to increase the efficiency and profitability of production, including as follows: the opening of a feed centre; creation of a zoo service structure within the company; change in the organizational structure of farms and job responsibilities of key employees; use of a new system of staff motivation.

Discussion

The necessity to conduct international activities due to the limited domestic markets for products automatically facilitates the integration of the best practices of social responsibility into the management system and consideration of the institutional environment, the requirements of stakeholders in foreign markets. Corporate governance, as the main component of the system, forms internal norms, business standards, sets the rules for organizing risk management, reorganizing the company if it is necessary to change the rules of operation, team work ethics, accounting policy and management accounting of transactions, financial policy, and policy for the introduction of technologies simplifying transactions with contractors.

CSR practice is integrated into the sustainable development strategies of TNCs, which determine the ways, methods and forms of communication, the areas of responsibility of stakeholders. Moreover, agricultural holdings actively cooperate with local communities, processing their complaints in accordance with the established interaction mechanisms.

The internal practice of CSR is focused on developing norms and standards of moral behaviour with stakeholders in order to maximize economic and social goals. Economic goals are aimed not only at making a profit, but also at minimizing costs due to the potential risks of corruption, fraud, conflict of interest. These risks can cause significant damage to the company and loss of reputation on the part of partners and suppliers. Therefore, within the framework of CSR, corporations implement plans for interaction with suppliers, partners, and shareholders, determine the frequency of communications and accountability. Cooperation has become one of the important elements of social responsibility, which provides added value to business and the value of corporate activities.

Conclusions

The system of corporate social responsibility of modern TNCs is clearly regulated by internal documents defining the list of interested parties and stakeholders, their areas of responsibility, which greatly simplifies the processes of cooperation and responsibility. The need for the functioning of agricultural holdings in the world markets, which are characterized by differences in the institutional environment, necessitates the introduction of uniform rules, principles of corporate governance, social responsibility and ethical standards. As a result, corporations form their own internal institutional environment. Ethical norms help to avoid risks of opportunistic behaviour of the staff, conflicts of interest, cases of bribery, corruption, fraud. Agricultural holdings form and disseminate internal norms, rules, business standards to the external environment when interacting with stakeholders in accordance with sustainable development strategies. Reorganization of the management system (organizational structure, in particular) is one of the areas of CSR implementation, which contributes to a clear definition of areas of responsibility within the framework of interaction plans and corporate development programs.

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Legality of restrictions on human rights and freedoms in a Covid-19 Pandemic: The experience of Ukraine

ПРАВОМІРНІСТЬ ОБМЕЖЕНЬ ПРАВ І СВОБОД ЛЮДИНИ У ПЕРІОД ПАНДЕМІЇ COVID-19: ДОСВІД УКРАЇНИ

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Abstract

The purpose of the study is to examine the content of the right to health during the COVID-19 pandemic. The study focused on the legitimacy of restrictions on constitutional rights and freedoms due to mandatory vaccination and other restricition measures in Ukraine. Diversified views of scholars on this issue were established, the legislative basis for establishing restrictions on constitutional rights and freedoms of citizens was determined, and the method of normative establishment of such restrictions during the COVID-19 pandemic adopted by the Government of Ukraine was criticized. The legal positions of the European Court of Human Rights, the Constitutional Court of Ukraine and the Supreme Court of Ukraine on the legality of compulsory vaccination during a pandemic and restrictions on the constitutional rights and freedoms of citizens are presented. To achieve the goal of the research, general scientific research methods were used, such as: analysis,

Анотація

Мета дослідження – дослідити зміст права на здоров'я під час пандемії COVID-19. Дослідження зосереджувалося на правомірності обмежень конституційних прав і свобод через обов'язкову вакцинацію та інші заходи обмеження в Україні. Встановлено різноманітні погляди науковців на це питання, визначено законодавчу базу для встановлення обмежень конституційних прав і свобод громадян, піддано критиці прийняту Урядом України методику нормативного встановлення таких обмежень під час пандемії COVID-19. Викладено правові позиції Європейського суду з прав людини, Конституційного Суду України та Верховного Суду України щодо правомірності обов'язкової вакцинації під час пандемії та інших обмежень конституційних прав і свобод громадян. Для досягнення мети дослідження були використані загальнонаукові методи дослідження, такі як: аналіз, синтез, моделювання та абстрагування. За допомогою цих методів визначено складові елементи права особи на охорону здоров'я,

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synthesis, modeling and abstraction. These methods were used to determine the constituent elements of a person's right to health care, to determine their relationship, to give specific examples of solving the problem of vaccination, to draw conclusions on the legality of vaccination and to limit certain constitutional rights of citizens.

Key words: rights to health, the COVID-19 pandemic, compulsory vaccination, restrictions on constitutional rights and freedoms, rights of arrested persons.

визначено їх взаємозв'язок, наведено конкретні приклади вирішення проблеми вакцинації, зроблено висновки щодо правомірності вакцинації та обмеження окремих конституційних прав громадян.

Ключові слова: право на здоров'я, пандемія COVID-19, обов'язкова вакцинація, обмеження конституційних прав і свобод, права заарештованих.

Introduction

The rapid spread of the acute respiratory disease COVID-19 caused by the coronavirus SARS-CoV-2 in the modern world has caused a major health problem. Governments, looking for ways to stop its spread and reduce morbidity and mortality among the population, usually resort to measures to limit contact between citizens: bans or restrictions on mass events (cultural, educational, sports, social), establishing a rule on keeping a distance (1.5-2 meters) during individual contacts among citizens, setting restrictions on the number of people visiting public catering and trade establishments, service establishments, etc., public transport, establishing mandatory vaccination for citizens - representatives certain professions, mandatory wearing of protective masks and others. From the point of view of legal theory, these measures, on the one hand, are aimed at ensuring the right to health of citizens, and on the other hand, lead to a significant restriction of other constitutional rights of citizens. This raises the legitimate question of the possibility of restricting one right in order to secure another right. The search for an answer to this question was aimed at a study on the example of Ukraine.

The article considers the concept of the right to health care and its place in the system of fundamental human rights and freedoms. It is stated that the human right to health care belongs to social rights. It is normatively enshrined in Article 49 of the Constitution of Ukraine. This right corresponds to the obligation of the state to develop, finance and actually implement programs to protect the population from infectious diseases. It is stated that the Cabinet of Ministers of Ukraine and the Ministry of Health of Ukraine adopted a number of decisions that are normative, ie mandatory, and which are aimed at overcoming the COVID-19 pandemic. According to their content, the envisaged restrictions significantly narrow the scope of some constitutional rights and freedoms of citizens. In particular, such as: the right to personal integrity, freedom of movement, the right to work and education. According to the results of the analysis of well-known scientific research on this issue, international legislation and case law, the general legitimacy of establishing at the legislative level limited rights and freedoms of citizens to combat the pandemic of coronavirus infection.

Further on the text of the article it was stated, that restrictions on human rights and freedoms may be established only by the Constitution and laws of Ukraine, and not by by-laws. the Government Resolution, which imposes a number of restrictions on the exercise of constitutional human rights and freedoms, is a bylaw. Having resolved by a by-law the issue referred by the Constitution of Ukraine to the sphere of exclusive legislative regulation, the Cabinet of Ministers of Ukraine took over the powers of the Verkhovna Rada of Ukraine as the sole legislative body. Thus, the Government of Ukraine issued the Resolution of the Cabinet of Ministers of Ukraine "On Quarantine and Restrictive Anti-Epidemic Measures to Prevent the Spread of Acute Respiratory Disease COVID-19 Caused by SARS-CoV-2 Coronavirus" (Law № 1236, 2020) such a method of decision-making in the field of human rights, which is incompatible with the Constitution of Ukraine, as it violates the principle of separation of powers provided for in the second part of Article 6, Article 75, paragraph 3 of the first part of Article 85, paragraph 1 of the first part of Article 92 of the Constitution (Law № 254к/96-ВР, 1996).

As a result, the authors concluded that the establishment of mandatory vaccination for certain categories of professions and the establishment of appropriate restrictions on the exercise of their rights, or rather changes in the conditions for the exercise of their rights, is legitimate. However, the issue of establishing restrictions on the constitutional rights and freedoms of citizens at the level of bylaws: acts of the Government and the Ministry of Health remains controversial. In a democratic society, such restrictions should be determined at the level of law - an act of Parliament.

Theoretical framework and Literature Review

The theoretical basis for studying the essence of the right to health care in the system of other basic human rights was determined by such scientists as: M.V. Tsvik, O.V. Petryshyn, L.V. Avramenko in the scientific work "General Theory of State and Law" (Tsvik et al, 2009), O.F. Skakun "Theory of Law and State" (Skakun, O., 2009). Normative and legal regulation at the national and international level has been studied by such scholars as: V. Ya. Tatsiy in the work “Constitution of Ukraine. Scientific and practical commentary” (Tatsiy et al, 2011). In Ukraine, this issue was considered at international scientific conferences by such persons as V.F. Moskalenko, T.S. Guzeva, G.V. Inshakova "Regulation of the right to health care in international regulations" (Moskalenko et al, 2008). Also the issue of restriction of individual rights from the point of view of medical law was considered by S.G. Stetsenko in the monograph "Medical Law of Ukraine" (Stetsenko et al, 2008). It should be noted that the problems of restriction of human rights and freedoms have often been the subject of research by foreign scientists. These include: Ensuring Rights while Protecting Health: The Importance of Using a Human Rights Approach in Implementing Public Health Responses to COVID-19 (Zweig et al, 2021), One Health, COVID-19, and a Right to Health for Human and Nonhuman Animals (Bernotas and others, 2021), Is Mandatory Vaccination for COVID-19 Constitutional under Brazilian Law? (Wang et al, 2021), Fault Lines of Refugee Exclusion: Statelessness, Gender, and COVID-19 in South Asia (Chakraborty & Bhabha, 2021).

The main feature of the rule of law and civil society is not only the objective existence of human and civil rights and freedoms, but also their real provision by the state. Establishing measures of possible behavior, the order of their implementation, guaranteeing their existence is the main purpose of the state. In this case, the rules of conduct are established in the relevant regulations: the Constitution, laws, bylaws.

One of the general provisions of the constitutional order of society and the state is that a person, his life and health, honor and dignity, inviolability and security are recognized as the highest social value. The rights, freedoms and responsibilities of man and citizen are integral elements of the legal essence of man, which is manifested in his relations with other people, social and political institutions, the state. Human rights express and guarantee a certain degree (norm) of freedom and responsibility, which is formal, as it should not depend on other characteristics - race, skin color, gender, political, religious and other preferences. At the same time, human rights have their own meaning - freedom, which is recognized as an important asset for the harmonious development of both the individual and society. (Tsvik et al, 2009)

Over time, a certain classification of human rights and freedoms has emerged in the legal literature. Physical rights and freedoms include the right to life, liberty and security of person, the environment safe for life and health, health care and medical care, and a sufficient standard of living for oneself and family.

The category of personal rights and freedoms includes the right to free development of one's personality, respect for dignity, freedom of thought and speech, worldview and religion, freedom of movement and choice of residence.

Political rights and freedoms of man and citizen should include the right to citizenship, freedom of association in political parties, the right to assemble peacefully without weapons and to hold rallies, marches and demonstrations, to participate in public affairs, in referendums, to freely elect and be elected to public authorities and local governments, equal access to public service.

Humanitarian rights and human freedoms are the right to education, to enjoy the achievements of culture and art, freedom of creativity, copyright.

The Constitution of Ukraine includes the right to social security, pensions and other types of social benefits and allowances, and the right to housing. (Tsvik et al, 2009)

Economic rights and freedoms - the ability (freedom) of man and citizen to own, use and dispose of consumer goods and the main factors of economic activity: property (property rights) and their labor force (the right to choose the type of occupation), and therefore use it independently or under an employment contract (right to work), as well as to show entrepreneurship and initiative in the realization of their abilities, respectively, the acquisition of means of subsistence, participating in the production of material and other goods (freedom of enterprise). (Skakun, 2009).

The human right to health is one of the social rights of individuals. The meaning of the right to health is not always as clear as the term "health". In the literature on human rights and health laws, the expressions "right to health", "right to health care" are most common. Various authors have not yet been able to reach a consensus on which term should be considered the most successful. At the international level, the term "right to health" has become quite widespread, which, in our opinion, is most in line with the concept. The term "right to health" more fully reveals the essence of international human rights agreements and helps to realize that this category includes not only the right to health care, but also the right to a number of conditions, including socio-economic, without which health is impossible. However, in recent decades, the concept of the "right to health" has become more common in international and national law. (Moskalenko, Guzeva & Inshakova, 2008).

Legal regulation of human health exists as long as law exists. There are two levels of protection: the health of the nation and the health of the individual. The nation's health care is an older form of health care legal protection. It is known that in the Middle Ages there were legal norms that established various forms of prohibitions in order to protect collective health. In particular, restrictions on freedom of movement during epidemics were used as a control over infectious diseases. Reduction of harmful effects on health, prevention of diseases due to changes in human behavior confirmed the importance of these norms. Because health education has not always been an effective means of instilling behavior, it is the law that has been used as the most effective method of enforcing health standards. Thus, such a preventive means of health care as the restriction of human rights has come into modern law from the past.

The individual right to health care at the international level began to be established in the middle of the twentieth century. The individual's right to health care, on the one hand, provides opportunities for individuals in this area of public relations, and on the other hand, creates obligations for the state, which are generally manifested in providing it with effective means of health care for each individual. At the same time, the multifaceted implementation of the right to health care, the variety of conditions that affect human health, differences in socio-economic development of states and models of health care system hinder the creation of a single concept of human rights to realize their potential health care. (Moskalenko, Guzeva & Inshakova, 2008)

Methodology

The following general scientific methods were used in this study: hypothetical-deductive method, analysis, induction.

The hypothetical-deductive method provided an opportunity to create a system of deductively related hypotheses, from which ultimately derived allegations of empirical facts, namely by examining the legal basis of vaccination and court conclusions on the rights of persons who may be violated in connection with conducting this procedure, a statement was made about the legality of these measures.

The analysis helped in the division, the problems of legality of the vaccination procedure, the constituent components that were analyzed and as a result, a legal assumption was made about the legality of these actions.

Induction is a logical approach to research that summarizes the results of observations and experiments and the movement of thought from individual to general, which consisted of research from individual components of the right to health and vaccination procedures to conclude the legality of this policy.

The following specific scientific methods of jurisprudence were used in this study: special-legal method, theoretical-legal method. Using a special legal method, a description of the phenomena of state and legal reality was made using legal terminology, namely the medical procedure of vaccination through the right to health care; highlights the activities of social actors in terms of legal models of behavior, from the standpoint of legal or illegal, mandatory or possible, namely analyzed the introduction of vaccination by the authorities on the legality of the decision and its Constitution of Ukraine, laws of Ukraine and human rights.

Results and discussion

In Ukraine, the right to health care is enshrined in Article 49 of the Constitution: “Everyone has the right to health care, medical assistance and medical insurance. Health care is provided by state funding of relevant socio-economic, health and health prevention programs. The state creates conditions for effective and accessible medical care for all citizens. In state and municipal health care facilities, medical care is provided free of charge; the existing network of such institutions cannot be reduced. The state promotes the development of medical institutions of all forms of ownership. The state takes care of the development of physical culture and sports, ensures sanitary and epidemiological well-being". (Law № 254к/96-ВР, 1996). Proclaimed a legal norm aimed at providing a person and a citizen with the opportunity to receive medical care; state assistance in public health; guarantee of health insurance.

The implementation of this legal rule is manifested, inter alia, through the development, funding and actual implementation of programs aimed at protecting the population from infectious diseases COVID-19. Public health policy in this direction is also a means of realizing the right of citizens to health care. After all, the state is a social phenomenon created to ensure the interests of its inhabitants, so the implementation of this right is entrusted to the state in the face of its bodies.

During 2020-2021, the Cabinet of Ministers of Ukraine and the Ministry of Health of Ukraine adopted a number of decisions that are normative, ie mandatory, and which are aimed at overcoming the COVID-19 pandemic. According to their content, the envisaged restrictions significantly narrow the scope of some constitutional rights and freedoms of citizens. In particular, such as: the right to personal integrity, freedom of movement, the right to work and education.

On December 9, 2020, the Cabinet of Ministers of Ukraine adopted a resolution "On the establishment of quarantine and the introduction of restrictive anti-epidemic measures to prevent the spread of acute respiratory disease COVID-19 caused by coronavirus SARS-CoV-2" (Law № 1236, 2020), which provides a set of mandatory measures for the population of the country, which in its content also limits the set of constitutional rights of individuals. Depending on the epidemic situation on the territory of the state, a “green”, “yellow”, “orange” or “red” level of epidemic danger of the spread of COVID-19 is established. Moreover, each subsequent level provides for more significant restrictions on the rights and freedoms of citizens compared to the previous one. For example, in the regions where the "red" level of epidemic danger is established, the Government prohibits:

1) reception of visitors by business entities engaged in the field of public catering (bars, restaurants, cafes, etc.), in shopping and entertainment centers, in the field of trade and consumer services, cultural institutions, sports facilities (except for certain exceptions);
2) holding all mass (cultural, sports, entertainment, social, religious, advertising, scientific, educational, professional, thematic and other) events, except for official sports events;
3) the activities of markets other than food;
4) visits to educational institutions by applicants for education, except for preschoolers, students of special educational institutions and grades 1-4 of general secondary education (except for certain exceptions);
5) carrying out regular and irregular transportation of passengers by road and rail within the respective regions, except for transit traffic and private travel;
6) carrying out of planned hospitalization measures by state and municipal health care institutions, except for carrying out urgent and urgent hospitalization measures, if as a result of their transfer (postponement) there is a significant risk to human life or health;
7) stay without wearing personal protective equipment, including respirators or protective masks in public areas, etc.

Restrictions on detainees are more burdensome. In particular, there is a general ban on visiting detention centers by associations of citizens, representatives of charitable organizations, visits to detainees except for law enforcement officers, courts, representatives of embassies and consulates of relevant states, employees of the Office of the United Nations High Commissioner to the United Nations. refugees, lawyers, and relatives, provided they have completed a full course of vaccination or a confirmed negative COVID-19 test. (Law № 1236, 2020). Restrictions imposed during the quarantine do not allow to fully apply measures to respond to crimes. There are difficulties in conducting any investigative (search) and procedural actions that involve contact with the suspect and other participants in criminal proceedings, difficulties in detaining a person and his stay in temporary detention facilities until a court decision, etc.

The possibility of restricting fundamental human rights and freedoms by the state is provided for in most international legal acts regulating human rights and fundamental freedoms. Each agreement defines the limits of possible restrictions and an exhaustive list of grounds for them, as well as establishes a number of rights that under any circumstances can not be limited. For example, Art. 29 of the Universal Declaration of Human Rights contains the formulation of permanent restrictions necessary for the existence of society, but such that may be imposed by the state "to meet the just demands of morality, public order and general welfare" (Law. Universal Declaration of Human Rights, 1948). In Art. 10 of the European Convention on Human Rights contains a similar basis "in the interests of national security and territorial integrity", etc. (Law. Convention for the Protection of Human Rights and Fundamental Freedoms, 1950).

Such restrictions may be imposed only by law and to the extent prescribed by law. In our opinion, considering the problem of restriction of human rights, it is necessary to distinguish two concepts: the first - direct restriction of rights (as deprivation of owners of rights or part of a right), second - restrictions on the exercise of rights (as full or partial realization impossibility of certain rights). The second approach to understanding restrictions assumes that all rights in full remain with the person - the holder of rights, and only the possibility of their realization ceases. This type of restriction can be voluntary (when a person waives the right, for example, in private prosecution cases), or forced - applied depending on external, mostly unpredictable, circumstances. The principle of human rights is based on the idea that people in any case have the right and opportunity to choose a certain way of life. (Donelli, 2004).

The Constitution of Ukraine contains both concepts related to the restriction of rights. In particular, Part 2 of Art. 64 declares that in conditions of martial law or state of emergency, certain restrictions on rights and freedoms may be imposed, indicating the duration of these restrictions. At the same time, some articles concerning certain rights contain conditions for restricting their exercise. For example, Part 3 of Art. 34 (the right to freedom of thought and speech, the freedom to express one's views and beliefs, the right to freely collect, store, use and disseminate information) provides that the exercise of these rights may be restricted by law in the interests of national security, territorial integrity or public order, to prevent riots or crimes, to protect public health, to protect the reputation or rights of others, to prevent the disclosure of confidential information, or to maintain the authority and impartiality of justice. In Part 2 of Art. 35 (right to freedom of thought and religion) stipulates that the exercise of this right may be restricted by law only in the interests of protection of public order, health and morals of the population or protection of the rights and freedoms of others. Part 2 of Art. 39 (the right to assemble peacefully, unarmed and to hold rallies, marches and demonstrations), which states that restrictions on the exercise of this right may be imposed by a court in accordance with law and only in the interests of national security and public order to prevent riots or crimes, to protect the health of the population or to protect the rights and freedoms of others (Law № 254к/96-ВР, 1996.).

It seems that it is more accurate to formulate these restrictions as restrictions on the exercise (or realization) of rights, because even in martial law or state of emergency is not a temporary deprivation of citizens of certain rights, and temporarily makes it impossible to use them in full. The Constitutional Court of Ukraine has made an important step in protecting the constitutional rights and freedoms of man and citizen from arbitrary restrictions, determining that the restriction of constitutional rights and freedoms must have a legitimate aim; be conditioned by the public need to achieve this goal, proportionate and reasonable; in case of restriction of the right the legislator is obliged to introduce such legal regulation which will give the chance to achieve optimally the legitimate purpose with the minimum interference in realization of the corresponding right, and not to break its essential maintenance. (Judgment of the Constitutional Court of Ukraine № 3-рп / 2015, 2015).

Consider in more detail the legal mechanism for restricting the right to personal integrity. This natural human right is limited by compulsory vaccination for workers in certain occupations. Thus, the Ministry of Health of Ukraine issued an order dated 04.10.2021 № 2153 "On approval of the List of professions, industries and organizations whose employees are subject to mandatory preventive vaccinations". Compulsory preventive vaccinations against acute respiratory disease COVID-19 are subject to employees of central and local executive bodies, educational institutions and research institutions, regardless of type and form of ownership. (Law № 2153, 2021).

The question arises whether the norms of the Constitution of Ukraine are violated due to the relevant state policy. After all, according to Article 43, everyone has the right to work, which includes the opportunity to earn a living by work, which he freely chooses or freely agrees to. The state creates conditions for the full exercise of citizens' right to work, guarantees equal opportunities in choosing a profession and type of employment. Article 24 of the Constitution of Ukraine also states that citizens have equal constitutional rights and freedoms and are equal before the law (Law № 254к/96-ВР, 1996).

There is a question not only of forcing vaccination, which at first glance does not correspond to the concept of "the right to health care", but also of violating the equality of citizens before the law by giving preference to vaccinated persons. For example, this is the case when non-vaccinated persons are not allowed to enter public places or are admitted only if they have certificates of prior testing for the absence of COVID-19.

We will remind that the right is a measure of possible behavior which order of realization is established by the law. There are such forms of realization of the right as observance, execution and use. Use is a form of realization of the subjective right at which implementation of authorizing norms of the right is carried out.

The use of a right differs from the two previous forms in that the person is given the right to decide whether to exercise the right or not. But in any case, if a person wishes, this rule will be implemented. For example, in accordance with Part 1 of Art. 35 of the Constitution of Ukraine, everyone has the right to freedom of thought and religion. Usually the use involves active behavior. (Gusareva & Tikhomirova, 2017)

Permit norms (the right to health care is a permissive norm) are implemented in the form of use. Their implementation is envisaged according to the person's own will. Forcing a person to exercise his right contradicts the general legal provisions. This norm is also contained in a normative legal act that has a higher legal force (the Constitution of Ukraine) than the order of the Ministry of Health. Based on this, it can be assumed that forcing vaccination is, at first glance, illegal and unconstitutional. However, if the right to health care is considered in an objective sense, the restrictions in society that may be imposed by the state to prevent the spread of an infectious disease may be legitimate. After all, the relevant restrictive measures are taken for public necessity. This category is contained in the Law of Ukraine "On Alienation of Land Plots and Other Real Estate Objects Located on Them, which are in Private Ownership, for Public Needs or Public Necessity". According to paragraphs 5 and 6 of Article 1 of the Law, public necessity - due to national interests or the interests of the territorial community exclusive need to ensure the forced alienation of land and other real estate located on it, in the manner prescribed by law (Law № 1559-VI, 2021)

Thus, social necessity can be defined as due to the national interests or the interests of the territorial community the exclusive need to commit or refrain from teaching certain actions.

Given that the state represents the interests of the whole society living in its territory, and the territorial community represents the interests of persons living in the relevant administrative-territorial unit, we can assume that the public interest is in the interest of society as a whole. In case of restriction of certain rights and freedoms of individuals in the public interest, it is necessary to determine what is the right to health care in accordance with the provisions of national legislation of Ukraine.

According to Article 3 of the Law of Ukraine "Fundamentals of Ukrainian Legislation on Health Care", health care is a system of measures aimed at preserving and restoring physiological and psychological functions, optimal performance and social activity at the maximum biologically possible individual life expectancy. According to Article 6 of the Law, every citizen of Ukraine has the right to health care, which provides: the opportunity to have naturally necessary resources for subsistence (food, clothing, etc.), safe sanitary and epidemiological existence, safe for life and health working conditions, the right to receive medical care, to participate in the activities of government bodies in the field of state health policy, the right to protection and compensation for damage caused by illegal actions in the field of health care, etc. (Law № 2801-XII, 2021).

The International Covenant on Economic, Social and Cultural Rights of 19 October 1973 defines the right to health as the right of everyone to the highest attainable standard of physical and mental health. In order to exercise this right, the state has a duty to prevent and treat epidemic, endemic, occupational and other diseases and to control them. (Law A/RES/2200 A, 1973)

That is, based on these tasks of the state, it can be determined that coercive vaccination measures can be provided for in state policy. Vaccination is one way to prevent and treat epidemic diseases and control them.

Based on the legal regulation of public health, national legislation provides for the introduction of vaccination not because of possible behavior, but because of the necessary behavior. Article 10 of the Law of Ukraine "Fundamentals of the Legislation of Ukraine on Health Care", citizens of Ukraine are obliged to take care of their health and the health of children, not to harm the health of other citizens; in cases provided by law to undergo preventive medical examinations and vaccinations. Thus, vaccination is provided as a duty of citizens, which ensures the fulfillment of the duty to take care of their health, the health of children and other citizens.

Legislative consolidation of the obligation of citizens to vaccinate is also provided in parts 2 and 3 of the Law of Ukraine "On Protection of Infectious Diseases", according to which employees of certain professions, industries and organizations whose activities may infect these workers and (or) the spread of infectious diseases by them are subject to mandatory preventive vaccinations against infectious diseases. In case of refusal or evasion of obligatory preventive vaccinations in the order established by the law, these workers are suspended from performance of the specified types of works. The list of occupations, industries and organizations whose employees are subject to mandatory preventive vaccinations against other relevant infectious diseases is established by the central executive body, which ensures the formation of state policy in the field of health care.

In case of threat of occurrence of especially dangerous infectious disease or mass spread of dangerous infectious disease in the corresponding territories and objects obligatory preventive inoculations against this infectious disease according to epidemic indications can be carried out.. (Law № 1645-III, 2000).

Therefore, vaccination against infectious diseases is mandatory in cases provided by law. The possibility of dismissal in connection with the refusal to vaccinate is provided in Article 46 of the Labor Code of Ukraine: "dismissal of employees by the owner or his authorized body is allowed in the case of: refusal or evasion of obligatory medical examinations, training, instruction and testing of knowledge on labor protection and fire protection; in other cases provided by law ". (Law № 322-VIII, 1971).

According to the European Court of Human Rights, the freedom to consent to medical intervention is a principle of case law. (Judgment of the European Court of Human Rights in the case № 2346/02, 2002). In some cases, the court recognized compulsory vaccination as an unwanted medical intervention carried out without voluntary consent, which was an interference with the right to respect for private life, including the physical and psychological integrity of the individual (“Salvetti v. Italy”, “Matter v. Slovakia”) (Demchenko & Dubitskaya, 2017). However, in case “Solomakhin v. Ukraine”, the Court found that compulsory vaccination was required by law and had a legitimate aim, and found no evidence that the vaccination in question had harmed the applicant's health. (Judgment of the European Court of Human Rights № 24429/03, 2011).

The Constitutional Court of Ukraine in the case of the constitutional petition of the Supreme Court on the constitutionality of certain provisions of the resolution of the Cabinet of Ministers of Ukraine "On quarantine to prevent the spread of acute respiratory disease COVID-19 caused by coronavirus SARS-CoV-2" also supported the introduced quarantine restrictions. (Judgment of the Constitutional Court of Ukraine № 10-r / 2020, 2020)

In Ukraine, the question of the legitimacy of quarantine restrictions due to the inconsistency of their form with the Constitutional provisions remains controversial. The fact is that these restrictions on the essence of constitutional rights of citizens are set at the level of bylaws of the Government: Resolution of the Cabinet of Ministers of Ukraine "On quarantine and introduction of restrictive anti-epidemic measures to prevent the spread of acute respiratory disease, COVID-19 caused by coronavirus SARS-CoV-2 " (Law № 1236, 2020), Order of the Ministry of Health of Ukraine" On approval of the List of professions, industries and organizations whose employees are subject to mandatory preventive vaccination" (Law № 2153, 2021).

Restrictions on human rights and freedoms may be established only by the Constitution and laws of Ukraine, and not by by-laws. The supremacy of the Constitution of Ukraine does not make sense if its principles and norms that guarantee human rights and freedoms are grossly violated.

Thus, in particular, from the provision of paragraph 1 of the first part of Article 92 of the Constitution of Ukraine, which provides that only the laws of Ukraine determine "human and civil rights and freedoms, guarantees of these rights and freedoms", it follows that the scope of these restrictions of Ukraine. In Ukraine, the only body of legislative power is the Parliament - the Verkhovna Rada of Ukraine, which in accordance with paragraph 3 of the first part of Article 85 of the Constitution of Ukraine adopts laws. It can be seen from the above that the Verkhovna Rada of Ukraine could not delegate the authority to adopt an act restricting the exercise of constitutional human rights and freedoms to any other body of state power. However, the Government Resolution, which imposes a number of restrictions on the exercise of constitutional human rights and freedoms, is a bylaw. Having resolved by a by-law the issue referred by the Constitution of Ukraine to the sphere of exclusive legislative regulation, the Cabinet of Ministers of Ukraine took over the powers of the Verkhovna Rada of Ukraine as the sole legislative body. Thus, the Government of Ukraine issued the Resolution of the Cabinet of Ministers of Ukraine "On Quarantine and Restrictive Anti-Epidemic Measures to Prevent the Spread of Acute Respiratory Disease COVID-19 Caused by SARS-CoV-2 Coronavirus" such a method of decision-making in the field of human rights, which is incompatible with the Constitution of Ukraine, as it violates the principle of separation of powers provided for in the second part of Article 6, Article 75, paragraph 3 of the first part of Article 85, paragraph 1 of the first part of Article 92 of the Constitution.

Conclusions

Thus, analyzing the legal basis for vaccination in Ukraine, it is clear that this is not a right of every person and citizen, but a duty. This obligation is directly regulated by the Law of Ukraine "On the Fundamentals of the Legislation of Ukraine on Health Care", which provides a general rule establishing the mandatory vaccination in cases provided by law. Another normative legal act regulates specific subjects and grounds on which vaccination can be carried out, this issue is regulated by the Law of Ukraine "On Protection of the Population from Infectious Diseases". Therefore, the establishment of mandatory vaccination for certain categories of professions and the establishment of appropriate restrictions on the exercise of their rights, or rather changes in the conditions for the exercise of their rights, is legitimate. However, the issue of establishing restrictions on the constitutional rights and freedoms of citizens at the level of bylaws: acts of the Government and the Ministry of Health remains controversial. In our opinion, in a democratic society, such restrictions should be determined at the level of law - an act of Parliament. Otherwise, the public thinks that such acts of the Government or ministries are illegitimate.

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Forecast-planning system of financial support for the development of industrial enterprises

Прогнозно-планова система фінансового забезпечення розвитку промислових підприємств

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Abstract

The aim of the article is to develop a forecast-planned system of financial support for enterprise development based on approaches to forecasting factors influencing the need for financial resources to ensure enterprise development and planning financial support for enterprise development. In order to ensure high-quality and accurate forecasting of external and internal environmental factors necessary for further planning and the possibility of sound planning, the system has formed forecasting and planning modules. Based on the structure of the forecasting module with the identification of key factors influencing the financial security of the enterprise and comparing the most effective forecasting methods, an approach to forecasting factors influencing the need for financial resources in ensuring the development of agricultural machinery. The forecasting module is built by combining quantitative forecasting methods based on the approximation of existing trends with quantitative and qualitative approaches based on expert assessments. Based on a combination of balance, calculation-analytical and program-target planning and formalization of the choice of the date of the

Аннотація

Тому метою статті є розробка прогнозно-планової системи фінансового забезпечення розвитку підприємства на основі підходів до прогнозування факторів, що впливають на потреби у фінансових ресурсах для забезпечення розвитку підприємства та планування фінансового забезпечення розвитку підприємства. Для забезпечення якісного та точного прогнозування необхідних для подальшого планування чинників зовнішнього та внутрішнього середовища та можливості обґрунтованого планування, в системі сформовано модулі прогнозування та планування. На основі структури модулю прогнозування з визначенням ключових факторів, що мають вплив на фінансове забезпечення підприємства та співставленні для них найбільш ефективних методів прогнозування, розроблено підхід щодо прогнозування факторів, що впливають на потреби у фінансових ресурсах при забезпеченні розвитку підприємства сільськогосподарського машинобудування. Модуль прогнозування побудовано за рахунок комбінування методів кількісного прогнозування на базі апроксимації наявних

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beginning of measures to manage financial security depending on the importance of the event, an approach to planning financial support for enterprise development. In the planning module, the external element in relation to the financial management system is the goal-setting system of the enterprise, which determines the mission and its goals in the areas of development. Approbation of the forecast-planning system at PJSC "Harvesters" was carried out. The results would be useful for practitioners, for the effective implementation of sustainable planning and forecasting of enterprise resources in accordance with the objectives of its development.

Keywords: planning, forecasting, system, financial support, enterprise development, resources, agricultural engineering.

трендів з кількісно-якісними підходами на основі експертних оцінок. На базі комбінування балансового, розрахунково-аналітичного та програмно-цільового планування та формалізації вибору дати початку заходів з управління фінансовим забезпеченням в залежності від важливості заходу, розроблено підхід щодо планування фінансового забезпечення розвитку підприємства. В модулі планування зовнішнім елементом по відношенню до системи управління фінансовим забезпеченням є система цілепокладання підприємства в якій визначаються місія та його цілі за напрямами розвитку. Проведено апробацію прогнозно-планової системи на ПрАТ «Харвестери». Результати були б корисними для практиків, для ефективного впровадження систем сталого планування та прогнозування ресурсів підприємства у відповідності цілям його розвитку.

Ключові слова: планування, прогнозування, система, фінансове забезпечення, розвиток підприємство, ресурси, сільськогосподарське машинобудування.

Introduction

The first stage of managing the financial security of the enterprise is to assess the prospects for further development by forecasting and building development plans based on them. A feature of agricultural machinery enterprises is the close relationship with the agricultural sector, which is the main consumer of specialized engineering products. The development of agriculture in Ukraine, due to both land reform and the growth of world demand for food, determines the importance of forecasting the domestic market of agricultural machinery. At the same time, the development of agriculture in third world countries, for which the price factor of agricultural machinery is important, necessitates forecasting foreign markets in order to expand domestic machine-building enterprises. All these global forecasts in terms of financial management of agricultural machinery eventually turn into forecasts of the need for financial resources for any industrial enterprise.

The aim of the article is to develop a forecast-planned system of financial support for enterprise development based on approaches to forecasting factors that affect the needs for financial resources in ensuring enterprise development and planning financial support for enterprise development.

The problem is proposed to be solved by a combination of quantitative forecasting methods based on the approximation of existing trends with quantitative and qualitative approaches based on expert assessments.

In the forecasting modules of the forecast-planned management system of financial support of the agricultural machinery enterprise it is offered to carry out forecasting on three groups of forecasts:

forecasting the factors influencing the demand for agricultural machinery and equipment;
forecasting factors that affect the cost of financial resources;
forecasting the factors influencing the needs of the agricultural machinery enterprise in financial resources.

Forecasting of factors influencing the needs of agricultural machinery in financial resources consists of forecasting the labor market and markets of raw materials, as well as assessing scenarios of equipment upgrades, scenarios of technology improvement, estimating the cost of reengineering business processes, estimating the cost of staff training. Forecasting of labor markets, materials, raw materials, et al. is proposed to be carried out using classical extrapolation models and methods of cyclical research to identify the impact of long economic waves. It is also advisable to use correlation-regression analysis to establish relationships between market development indicators and their impact on the performance of the machine-building enterprise.

In turn, the evaluation of scenarios of equipment modernization, costs of business process reengineering, staff training costs is proposed to be carried out through expert methods through interviews, ie surveys of internal experts and external contractors who provide relevant services. Evaluations of technology improvement scenarios should be carried out using a set of technology forecasting methods (forecasting by analogy, growth curves, component forecasts).

All these global forecasts in terms of financial management of agricultural machinery eventually turn into forecasts of the need for financial resources for any industrial enterprise.

Based on the analysis of existing concepts on approaches to forecasting and planning of financial support of enterprise development (section "Theoretical Framework or Literature Review", in the section "Methodology" the composition of forecasting and planning modules in the forecast-planning system of financial support of agricultural engineering development and their sequence The section is divided into two parts, in the first part based on the structure of the forecasting module with the identification of key factors that affect the financial security of the enterprise and comparing the most effective forecasting methods, developed an approach to forecasting factors affecting financial resource needs In the second, on the basis of a combination of balance, calculation-analytical and program-target planning and formalization of the choice of the start date of measures to manage financial security Depending on the importance of the event, an approach to planning financial support for enterprise development has been developed.

In the section "Results and discussion" the results of approbation of the forecast-planning system at PJSC "Harvesters" are presented.

Theoretical Framework or Literature Review

In the general sense, the issue of forecasting and planning of financial resources of enterprises is sufficiently developed, but not enough attention is paid to the development of methods for quantitative forecasting and justification of future needs of enterprises in financial resources.

The purpose of article Jianxiong Lin, (2021) is to provide a complex embedded system analysis of early warning systems and their development and use in a variety of environments, especially in the economic and financial fields. The aim of the article is to provide a comprehensive built-in system analysis of early warning systems and their development and use in various environments, especially in the economic and financial spheres.

Tarasova H et al., (2021) an approach to forecasting crisis phenomena in management, including taking into account risks, has been developed (TarasovaH et al., 2018).

Reshetnyak, T.V. (2016), Reshetnyak, Ivchenkova and Krykunenko (2017) proposed a system for forecasting the financial condition of the enterprise, which is based on establishing the dynamics of the liquidity ratio and using Markov processes to build trajectories for the financial condition of the enterprise. Without denying the prospects of this approach, it should be noted that the financial condition of the enterprise is a broader concept than just liquidity. In addition, the issue of impacts on the financial condition was left out, ie what financial resources and financial security are needed to overcome the negative trends.

Yuskevich Ilya et al., (2021) proposes a novel model-based approach to technology planning and roadmapping, consisting of two complementary steps: technology forecasting and game-theoretic planning. The inherent uncertainty of target technology performances, timelines and risks impact the roadmapping process. Reducing this uncertainty is a major challenge and allows elaborating different options and scenarios. This paper proposes a new approach to technological planning and roadmap based on a model consisting of two complementary steps: technological forecasting and planning with game theory. Internal uncertainty of technological targets, deadlines and risks affects the roadmap process. Reducing this uncertainty is a major challenge and allows different options and scenarios to be developed.

Features of enterprise planning are considered by Moskalenko, K.I. (2015, 2016) which proposed economic and mathematical models (Hroznyi et al., 2018) for forecasting demand and planning production volumes, as well as the main approaches to strategic planning, which can be used at the machine-building enterprise. It should be noted that the proposed forecasting models are based on different options for approximating the existing trend, ie do not take into account the possibility of changing the trend and the emergence of influential factors that did not exist before.

Abdoulmohammad Gholamzadeh Chofreh et al., (2020) the concept of sustainable enterprise resource planning systems is substantiated, and special attention is focused on the aspect of system implementation, namely on the proposal of the general plan, which can direct practitioners to the implementation of sustainable enterprise resource planning systems.

In a study by Feng Shen et al., (2020) takes into account two key characteristics of financial disaster data: unbalanced datasets and drift data flow concepts. This is made possible by the proposed DFDF approach and the adaptive approach of the SMOTE Recursive Neighborhood Ensemble (ANS-REA), which provides numerous forecast results from unbalanced data flows.

In the article Yin Yang, et al., (2021) investigated the mechanism of influence of the financial joint service regime on the competitive advantages of enterprises.

In the article Yubing Yu, et al., (2021) developed a conceptual model that captures the relationship between supply chain capital and financial performance of an enterprise.

Jeffrey Cheah research et al., (2019) created a basis for the study of the most significant external resources (ie financial and training support), which were mediated by official business planning, for the financial activities of enterprises.

Enterprise Resource Planning (ERP) has been a major advancement in production planning and control (PPC), building on material requirements planning (MRP) and manufacturing resource planning (MRP II) (Cornelis & Strandhagen, 2018; Syreyshchikova et al., 2020).

Johannes Cornelis de Man and Jan Ola Strandhagen (2018) describe cases where different decisions on capacity planning and production planning are supported by spreadsheets. At the same time, they do not have a continuation in the form of research in the economic and managerial sphere, ie the development of measures to target the development of enterprises, assess the necessary resources, including financial, forecasting other components that affect development, other than operational needs enterprises.

M. Damaskin (2014) proposed to carry out financial planning at the machine-building enterprise with division into three types of budgets - operating (production budget), investment (fixed assets budget) and financial (working capital budget). Moreover, the formation of all these budgets should be carried out with the optimization of the target function of the final financial results and with restrictions on the level of financial stability. It should be noted that the developed model of optimization of financial plans focuses on the operating budget. In addition, although it was stated that financial planning was based on the strategic plan of enterprise development, this was not reflected in the target function.

In the study of G.G. Mikhalchenko (2015) considered the features of strategic planning, including financial, for machine-building enterprises, and proposed to implement it on the basis of SWOT-analysis. This determines the probability and importance of events that affect the plans of the machine-building enterprise, as well as builds a matrix with the strengths and weaknesses of the enterprise and opportunities and threats in terms of financial stabilization. It is argued that financial development should be based on indicators such as product profitability, profit sharing policy, financing policy and asset formation. It should be noted that in the aspect of financial management of agricultural machinery development this approach cannot be used due to the lack of consideration of domestic enterprises producing agricultural products, as well as the lack of connection of financial development indicators with overall development and justification of needs. financial security depending on environmental factors.

To effectively implement the sustainable development initiative, organizations need to integrate data, information and processes from all sustainable business functions into a consolidated database. This process of integration Abdoulmohammad Gholamzadeh Chofrehet al. (2018a) propose to implement the Sustainable Resource Planning System (S-ERP), which allows practitioners to centralize all sustainable business activities of the organization into a single system so that they can monitor their sustainability.

In the study by Abdoulmohammad Gholamzadeh Chofrehet al., (2018b) proposes an assessment of the structure of S-ERP using peer review methods.

Karachyna, N.P., Grebenyok, I.V., Lazarchuk, O.V. (2014) studied the development trends of agricultural engineering in Ukraine, identified external competitors in the field of agricultural engineering, identified the main problems of the industry and developed conclusions on the growth of demand for domestic agricultural enterprises mechanical engineering under the condition of realization of the state investment projects. At the same time, the conclusions are general, without specifying in the form of quantitative values of indicators that affect the development of machine-building enterprises and without developing the necessary methodological support for regular forecasting of prospects for agricultural machinery.

G.V, Klymyk (2014) analyzed the development trends of agricultural machinery in terms of foreign economic activity, arguing that the main obstacles to the development of machine-building enterprises producing agricultural products are lack of investment, high depreciation of fixed assets, use of obsolete equipment and technologies, high cost of credit resources. As a result, domestic enterprises have insufficient competitiveness, non-compliance with international quality standards, have an insufficient range of products. In general, the conclusions about the low profitability and high cost of attracting financial resources for modernization of production confirm the importance of financial management. But further conclusions and developments on methods of financial management of agricultural machinery in modern conditions are not given.

Also, the study of trends in Ukrainian agricultural engineering in terms of integration into world markets was carried out in the work of S.O, Mashchenko and O.V, Ivanyuk (2018). It is concluded that domestic demand for agricultural machinery products is met by imports of Western machinery, both new and used, and domestic enterprises mostly do not provide products of the required quality and with the characteristics required by domestic farmers. At the same time, the industry has prospects both within the country and in the export of its products. As in other studies, this does not pay attention to methods of forecasting the factors that affect the need for financial security for individual enterprises.

Thus, we can conclude that despite the popularity of planning in the industrial enterprise, there are no studies that would consider the features of forecasting and financial planning in the agricultural machinery industry and which would develop a system of methods to justify financial indicators needed for machine building development. enterprises. There are also no studies on the relationship between the planned financial indicators and the indicators of development of the industrial enterprise as a whole.

Methodology

Development of forecast-planned system of financial support for the development of agricultural machinery enterprises that would meet the following requirements:

to provide forecasting of the factors of internal and external environment influencing needs in financial resources of the enterprise of agricultural mechanical engineering;
to provide planning of expenses of the machine-building enterprise producing agricultural products on directions of development;
take into account the peculiarities of the transformation of technological systems and the development of the information economy;
based on formalized methods of forecasting and planning that allow to investigate the sequence and justification of management decisions.

When building a forecasting module in the forecast-planning system of financial support for the development of agricultural machinery enterprises it is necessary to combine methods of quantitative forecasting based on approximation of existing trends with quantitative-qualitative approaches based on expert assessments. This is due to the peculiarities of the subject area, because not all indicators that need forecasting have a sufficient statistical base, and there are indicators that are irregular and dependent on poorly formalized phenomena and processes. Therefore, these indicators can only be analyzed using a sufficient pool of expert assessments are shown in Figure 1.

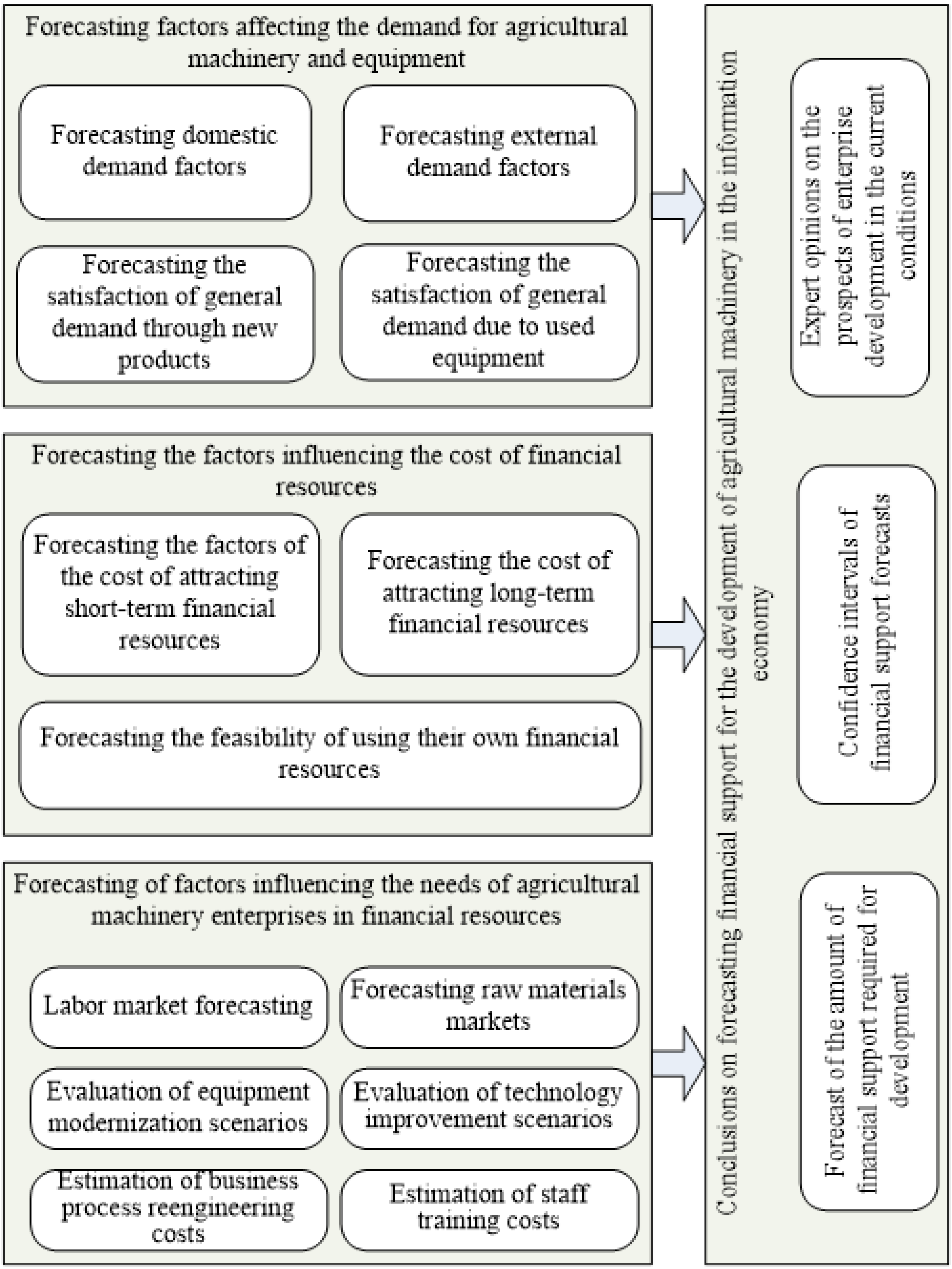

Figure 1. Forecasting module in the forecast-planning system of financial support of agricultural machinery enterprises.

In general, the forecasting module of the forecast-planned financial management system of the agricultural machinery enterprise proposes to make forecasts for three groups of forecasts:

forecasting the factors influencing the demand for agricultural machinery and equipment;
forecasting factors that affect the cost of financial resources;
forecasting the factors influencing the needs of the agricultural machinery enterprise in financial resources.

The result of processing these groups of forecasts is the conclusions on the forecasting of financial support for the development of agricultural machinery.

In turn, forecasting the factors influencing the demand for agricultural machinery and equipment includes forecasting the factors of internal and external demand and forecasting the satisfaction of aggregate demand from new products or from used machinery and equipment. The main factors for forecasting are:

expected yields and world food prices, which directly affect the need and ability of agricultural enterprises to purchase machinery;
the quality of the company's products in comparison with the world's leading manufacturers, which is associated with the possibility of entering foreign markets;
profitability of agricultural producers and the hryvnia exchange rate, which affect the possibility of purchasing new modern equipment;
expected customs barriers and promising food crops that influence decisions to purchase used machinery (for example, almost half of grain harvesters sold in Ukraine are used, while for tractors this share is much lower).

For each group of factors it is advisable to use appropriate forecasting methods are shown in Table 1.

Table 1.
Methods of forecasting the demand for agricultural machinery products.

Directions of forecasting	Key factors	Forecasting methods
Internal demand	Yields, world food prices	Trend extrapolation models, correlation-regression analysis, seasonality research methods, external forecasts
External demand	The quality of the company's products in comparison with the world's leading manufacturers	Expert assessments through questionnaires
Satisfaction of demand at the expense of new products of agricultural engineering	Profitability of agricultural producers, hryvnia exchange rate	Trend extrapolation models, correlation-regression analysis
Satisfaction of demand due to used agricultural machinery	Customs barriers, promising food crops	Expert assessments using analytical notes

Source: own research

Forecasting the factors influencing the cost of attracting financial resources for manufacturers of agricultural machinery and equipment, as well as the cost of lending to consumers of such machinery consists of forecasting factors costing short-term financial resources, forecasting factors costing long-term financial resources, assessing the feasibility of own financial resources are shown in Table 2.

Table 2.
Methods of forecasting the cost of attracting financial resources.

Directions of forecasting	Key factors	Forecasting methods
The cost of short-term financial resources	Rates of short-term bank loans	Trend extrapolation models, correlation-regression analysis
Cost of attracting long-term financial resources	Rates of long-term bank loans, the cost of raising capital through the placement of securities	Trend extrapolation models, correlation-regression analysis
Expediency of using own financial resources	Bank deposit rates, profitability of financial instruments, primarily IGLBs	Expert assessments through questionnaires, expert assessments using analytical notes, financial flow models

Source: own research

Short-term resources that can attract Ukrainian machine-building enterprises for development are bank loans. This is a well-studied subject area, forecasting should be carried out using correlation and regression analysis to determine the impact of enterprise performance on the perception of banks' lending risks and extrapolation models to determine overall trends in the cost of attracting financial resources.

Forecasting long-term financial resources contains more uncertainties. These can be both bank loans and the placement of bonds by the company for borrowing in the financial markets.

Correlation-regression models in the latter case allow us to assess the interest of investors in the company's securities, whether they will be in demand and at what price they can be placed.

The expediency of using own financial resources is carried out with the forecasting of alternative directions, based on expert assessments of different types and modeling of financial flows of the enterprise to determine the dynamics of free own financial resources and possible ways to use them.

Forecasting the factors influencing the needs of agricultural machinery in financial resources consists of forecasting the labor market and markets for raw materials, as well as assessing scenarios of equipment upgrades, scenarios of technology improvement, estimating the cost of business process reengineering, estimating the cost of staff training are shown in Table 3.

Table 3.
Methods of forecasting the factors influencing the needs of agricultural machinery enterprises in financial resources

Directions of forecasting	Key factors	Forecasting methods
Labor market forecasting	Wage growth indices of qualified specialists in the field of mechanical engineering	Trend extrapolation models, correlation-regression analysis
Forecasting raw materials markets	Price indices for metal, fuel, electricity	Trend extrapolation models, correlation-regression analysis, cyclicity research methods
Evaluation of equipment modernization scenarios	Price indices for engineering products	Expert methods through interviews
Evaluation of technology improvement scenarios	The cost of patents for technologies and products	Methods of technology forecasting
Estimation of business process reengineering costs	Cost of consulting services	Expert methods through interviews
Estimation of staff training costs	Cost of educational courses, qualification indices of available staff	Expert methods through interviews

Source: own research

Forecasting of labor markets, materials, raw materials, et al. is proposed to be carried out using classical extrapolation models and methods of cyclical research to identify the impact of long economic waves. It is also advisable to use correlation-regression analysis to establish relationships between market development indicators and their impact on the performance of the machine-building enterprise.

In turn, the evaluation of scenarios of equipment modernization, costs of business process reengineering, staff training costs is proposed to be carried out through expert methods through interviews, ie surveys of internal experts and external contractors who provide relevant services. Evaluations of technology improvement scenarios should be carried out using a set of technology forecasting methods (forecasting by analogy, growth curves, component forecasts).

Thus, using the developed structure of the forecasting module in the forecast-planning system of financial support of agricultural machinery, based on identifying key factors that affect the financial security of the company and comparing the most effective forecasting methods, the company is able to provide quality and accurate forecasting of external and internal factors necessary for further planning.

The planning module forecast-planning system of financial support for the development of agricultural machinery enterprises solves problems related to planning costs in the areas of development and determining the necessary financial support are shown in Figure 2.

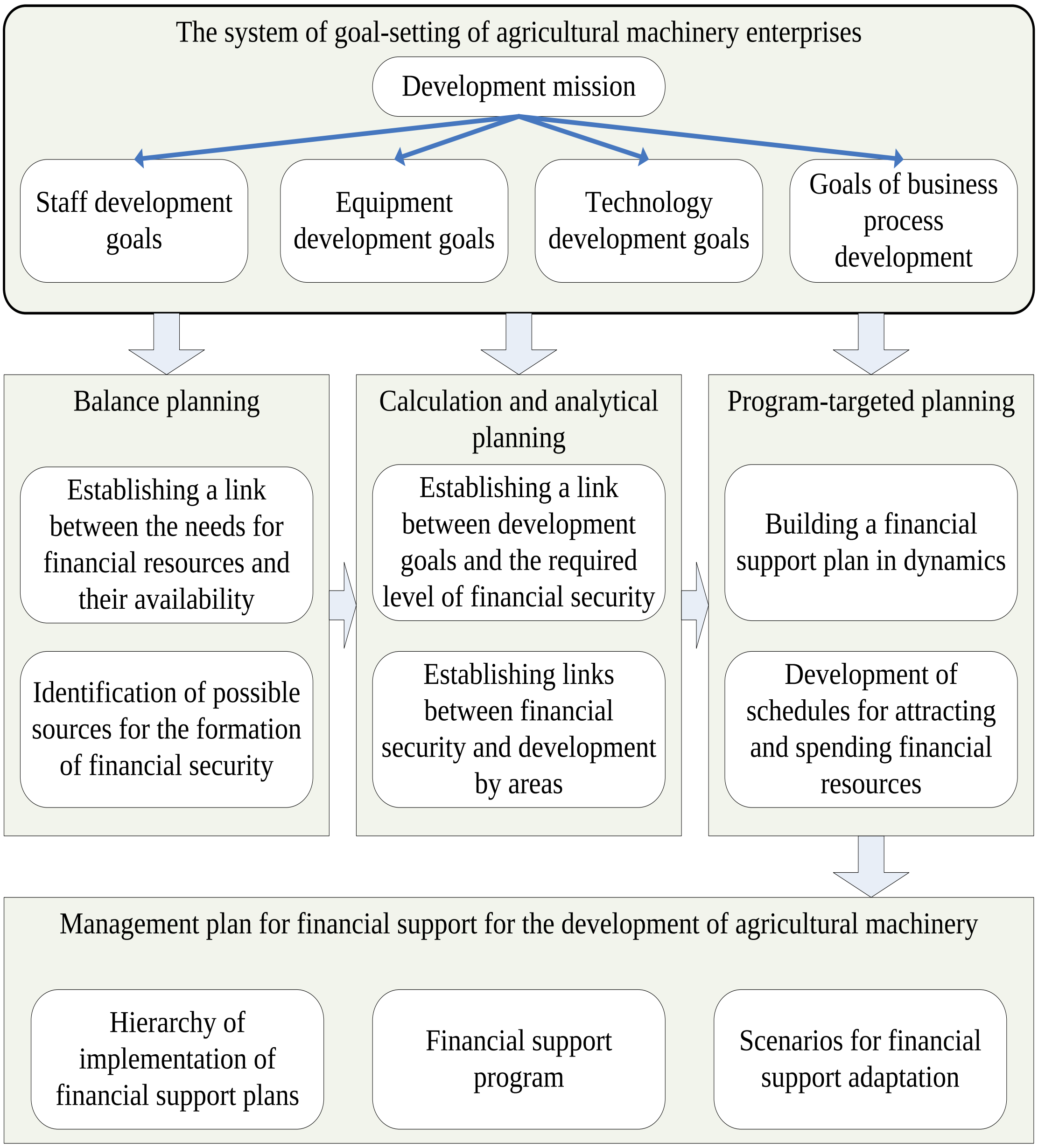

Figure 2. Planning module in the forecast-planning system of financial support management of agricultural machinery enterprises.

In this module, the external element in relation to the financial management system is the goal-setting system of the agricultural machinery enterprise, which determines the mission and goals of the enterprise in the areas of development. In terms of development of the enterprise of agricultural engineering and management of the necessary financial support, it is advisable to distinguish the following types of development:

development of business processes, including management business processes related to the collection of information necessary for the operation of the enterprise, with the introduction of domestic agricultural machinery to foreign markets, quality management, improving consumer performance and competitiveness;
development of equipment, which implies the renewal of fixed assets for the development of new products or improvement of traditional products of the enterprise;
development of technologies necessary for the functioning of the machine-building enterprise in modern conditions in compliance with modern requirements for product quality and environmental friendliness;
development of personnel who need to master the latest equipment and modern engineering technologies.

It is proposed to plan financial support using three approaches - balance sheet, calculation-analytical and program-target.

With the help of balance planning, the connection between the needs for financial resources and their availability is established, as well as the identification of possible sources for the formation of financial security. At the same time:

balance of production capacities, which reflects what capacities are available and which are necessary for the implementation of the production program to meet the expected demand for agricultural machinery and equipment;
balance of fixed assets, reflecting the depreciation, disposal and renewal of fixed assets of agricultural machinery;
cost balance, which reflects the creation of enterprise revenues by sources of income and distribution of costs by areas of development, which allows to assess the importance and payback of the areas of development of agricultural machinery;
Calculation and analytical planning is based on the analysis of the achieved values of the planned indicator and indices of its change in the planning period. This method is effective in cases where there are no clear technical and economic standards, so the connection should be established on indirect grounds, by factor analysis or expert evaluation. Therefore, it is expedient to use calculation and analytical planning to establish a link between development goals and the required level of financial support, as well as to calculate the strength of the links between financial support and development of the machine-building enterprise by areas.

A feature of program-target planning is the construction of a comprehensive program of action to achieve goals. At the same time, measures to manage financial security are determined, first of all, measures to attract financial resources and measures to direct resources to achieve the planned goals. This is the last stage of planning in the management of financial support of the agricultural machinery company, which is the construction of the financial support plan in the dynamics and the development of schedules for attracting and spending financial resources.

A task allocation model is proposed to determine the start date of the financial security management task. Each problem Z_k is characterized by the set:

$$Z_k(W_k, Z_k^E, R_k, D_k),$$

whereW_k – weight in the hierarchy of goals of the k-th task (the more important, the greater the weight);
Z_k^E – the set of tasks that must be completed before the k-th task;
R_k - change of financial resources when performing the k-th task (costs or involvement);
D_k– the start date of the k-th task.

The weight in the hierarchy of goals is determined depending on the direction of development to which the event relates and the mission of the enterprise. The objective function of the model is:

$$\sum_k W_k / D'_k \quad \longrightarrow max,$$
$$D'_k = D_k \ - D_0 \ , k = 1, \dots K,$$

whereD_0 – zero start date of the strategy for the development of agricultural machinery.

A task cannot start earlier than related tasks Z_k^E

$$D_k \ > D_k^e, e = 1, \dots E,$$

whereD_k^e –task start date Z_k^e from the setZ_k^E.

In each planning period, it is necessary that the income of resources was not less than their costs:

$$\sum_i R_i \ \geq 0, D^u < D_i \ < D^{u+1},$$

where R_i –change of resources due to the implementation of the i-th task, the start date of whichD_i is between the start and end dates of the u-th planning period.

Thus, using the developed structure of the planning module in the forecast-planning system of financial management of agricultural machinery, based on a combination of balance, calculation-analytical and program-target planning and formalization of the choice of start date for financial management depending on the importance of the event , an agricultural machine-building enterprise can carry out sound planning with maximization of compliance of financial support with the goals of enterprise development.

Results and Discussion

Practical approbation of the developed approaches was carried out at domestic agricultural machinery enterprises of PJSC "Berdyansk Harvesters".

The basis of the agricultural machinery market in Ukraine is occupied by tractors and combines with harvesters, the share of which in 2019 was 38% and 29%, respectively. All, such as seeders, livestock machinery, haymaking, tillage and fertilizers in total do not exceed 33%.

The goals of the general development of PJSC "Berdyansk Harvesters", set at the level of senior management, include the development of a new range of products, reducing costs and expanding markets. Currently, the main consumers of Berdyansk Harvesters are domestic enterprises. At the same time, there is a possible demand in the markets of Belarus and Kazakhstan, as well as the potential to enter the Turkish market. The cost of production of PJSC "Berdyansk Harvesters" depends on the prices of materials and components, 75% of the purchase of raw materials and supplies are purchases of rolled metal, the rest - components. The suppliers of components are mostly foreign companies, suppliers of rolled metal - domestic. But both for metal and for components, the purchase price depends on the hryvnia exchange rate. Therefore, when planning financial support, the hryvnia exchange rate is one of the main factors. In addition, it is advisable to forecast the discount rate of the NBU, which depends on the cost of lending to both agricultural producers and directly to agricultural machinery. Forecasts of the main indicators of environmental factors influencing the development of PJSC "Berdyansk Harvesters" are shown in Table. 4.

Table 4.
Forecasts of the main factors of the external environment influencing development of the enterprises of agricultural mechanical engineering.

Forecast factor	Year		
	2022	2023	2024
NBU discount rate	5%-10%	5%-8%	5%-8%
Volume of demand for combines, UAH million	5720	6240	6760
Volume of demand for tractors, UAH million	15600	16380	18200
Volume of demand for attachments, UAH million	1400	1470	1520
Volume of demand for spare parts for agricultural machinery and equipment, UAH million	2300	2340	2370
Prices for rolled metal, thousand UAH / t	23	19	22
Hryvnia exchange rate, UAH / $	26	27	27,5

Source: own research

The development strategy of PJSC "Berdyansk Harvesters" plans to open offices in other countries to develop new markets, reduce costs by improving the procurement system and expanding the range of products. Belarus, Kazakhstan and Turkey are planned as countries to open representative offices. Relations already exist with these countries, mainly in the supply of spare parts, but the lack of representative offices and regular dealers does not allow to use the full potential of the market. Improving the procurement system involves long-term planning of needs for raw materials and their purchase at minimum prices, in times of cyclical price reductions and taking into account possible losses due to the freezing of working capital. The expansion of the product range involves the development of new types of attachments for agricultural combines and tractors. The amount of costs and deadlines for the implementation of measures for the development of PJSC "Berdyansk Harvesters" are shown in Table. 5.

Table 5.
Planned measures for the development of PJSC "Berdyansk Harvesters".

Direction	Period	Volume of expenses, thousand UAH
Development of a new market in Belarus	2022	1340
Cost reduction due to long-term planning of procurement of raw materials and supplies	2022	230
Expansion of the product range	2023	450
Development of a new market in Kazakhstan	2023	1200
Development of a new market in Turkey	2023	1400

Source: own research

To cover development costs and other operating costs of PJSC "Berdyansk Harvesters" it is advisable to raise funds in 2022 in the amount of 680 thousand UAH, in 2023 in the amount of 540 thousand UAH, in 2024 raising funds is not planned, it is expected to cover all costs own sources.

Thus, due to the forecasting of the main factors influencing the development of PJSC "Berdyansk Harvesters" developed a management plan for the necessary financial support for development, which corresponds to the development strategy of the enterprise and provides the necessary financial resources for all stages of development.

Conclusions

It is established that in managing the financial support of agricultural machinery enterprises the priority is to forecast the external and internal environment, and the feature of agricultural machinery enterprises is the close relationship with the agricultural sector, which is the main consumer of specialized engineering products. Global forecasts of agricultural development in terms of financial management of agricultural machinery in the information economy eventually turn into forecasts of the need for financial resources for the machine-building enterprise.

It is concluded that there are no studies that would consider the features of financial planning in agricultural machinery and which would develop a system of methods to justify the financial support required for the development of machine building in the information economy. There are also no studies on the relationship between planned financial indicators and indicators of development of the agricultural machinery industry as a whole.

The forecast-planned system of financial support of development of the enterprises of agricultural machine-building which carries out forecasting of the factors of internal and external environment influencing needs in financial resources of the enterprise of agricultural machine-building is developed; provides cost planning of a machine-building enterprise producing agricultural products by areas of development; takes into account the peculiarities of the transformation of technological systems and the development of the information economy; is based on formalized methods of forecasting and planning that allow to investigate the sequence and justification of management decisions. We believe that the forecast-planned system of financial support for enterprise development is necessary to coordinate the management of financial support for development with the development of the enterprise and to improve the management system of the enterprise in general and financial support in particular.

The approbation of the forecast-planning system at PJSC " Berdyansk Harvesters" was carried out, it was suggested to pay attention to the development of sales. In addition, the segment of attracting financial resources, which needs to improve planning, is unsatisfactory. Due to the forecasting of the main factors influencing the development of PJSC "Berdyansk Harvesters" developed a management plan for the necessary financial support for development, which corresponds to the development strategy of the enterprise and provides the necessary financial resources for all stages of development.

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Cultural bases of the national system of education: modern tendencies and factors of development

Культурологічні основи національної системи виховання: сучасні тенденції та фактори розвитку

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Abstract

The article analyzes the culturological features of the national education system. Particular attention is paid to defining the importance of environmental education. The paper also describes the influence of the education system on the formation of multicultural, national-patriotic, environmental competencies. The study is formed on the basis of the use of both general theoretical methods and the use of special pedagogical methods: observation, specification, modeling. Using the historical method of research, the article traces the peculiarities of the interpretation of culture from the XIX century. to the present. Some attention in the work is focused on empirical methods of collecting and interpreting information. The results emphasize that the culturological foundations of the national education system need further study. This is due to modern paradigms of development of world cultural science, new digital technologies, the peculiarities of the functioning of modern polyethnic communities. In addition, the national system of education in the cultural spirit

Анотація

У статті проаналізовано культурологічні особливості національної системи виховання. Окрема увага звернена на означення важливості екологічної освіти. У роботі також охарактеризовано вплив системи виховання на формування полікультурних, національно-патріотичних, екологічних компетенцій. Дослідження сформоване на основі використання як загальних теоретичних методів, так і на застосуванні спеціальних педагогічних методів: спостереження, конкретизація, моделювання. За допомогою історичного методу дослідження у статті прослідковано особливості трактування культури з XIX ст.до сучасності. Деяка увага у роботі зосереджена на емпіричних методах збору та інтерпретації інформації. У результатах наголошено, що культурологічні основи національної системи виховання потребують подальшого вивчення. Це пов’язано із сучасними парадигмами розвитку світової культурологічної науки, новими цифровими технологіями, особливостями

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influences the formation of environmental competencies by educating a tolerant and democratic attitude to the world. Awareness and intolerance of society to non-environmental behavior affect the transformation of the environmental situation in general. Children who have received a thorough environmental education begin to actively promote the ecological way of life in adult life. In addition, children, in contrast to adults, have a greater increase in intolerance to environmental crimes.

Keywords: national system of education, culturology, influence, current trends.

функціонування новітніх поліетнічних спільнот.Окрім цього, національна система виховання у культурологічному дусі впливає на формування екологічних компетенцій шляхом виховання толерантного та демократичного ставлення до навколишнього світу.Обізнаність та нетерпимість соціуму до неекологічного поводження впливають на трансформування екологічної ситуації загалом. Діти, що отримали ґрунтовну екологічну освіту починають активно пропагувати екологічний спосіб життя у дорослому житті. Крім цього, у дітей, на відмінну від дорослих, спостерігається більший ріст нетерпимості до екологічних злочинів. Таким чином, освоєння екологічної культури є базовою цінностю, що впливає на загальний розвиток людини.

Ключові слова: національна система виховання, культурологія, вплив, сучасні тенденції.

Introduction

Cultural bases constitute an important part of modern state systems of youth education. Given the development of multicultural communities, the study of this field acquires additional relevance because dynamic changes require comprehension, interpretation, and practical use. For this reason, modern trends and factors in the development of European and American models of interaction between education and science in this process represent a separate problem for scientific analysis. In Ukraine, cultural studies is a rather young discipline, which finally took shape at the beginning of the XXI century. Accordingly, the orientation and borrowing of the world experience are the important elements of the future Ukrainian educational system, considering the transformation in the modern sciences of the multicultural society.

Another factor influencing modern culture is the development of computer technology and software and digital technology in general. This innovative component of modern culture requires research through the prism of cultural and anthropological aspects. We are talking about the ideas about the latest tools, and creative and creative resources, which will allow interaction organically with the educational system. It is known that modern culture is based on different types of technologies related to production processes, safety, work organization, data preservation, tourism, and entertainment, etc. Therefore, for the training of specialists whose activities will be related to culturology, the necessary aspects are the development of appropriate competencies related to digital support. This condition in modern society is necessary, so its integration into the educational processes is also necessary.

At the same time, a separate factor influencing the formation of the national system of education is environmental education, which in modern European countries occupies an important place. The comparison with the Ukrainian system of upbringing is very important taking into consideration the low efficiency of the latter (Anspoka & Kazaka, 2019; Serdyukov, 2017).

Thus, now there is a need for the formation of a man of national culture, which combines the system knowledge of both national culture, harmonious national consciousness, orientation on ethnocultural, and environmental values, as well as tolerance and the ability to inter-ethnic and intercultural dialogue. All this requires purposeful actions to organize the process of formation of a person of national culture in the system of national education (Merenuik & Mereniuk, 2019; Zelenska, 2021, p. 181–201). Therefore, the article aims to analyze the cultural foundations of the national education system through the prism of comprehension of modern trends and development factors. To reveal the main problem, it is proposed to divide the structure of the study into separate sub-items, which will deal with specific issues. In particular, the definition of the general place of culture in the system of education and upbringing, the influence of the national upbringing system on the education of multicultural competencies were singled out, the necessity of the national upbringing system in patriotism formation was outlined, the importance of the modern environmental education was described.

Theoretical Framework or Literature Review

The theoretical basis of our work is built based on culturological and pedagogical studies of modern authors.

In particular, Serdyukov (2017) characterized the main innovations in the modern educational process. First of all, the author focused on education and upbringing in the United States, his analytical review discusses key barriers to innovation and characterizes the main ways to increase the rate of innovative transformation in the education system.

Kromydas (2017) analyzed the current state of higher education, he paid special attention to the analysis of the cultural aspects of European education.

Idris et. al., (2012) highlighted the influence of national education on the formation of patriotism and self-identification principles.

Khojasteh et al., (2020) investigated measures of national identity in the educational system of Iran, France, the United States, and Japan. The researcher noted that although the Iranian national education system is somewhat different from the American and European systems, all of the selected countries focus on the development of national and indigenous cultural heritage and customs in school curricula.

Brighouse (2020) studies are devoted to contemporary problems in the educational sphere. Selected cultural aspects of a multicultural education system are described in Walter (2017). Slamet et al., (2021) investigated the problem of the formation of multicultural competence. These researchers note that multicultural education is quite an innovative approach, which not only transforms the system itself but also solves some discriminatory issues in the pedagogical process. Ukrainian researchers have also addressed the problems of modern pedagogy within the framework of the cultural approach.
For example, Rutkovska (2021) highlighted the discussion in the Ukrainian professional environment about the prospects of using culturological approaches in national systems of education. In her opinion, culture is an important tool in the development of modern democratic society, a kind of means to achieve the unity of its elements.

Zelenska (2021) investigated the problem of implementing culturological education in higher education institutions for training specialists in international relations. The specialist believes that culture is an indispensable element in education, so separate culturological courses should be introduced in the training of a wide range of specialists in humanities disciplines.

Methodology

The work is built on the application of theoretical research methods: analysis, synthesis, induction, and deduction. The article also used special pedagogical methods of research, including observation. With the help of concretization, the formation of cultural foundations of the national system of education is reflected. The work also uses the method of abstraction, which provides an ascension from the abstract to the concrete. It is used in the analysis of the general theoretical approaches and positions and the formation of specific conclusions. Particularly, with the help of this method we were able to pass from the definition of the importance of culturological education in general to individual educational practices used in the EU countries. Besides, with the help of the historical method of research, we have managed to trace the peculiarities of interpreting culture at different times. The article notes that it was only at the end of the 19th century that culture began to be studied within the framework of conceptual scientific trends (in particular, axiological, formational, anthropological, etc.) which formed the basis for the future cultural studies. As a result of using the comparativists method of research, we managed to compare the peculiarities of public education systems in Canada and EU countries: FRG, France. Separate attention in the work is focused on empirical methods of information collection and interpretation. In particular, the problem of further implementation of cultural foundations in the national system of education is covered based on the predictive method. Also, the study is shaped by the use of the statistical method, consisting in a qualitative analysis of the experimental data.

Results

Culture in the system of education and upbringing

National education is the main social institution designed to ensure both the preservation and development of national culture. Consequently, modern educational and training processes should be aimed at the formation of the cultural competence of a modern person.

Culture is a powerful factor in social development because all directions of human activity are connected to it: starting from material production up to creative manifestations. However, the main categories in culture are not material things, but the person and the society in which it is located. Consequently, an important aspect of the national system of education is the formation of human culture (Hornbeck et al., 2019). The leading task of this process is the creation of the cultural base of the future teacher, the formation of skills of cultural perception, the formation of important cultural requirements and interests to improve the culture of communication, and the development of cultural knowledge (Richards, 2019).

We associate the mentioned transformations in the field of education with the transition to the cultural-creative function of education and pedagogy, which should be aimed at creating a cultural base for national systems of education.

Based on the analysis of the content of culture, and its significance in the modern society we can highlight the key aspects of culture as a social value, having the purpose to help people understand the world around them, designate their place in the world, to form the basic norms of behavior to regulate social relations between people (Zelenska, 2021).

Note that by the first half of the 19th century the concept of culture was viewed somewhat through the prism of rational and philosophical interpretation of moral, aesthetic, and legal norms. At the same time already at the end of the XIX century culture was studied within the framework of conceptual scientific trends (in particular axiological, formational, anthropological, etc.). The latter has formed the basis for future culturology. It should be noted that the notion of "culturology" is widely spread in Eastern Europe, while in the English-speaking countries such a subject is called Cultural studies, and in the German-speaking countries, it is called Kulturwissenschaft. In addition, culture in these regions is predominantly interpreted in socio-ethnographic terms.

Given the context of modern education, the basis of cultural studies is a unanimous approach to the interpretation of pedagogical aspects and the vision of the systemic functioning of the pedagogical system. Thus, culturological approaches, being the methodological bases and methods of forming personality-centered education, allow us to study education in the meaning of the process of mastering culture, aimed at the development of the personality as a whole. We believe that mastering culture as a basic value is human development.

Thus, the role of education, at the same time its fundamental aspects closely related to culture, is increasing in the implementation of the potential of culture to improve the person. The manifestation of the specificity of the cultural potential of education is a scientific approach to the justification of measures, and ways of its effective implementation in different spheres (including education) (Bolden & O'Farrell, 2019; Saarinen, 2020).

At the same time, education should become a process of active inclusion of the individual in the mastering of the universal culture of mankind (we are talking about national, and historical). In addition, it affects the formation of a cultural worldview, and personal choice: appropriation of other cultural values (spiritual, professional, life). Thus, culturally-oriented education presupposes a person's conscious mastery of culture. In this, we see the special importance of education in the development of culture (Brighouse, 2020). At the same time, the key values of upbringing are also somewhat related to upbringing. We are talking about the free development of the individual, the priority of the national in upbringing, and resistance to universal values (educational-scientific, cultural, and natural) upbringing, etc. (Richards, 2019).

The culturological approach in the process of education and upbringing is necessary for dynamically developing countries. It is especially relevant for Ukraine, where educational functions are changing significantly. Modern problems of education are highlighted in the studies of the famous pedagogue and psychologist J. Bruner, including his work "The Culture of Education" (1996). This scholar noted that pedagogical problems should not be limited to mere curriculum design, approval of educational standards, or multi-step testing (Rutkovska, 2021). These problems lose importance when the society of a state lacks a solid humanitarian policy and does not solve urgent social and cultural problems. J. Bruner noted that a view of the meaning and content of education derives from society's point of view and its goals. At the same time, he notes that the educational sphere, unfortunately, does not perform its leading integrative and cultural functions (Rutkovska, 2021). The latter, in turn, should contribute to the spiritual development of man, and his unity with society. This researcher has developed a special scheme demonstrating the main educational achievements: "writing - education - competence - culture – mentality". At the same time A. Pavlenko as a supporter of the pragmatic approach to modern education noted the role of the transformation of educational paradigms in reforming the educational system. In his opinion, in the modern world humanities education is focused individually on students (pupils) but creates an opportunity for comprehension of the general culturological paradigm. The culture logical paradigm is addressed to understanding the importance of culture, art, and science for the development of modern civilization. She concluded that modern culturological education actualizes value, moral and reflexive ways of thinking and acting, and behavior. Thanks to well-chosen educational tools, productive, social, and creative interaction between people of all ages and genders are ensured (Rutkovska, 2021). In addition, teaching children the basics of culture lays a strong pedagogical foundation for subsequent self-education and self-development, the formation of individuality (Walter, 2017, p. 25).

Consequently, the cultural approach in the pedagogical field is important because modern social transformations indicate the increasing importance of culture in human life, which affects the development of national education in general.

The influence of the national system of education on the formation of multicultural competencies

The main tasks of the modern upbringing process should correlate with the formation of important human personal qualities and feelings in a child: patriotism, tolerance towards each nation, people, their languages, cultures, and customs; the sense of humanity and humanism towards people, nature, sense of duty and responsibility. Note that the culturological principles of the education system should contribute to the formation of the foundations of multicultural education. In particular, as a result of a specially organized multicultural environment, specific tasks of multicultural upbringing can be solved. For example, it is not only about fostering respect for native culture or history but also to familiar with the achievements of foreign culture. At the same time, it is also important to foster a tolerant and democratic attitude toward the historical and cultural achievements of other peoples (Cherng & Davis, 2017). In a properly formed multicultural environment, it is possible to solve other tasks of cultural education: stimulation of spiritual growth in preschool children and their parents, laying the foundations of an integrative vision of space in educational, political, economic prisms, development of the general cognitive activity of a person (Anspok & Kazaka, 2019).

Since a multicultural developing space is an integrated category that accommodates a variety of spheres of the child's activities, it is important to provide special conditions, and a stable psychological atmosphere (Slamet et al., 2021). These conditions should influence the development of a tolerant and democratic attitude among all participants in the educational process. In addition, it should be based on mutual understanding and readiness to perceive people of other nationalities. The development of creative individuality is impossible without mastering the universal cultural heritage (Cherng & Davis, 2017; Idris et al., 2012). Thus, the purposeful application of the basics of a multicultural environment in the process of personality formation is considered a certain means of providing a tolerant attitude to different peoples and their cultures.

The importance of the national system of education in the formation of patriotism

The crisis phenomena in the spiritual sphere, the reduction of the role of value orientations in the society require the comprehension of the processes of socialization of the individual under the conditions of changing social relations, dictate the necessity of studying the role of the ethnocultural educational environment, the mechanisms of translation of ethnocultural values in this process (Idris et al., 2012). Thus, there is a need to study the formation of the process of national culture in an individual. The latter should combine systemic knowledge in the sphere of, based on culturological principles, is the formation of a sense of love for the homeland. We believe that the most important conditions of the identity of the nation are the preservation of language, national traditions, and culture

(Arredondo & Gordon Reinoso, n.d.). At the same time, the oblivion of national culture leads to a loss of national identity and the manifestation of negative qualities. Thus, the destruction of national culture leads to the loss of national roots (Cherng& Davis, 2017). At the same time, modern society needs an active, active, educated citizen with the best traits of national character (Cusati et al., 2021). Yes, this problem can be solved by education, formed on cultural bases, in particular, the education of a modern person should take place in the conditions of dialogue of modern science and culture. At the same time, the effectiveness of national culture formation in the system of national education depends on the continuity and progression of this process, including preschool, general secondary, and vocational education (Idris et al., 2012). However, let us note that the implementation of such gradualness and systematisms in this system implies the search for new approaches, the theoretical development of the problem of the formation of the national culture of the individual as a strategy, goal, and result of the entire system of national education. According to the research of modern teachers, the study of folk culture, traditions, and history of their own people form the knowledge of the essence of national psychology, and the development of national consciousness. We believe that such a process should begin at an early age. At the same time, the orientation of the school to the national culture is a key condition for the preservation, development, and mastering of ethnic culture by children. The system of national education formed based onculturological aspects, is able to educate a person with a positive ethnic self-identification in the spirit of civic and national patriotism (Jaskułowski et al., 2021). Thus, we are of the opinion that the content of educational work should include a thorough study of the components of folk culture and history. In addition, curricula should be saturated with national components of the content of education and upbringing. Note that in the educational and training process of EU countries, in particular France and Germany, there is an emphasis on cultural education and respect for the past. The example of the FNS, where cultural achievements were combined with modern multicultural society, is illustrative. Germany's past has demonstrated that a nation with great cultural achievements can also turn into "initiators of the bloodiest conflicts" in history. For this reason, modern Germany is an exemplary country open to international cooperation, but the important achievements that characterize the German nationality in its educational aspects are unforgettable (Khojasteh et al., 2020). In France, the obligatory emphasis in the educational system is on the national aspect. Note that civic education is on the political order of the French government, which is shaped by the consolidation of the republic and the restoration of democracy. Khojasteh et al. (2020) note that France's main legal documents on compulsory education note the compulsory teaching of reading, writing, and literature, but the priority is also moral and civic education (Khojasteh et al., 2020). Based on the comparison, we see that today the German system of cultural studies education is quite promising, whereas in France one feels that the pedagogical branches are under a certain bureaucratic pressure (Slamet et al., 2021; Warren, 2017). At the same time, Canada's educational and teaching processes emphasize history education and respect for the past. Given that Canada is a relatively young country, history lessons are integrated with geography, citizenship, and economics, collectively called "Social Studies". This course aims to explore societies at the local and global levels, their heritage, and the nature of citizenship (Khojasteh, et al., 2020). In addition, we note that learning in Canada can take place in different languages, which contributes to the consolidation of the young Canadian nation based on the cultural interaction of its different ethnic parts. We are not talking about the classic French/English division, but also about the languages of other ethnic groups living in Canada. Let us note that this practice contributes to the cultural enrichment of these peoples, above all, given the current transformational processes taking place in the world.

The influence of culture on the formation of environmental competence

At present, the peculiarities of the development of culture lead to the transformation of its meaning. Consequently, culture occupies a prominent role not only in the purely educational sphere but also in the environmental sphere. So, nowadays, ecological culture is closely connected with educational and educational activities. Modern experts prove that the beginning of environmental education is extremely important because it is at the age of growth that better explains the importance of the environment and the need to protect it. Children who have received "ecological knowledge" begin to actively promote an ecological way of life in adulthood. In addition, children (which is associated with age peculiarities), unlike adults, have a greater increase in intolerance of environmental crimes. Thus, we believe that one of the cultural foundations of the national system of education is environmental education because awareness and intolerance of society to non-ecological treatment can radically transform the environmental situation in the country. At the same time, the situation with ecological literacy and consciousness can be considered unsatisfactory. According to the calculations of experts from the Renaissance Foundation, the industry of environmental education is at a low level, and public awareness of overcoming environmental problems is at a low level. This attitude to the environment in Ukraine is well recognized by lawmakers, and in the "Strategy of the ecological policy of Ukraine until 2030" it is proposed, first of all, to strengthen this sector. So, the activation of environmental education should take a key place in the construction of national educational strategies.

Discussion

The influence of cultural studies on the national system of education is quite tangible and manifests itself in many aspects. In our opinion, first of all, the awareness of the basic processes of social integration and the diversity of these forms, which have continued to develop throughout history, is deepening. It is no accident that mankind has chosen for itself a group mode of coexistence. These needs for a collective form of life are grounded in fundamental psychological and social needs that manifest in and are provided by culture (Richards, 2019). Also, cultural studies at the present stage deepen the awareness of the causes of the cultural richness of humanity, which is associated with many important processes: from adaptation to the conditions of existence (at the stage of primitive development) to the modern globalization influence and the processes of interaction of some peoples with another (which is associated with the degree of growth of civilizations). Also, thanks to cultural studies, evaluative and critical judgments about the possible regularities of historical stages of human history, which are vividly reflected in the development of culture, are deepened.

Consequently, as of today, important categories of culture should be things not so much tangible as intangible, in particular, the personal development of the individual and the state of society in which the individual is located. In our opinion, one of the most important aspects of the national system of education of modern countries is the formation of human culture. We believe that the mastery of modern digital technology in the work of cultural studies should not be limited to technical aspects. In our opinion, knowledge of the mechanics of various programs, and the ability to use them to work with presentations, layouts, etc. do not guarantee a full understanding of the cultural process of development. Education should be considered in unity with education.

We agree with Idris et al., (2012) that responsible citizens are now attentive to issues of behavior, attitudes, and reactions to people of a different upbringing. The role of teachers in nurturing students' sense of identity is special. At the same time, the government has an important role to play in the development of national education, in particular by taking care of teachers and avoiding the politicization of the educational process. As far as the European model of cultural policy is concerned, the experience of the Federal Republic of Germany, which combines tradition with modern trends, is extremely useful. After World War II, the democratic governments of Germany staked on an open society, a symbiosis of cultures, and moved to the implementation of the "unity in diversity" plan. In our opinion, this rather smooth transition was promoted by the traditional federal structure for these lands, smoothly increasing since the 19th century. Thus, the local governments of the lands have shifted from the unification of Germany to the policy of multiculturalism –the unification of all peoples inhabiting Germany. This process takes place based on the search for dialogue, but also based on local culture. For this reason, we consider the German model of cultural and educational policy promising for states with a federal structure. The need to search for a dialogue between the separate parts of the state can develop into a search for a dialogue between all the nationalities inhabiting the state.

Despite this, we believe that environmental education should become an important part of the national system of upbringing and education. In particular, in Germany, from an early age children are taught to respect the environment and to coexist peacefully with it. Early development of ecological competence allows to carry out of effective policy in the field of energy-saving, use of alternative energy sources, etc. This is especially important for Ukraine, as the situation with environmental security remains extremely tense. It is not only about overcoming the consequences of the Chornobyl disaster, but also about further work with other operating nuclear power plants. In addition, indigenous reforms require environmental protection legislation, oversight of rare animal populations, and the safe handling of water resources. We believe that it is possible to overcome these problems by developing environmental competence from early school age.

Conclusions

Consequently, the culturological approach in the pedagogical field is important, and it is especially relevant for developing countries. We believe that in the process of education the child should become a participant in the movement of mastering culture, first of all, national culture. Thus, culturally-oriented education implies a person's conscious assimilation of culture. On the other hand, one of the leading indicators of the viability of national cultures is the interaction with other cultures, the ability to master their achievements, and integration into the broader cultural space. However, there is still no adequate realization in practice of the pedagogical potential of national culture, which can be considered as an ideal model of the formation of bearers of national culture, and socialization of the younger generations in the conditions of an ethnocultural environment.

Among European countries, the German experience of the educational system, based on the combination of the cultural achievements of the German people with the current trends of societal development (as well as environmental trends), is the most advanced. Note that, in our opinion, the German experience is extremely useful for all states with a federal structure - it demonstrates mechanisms for seeking cultural interaction between the individual lands and all the nations that inhabit those lands. At the same time, a healthy application of patriotism is also an important factor in the formation of modern cultural foundations of educational systems. We believe that patriotism as a love of one's own is also an important basis for respecting the achievements of others. For this reason, a modern system of education and training (based on government support and responsible teaching) is the key to the development of culturological policies in centralized countries. These conditions should influence the development of tolerant and democratic attitudes in society. In addition, modern educational culturological principles are formed based on mutual understanding and readiness to cooperate with people of other nationalities. Educational paradigms must take into account the principle that further development is impossible without reference to the universal cultural heritage. We believe that involving the basics of a multicultural environment in the process of personality formation is seen as a certain means of ensuring a tolerant attitude towards different peoples and their cultures. Bringing in a broader evidence base in the future will shed more light on these issues.

In addition, an important cultural element of the national system of education is environmental education. Unfortunately, the results of our article show that not enough attention is paid to environmental education in Ukraine. Nevertheless, we think that an effective step to overcome the existing problems will be the intensification of cooperation with legislative and executive authorities, the introduction of nature protection as a separate discipline in school and university programs, intensification of educational and environmental outreach activities on the Internet.

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Avant-gardism in the work of director Andrii Zholdak: Ukrainian and global context

El vanguardismo en la obra del director AndriiZholdak: Contexto ucraniano y mundial

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Abstract

The article deals with the essence of avant-gardism in art (theater, cinema, music). The study aims to analyze the avant-garde techniques in dramatic productions directed by A. Zholdak. The representatives of the avant-garde direction in the works of different countries of the world are marked and the historical aspect of the emergence of avant-gardism in theatrical art is briefly outlined. The main life stages of Zholdak's formation as a creative unit are elaborated on the basis. Noted individual features and ways of presenting interpreted performances, including the integration of political issues in the content of the work, the play on the contrasts, the emphasis on the role and meaning of the theatrical space, dynamism. The research methodology is based on the principles of objectivity, historicism, multifactoriality, systematicity, complexity, development, and pluralism. Examples of the main controversial productions of classical plays in the interpretation of the famous director AndriiZholdak are given. Also described are the attitudes of the public in different European

Resumen

El artículo trata de la esencia del vanguardismo en el arte (teatro, cine, música). El estudio pretende analizar las técnicas vanguardistas en las producciones dramáticas dirigidas por A. Zholdak. Se señalan los representantes de la dirección vanguardista en las obras de diferentes países del mundo y se esboza brevemente el aspecto histórico de la aparición del vanguardismo en el arte teatral. Se elaboran las principales etapas de la formación de Zholdak como unidad creativa. Se señalan los rasgos individuales y las formas de presentación de los espectáculos interpretados, incluyendo la integración de temas políticos en el contenido de la obra, el juego de los contrastes, el énfasis en el papel y el significado del espacio teatral, el dinamismo. La metodología de investigación se basa en los principios de objetividad, historicidad, multifactorialidad, sistematicidad, complejidad, desarrollo y pluralismo. Se presentan ejemplos de las principales producciones controvertidas de obras clásicas en la interpretación del famoso director Andrii Zholdak. También se describen las actitudes del público de diferentes países europeos,

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countries, including Ukraine, to the work of AndriiZholdak as an innovator and avant-garde artist. The peculiarities of the audience's perception of AndriiZholdak's productions in different European countries are indicated.

Keywords: avant-gardism, theater, art, director, decree.

incluida Ucrania, ante la obra de AndriiZholdak como innovador y artista de vanguardia.

Palabras clave: vanguardismo, teatro, arte, director, decreto.

Introduction

The theatrical avant-garde in Ukraine is a complex of innovative artistic trends, functioning in parallel with traditional, realistic trends. To cover the theoretical foundations and practical achievements of theatrical modernism and avant-garde in Ukraine is a complex and difficult task. It is important in such research to choose the appropriate direction of research problems of modernist and avant-garde art. Consideration of the theatrical modernism in Ukraine exactly through the prism of proto-expressionist search is weighty, productive, and justified from the research and analytical point of view. In proto-expressionism, the totality of worldview postulates, quite distant from positivism and, to a certain extent, close to naturalistic and realistic specific art forms, such as psychodrama or “new drama” in drama, quite thoroughly demonstrate the transitional nature of this artistic current. It was proto-expressionism, given its artistic moderate manifestations but too epathetic content, which prepared the ground for the formation of expressionism and futurism in Ukraine, thanks to whose radicalism the theatrical avant-garde finally established itself.

Theatrical avant-gardism refers to the “left” (non-realistic) currents of European art, based on an innovative philosophical and aesthetic, and political platform. A set of different currents of avant-gardism were reflected in the process of the art of Western Europe, Latin America, and the United States, but were distinguished by the unique specificity in each region.

The first manifestations of avant-gardism in Ukrainian art took place in the 1910s (a traveling exhibition of works by brothers V. and D. Burliuk, N. Honcharova, M. Larionov in Odesa, Kyiv, Kherson and Mykolaiv, 1910-1911; later - canvases by Exter, cubic sculptures of O. Arkhypenko, neovizantism of boychukists, the surrealism of Lviv association Artes, in particular M. Andriienko-Nechytailo, etc.). Signs of avant-gardism were characteristic of the Berezil Theater. Not all styles fully coincided with this direction, some of them could exist within both avant-gardism and modernism, in particular expressionism or surrealism. It was in this theater that the famous contemporary Ukrainian avant-garde director Andrii Zholdak began his career.

Ukrainian theatrical art is going through a period of active formation and development. This blossoming is connected not only with the emergence of new, young acting talents, but also the improvement of educational training in directing, producing of stage art, analysis of touring activities, and improving the practical skills of costume designers. In 2022 various personnel preparation for work in the theater is realized by 19 Ukrainian high schools, where Kyiv National I. K. Karpenko-Kary Theatre, Cinema and Television University, Kyiv National University of Culture and Arts, Ivan Franko National University of Lviv, and others are considered to be the most authoritative.

Not the least role in the intensification of this segment is played by globalization, migration processes, professional rotation with foreign specialists, and activation of the national and foreign union of theatrical workers. Exchange of cultural heritage, a real possibility to broadcast national performances out of the territory of Ukraine, to adopt and accumulate the best foreign experience, all this makes a quintessence of possibilities and reflects the regularity of the theatrical art of the XXI century Ukraine is rich in artists, who develop their creative activity on our territory as well as beyond its borders. One of such outstanding contemporary theater directors is Andrii Valeriiovych Zholdak, who has been living and creating in Germany since 2006. About the creative achievements of the artist speak, as a rule, through the strips of the media, and the number of scientific works, in which as a subject of research are the features of his individual style and manifestation in theatrical productions - not much, leaves the contribution of A. Zholdak in the development of theater without attention. Accordingly, the **purpose** of the following **study** is to analyze the avant-garde techniques in the dramatic productions of A. Zholdak's directing.

The purpose of the article is:

- analysis of the work of Andrii Zholdak as an avant-garde innovator in the Ukrainian and world context;
- defining the influence of avant-garde productions by Andrii Zholdak on the modern audience in Ukraine and the world;
- comparing the historical development of avant-garde theater on the consciousness of society.

Theoretical Framework or Literature Review

Theater avant-gardism was founded by the French avant-gardist Alfred Jarry, author of King Ubu, and Eugène Ionesco, author of the drama The Bald Singer; the Irish-British Samuel Beckett, author of the play Waiting for Godot; the British Martin Ess Theater of Absurdity (Grinyshyna et al., 2021); the history of Polish avant-garde was examined in his works by Fazan et al. (2021), the Romanian avant-garde playwright Eugene Ionesco (Turoiu et al., 2019, p. 281). Botsman (2022), and Faulina (2021) wrote about the artist's creative path, having worldwide recognition, does not lose ties with Ukraine. The works of Condee (2002), Taylor (2018) revealed in detail the concepts and principles of actors' interaction in the theatrical space.

Methodology

Prepare the methodology of the paper defining the essence of avant-gardism as an innovative current in contemporary art. In the process of working on the article, primarily the comparative method was used. During the study and processing of materials, the historical, systemic and logical-legal methods were also used.

In the study we used the following research methods:

- analytical - review and comprehension of literary sources covering avant-gardism in theatrical art;
- comparative-historical - comprehension of the ways of avant-gardism development in theatrical decisions and in art in general;

Results and Discussion

Avant-garde theatrical art

The peculiar nature of culture is determined by its existence and development in an open space. Rejection of another “alien” culture implies a comparison with one's own in a certain country because it is a culture that is a reflection of the spiritual life of the people concerned. Historically Ukrainian culture has always actively perceived alien cultural experience and implemented some aspects so that the following generations have already perceived some cultural phenomena as their own national tradition. The basic idea of avant-gardism is the freedom from established traditions and social norms and restrictions. From the position of avant-gardists, the modern individual in the process of knowledge of the surrounding reality should rely on the primordial worldview, devoid of the negative influence of civilization and restrictive cultural norms (Grinyshyna, 2021, p. 9-10). The main characteristics of avant-gardism should be considered: an atmosphere of rebellion; guidance for constant renewal and creative experimentation; external-formal novelty; epatage; amoralism; the principle of destruction of the whole and installation of its debris; collage; mosaicism; the stream of consciousness; playful reincarnations. Avant-gardism implies the destruction of traditional forms and canons, a departure from the traditional. The peculiarities of the Polish avant-garde were examined by Dorota Jelewska and Anna R. Burzynska, who believed that the heterarchical forms of the interwar and postwar avant-gardes allow for the contemplation of art in a combination of reality and objects that are destroyed and are witnesses of past and present events (Fazan et al., 2021, p. 214-215). In the era of postmodernism, avant-gardism is actively developing as an innovative phenomenon through which culture is perceived not as a tool but as a value (Turoiu et al., 2019, p. 281-282). The contemporary theoretical understanding of avant-garde art is substantially saturated by experiences with neo-avant-garde art. In the avant-garde, from which the neo-avant-garde grows and to which it belongs, we look for the equivalent of our current expectations, repeated in this retrospective gaze. Only in this way, only by turning back, can the supposed potential of this art be revealed. The historically determined purpose of the avant-garde can be considered a revolutionary influence on class consciousness (Armand, 2020, p. 2). Avant-gardism in theater is a powerful energetic basis, a kind of science that has its own laws by which the new theater of the twenty-first century is built, departing from the established traditions of the past and modeling a different aesthetic. Bertolt Brecht is one of the most popular playwrights worldwide and in Germany, an experimentalist whose work has been of great importance to the modern and avant-garde theater (Müller-Schöll, 2021, p. 283-284).

The origin and development of avant-gardism in Ukraine Early Ukrainian avant-garde actually "sprouted" from the postulates of Ukrainian modernism of the 1910s, although in the theatrical practice of Ukraine the modernist discourse proved to be quite limited, primarily because of the content and plot and structural-constructive plan of drama and creative practice of the Young Theatre. Proceeding from the principles of subjectivization of creativity postulated by modernism, avant-garde art resorted to a fundamentally new step in the interpretation of A. Riegl's notion of "artistic" will. The point is that the subjective element, which was the object of the art research, in the avant-garde is interpreted not as a special feature of a particular individual, but as the way and character of the behavior of entire generations, social groups, etc. With the transformations of the content paradigm, the formal plane of art changes, which in avant-garde art acquires exclusively abstract generalized forms since its main task becomes the expression of the subjective character of the masses. Man is a social being, and theater is the most influential way of expressing emotions and facilitating interpersonal communication (Usakli, 2021, p. 31). The formation of avant-garde tendencies in Soviet Ukraine in the 1930s was suspended by the active cultivation of socialist realism by the Bolshevik authorities. After the Second World War, one can observe the emergence of new constructivist trends in music in the context of artistic experimentation of the late 1950s, which had gradually evolved and continued to develop at the present stage (aleatoric, collage, polystylistic, pointillism, serialism, sonorism, and stochasticism). The advantage of musical avant-gardism was the active introduction and use of noise, natural effects, electro-sound synthesis, and the use of mathematical-playing models in compositional practice, etc.

On the one hand, theater can act as an ideal platform to impress the public through the production, and on the other hand, it can exert a kind of political influence (Heinz, 2020, p. 8).

In contemporary art, neo-avant-garde movements are closely intertwined, which is a consequence of the emergence of fundamentally new varieties of synthetic art.

Formation and development of creativity of Andrii Zholdak

An art historian once remarked, "Theater in all ages has served to reflect or analogize life, but in the Hellenistic period one gets the impression that life was sometimes seen as a reflection of theater" (Puchner, 2017, p. 34). Avant-garde and all of its tendencies are at odds with the established tradition of theater.

Relatively little information is known about the life of AndriiZholdak. He is a descendant of famous theatergoers: great-grandson of I.K. Karpenko- Karpenko-Kary, grandson of Nazar Tobilevych, son of Valerii Zholdak - journalist, playwright, author of plays "An Inconvenient Man", "Telephone Trust", "Chance". He was born in November 1962 and spent his childhood in the capital of Ukraine on Turgenev Street. My mother spent most of her working life as an editor at Scientific Thought, which specialized in philosophical dictionaries, treatises, grammars, etc. The artistic elite instilled in the future director of the theater a taste for all things beautiful and honed the author's vision. Since childhood, as Zholdak notes in his interviews, he was convinced that his life would be associated with the cinema. Among the favorites that the boy was guided by were the Italian filmmaker F. Fellini, the Soviet filmmaker of Georgian origin S. Paradzhanov and Andrii Tarkovskyi. In parallel, he was fond of art, even becoming a graduate of the then-Republican Art High School named after T. H. Shevchenko. By the way, here he meets his first love - Larissa, by whom he will eventually give birth to a son Panas. His adolescence falls in the unstable, tumultuous 90s, so in an interview, he noted "if I did not get into art, I probably would have been a super gangster", or already been "crowned" bandit, or murdered, or something else (Botsman, 2022). At the age of 18, forced to serve two years in the army in Lviv. These times did not seem easy for a creative person, but in the second year of "life by order" Zholdak wrote the first scenario about an invisible hero who had the ability to move in space, contemplating how other people live. Over time, AndriiValeriiovych will give his work to his grandmother, who came from the glorious Tobilevych family, for criticism.

Upon completion of service, Zholdak Jr. on the recommendation of his father entered the Kyiv National I. K. Karpenko-Kary Theatre, Cinema and Television University to the course of Serhii Danchenko, who later told the young man that directing is not his life's work because the student has no talent. This led the boy to turn to Mykhailo Reznikovych, with whom he spent an excellent academic year, not losing enthusiasm, but on the contrary - discovering new creative roles in himself. He went to Novosibirsk, leaving his studies at the university, and later will study at the workshop of Anatolii Vasyliev in Moscow Gitis. His career developed gradually: starting as an assembler at the Lesya Ukrainka Theater. Later became assistant director at the KrasnyFakel Theatre. The artist also worked in the pedagogical field, since 1988 Zholdak has been teaching at Kyiv Institute of Arts, and also took the initiative of creating the Ukraine-Culture-Europe Foundation, the name of which is already clearly identifiable with the director's artistic aspirations and creative guidelines.

The artist's life path is not as controversial in its events as his creative legacy. In the present, the director's surname is immediately associated with scandal, breaking the established patterns, and epatage, because the artist could impress not only his own audience but also caused a mixed reaction among theater critics.

The creative path in the theatrical environment of the famous Ukrainian avant-garde director AndriiZholdak began back in 1989 when he made his debut as a director of the small stage of the Ivan Franko theater in Kyiv with the production of the play “Moment” by V. Vynnychenko. However, this particular production was not as revolutionary and radical as most of his later productions.

The theater has learning objectives that define the contribution of theater to personal development: social skills, interpersonal relationships, attitudes, understanding, relationships, and problem-solving (Rojas et al., 2021, p. 2352).

In 2002 Andrii Zholdak became artistic director of the Kharkiv Taras Shevchenko Academic Ukrainian Drama Theatre. Over the next three years, the Ukrainian audience sees the performances created by the director: “Hamlet. Dreams,” “Moon of Love” (fig.1), “One Day in the Life of Ivan Denisovich,” “Goldoni. Venice,” and the Kharkiv troupe performs at dozens of European festivals. For example, in the first showing of Zholdak's Hamlet, the performer in the title role bared himself to the last limit and sang fragments of songs, thereby giving the classical works a certain “popishness.” The other dramatic actors in the dialogues did not even communicate with each other but only shouted and laughed and it did not even matter who played what role. Zholdak realized the game of puppet actors, where it is important to their submission to the “puppeteer”. Scenes in Zholdak's productions replace each other, creating a kind of “parade of attractions” and it encourages the viewer to solve cunning riddles.

Analyzing the artist's style in general, one can't help but notice that his performances are an eclecticism of style and content, based on the principles of literary and theatrical classics. Gradually associative and allusive elements are strung together, which allows for better disclosure of the globalism of the issues. Philosophical categories prevail as a subject of review and theatrical reflection in Zholdak's performances, here are both love and power, human cruelty, betrayal, ambition, and cynicism. The poetics of dreams are uncommon.

A key feature of the director is playing on contrasts. None of the performances passes without unexpected visual, sound, costume, and scenic, content metamorphoses. Sometimes they form transitional parts, separating one action from the other (as a rule, it is the cases when the performance is built on a series of successive pictures). The most expressive acts, using which the viewer's attention is held, are those in which high and elite culture are juxtaposed, as was the case in “Romeo and Juliet. Fragment”, which is further referred to as forbidden to show. We see a similar thing in “One Day in Ivan Denisovich,” where a famous opera singer, exalted by the world of music, must give concentration in a concentration camp; and in “Hamlet. Dreams,” where vacationers disguise themselves as destitute refugees. The composition of the mise-en-scenes on a visual level does not always correlate with the musical accompaniment, but it is also part of the author's style. In the unruly corporeality, nudity, and infantilism that the actors convey, they reproduce a real picture of the world as it was yesterday, and as it is now.

Zholdak quite often becomes a “victim” of viewer criticism due to another characteristic - the accumulation of dramatic views. We are talking about scenes of rape, adultery, and episodes from the life of prisoners. Undoubtedly, elements of violence are present here, because it makes to keep the whole audience in suspense, and accordingly - the emotional background of the target audience is included in the general course of events in the play. Thus, the audience and the participants in the performance become one. Accordingly, the moment of release of tension from the audience becomes important as well. Depending on the performance, Zholdak chooses different options: problem-solving (good triumphs over evil, actors come to a common consensus), and concentration of the audience's attention in other circumstances. The superficial discomfort that accompanies a period of tension is gradually replaced by the realization of the sacred, valuable to each individual, which he took after going to the theater. One such example that most accurately reflects the above is a play from Zholdak's repertoire, The Yellow Prince, whose motif was a novel by V. Barca. The events unfold during the Holodomor of 1932-1933. The physical and psychological abuse of the Ukrainian nation under Stalin's regime. The purpose of the play is ambivalent: on the one hand, it is to inform the world about the famine as a pre-planned anti-Ukrainian policy, and on the other, to call for the development of joint measures to prevent genocide and other crimes against humanity. Any acknowledgment of those terrible events was strictly forbidden in the Soviet Union, so the novel did not appear in Ukraine until 1991 after the country had gained its independence. The play "Lenin's Love. Stalin's Love" is based on the most tragic page of national history, staged by the director to honor the millions of victims of the Holodomor and to remember the political system and its government leaders, because of whom millions of people died.

What is characteristic: The play begins at the entrance to the theater. The audience enters the theater room with a red wooden corridor that makes a very strong impression, reminiscent of a hall of blood, a place of crime and torture. The walls of this corridor are covered with photographs of hundreds of children who suffered from starvation in concentration camps from 1932-to 1933. The performance itself tells the story of the inhabitants of one village, whose peaceful life is changed in the blink of an eye. A Stalinist plan called the Collectivization Program, which is supposed to help meet the nutritional needs of the Soviet Union, becomes fatal for this area as well as for the entire people of Ukraine. 1930s agriculture is the backbone of Ukraine, but the scheme to combine peasant land and cattle into collective farms results in the state becoming significantly impoverished. All of the characters in the play who personify communism are deeply evil, cruel, and have inherently inhuman traits.

Director Andrii Zholdak conveys the vision of the work without any reservations, in a straightforward manner, always subjecting the source material to an unexpectedly frank treatment, thereby filling the entire performance with energy. Thus, for example, Château de Barbe-Bleue (an opera interpretation being shown in France in 2021 at the Lyon Opera Festival) is structured according to the musical principle of the theme with variations, which in itself is an extremely bold solution in relation to Bartók's classical version of the opera. It is factors and episodes such as these that create a full representation of the actual theme of war.

From a quantitative and qualitative point of view, Zholdak has become quite productive during his years abroad. Each performance is a performance, a fundamentally new vision and approach, which cannot be repeated by other directors. Since then, he has also received international acclaim: the director's works have received honorary awards at festivals such as Sibiu, BITEF, Nurderzon, Artistic Berezil, and Golden Lion, and he has been a constant speaker at specialized master classes in Finland, Germany, Switzerland, and other European countries. Moreover, Zholdak's "Charodeika" was even nominated for the Opera Awards in 2020.

Fig. 1. Performance "Moon of Love" directed by A. Zholdak, 2012 (Puchner, 2017)

Images in cinematography reproduce reality in combination with the artistic vision of the director, which is emphasized by the viewer's perception of what he sees, providing vivid, rich images of reality (Petrovici & Ivan, 2019, p.140).

But Zholdak's theatrical productions demonstrate his attitude toward the dramaturgy of the source material and toward the audience, drawing them into provocative actions to make a stunning impression. In other plays, One Day in Ivan Denisovich and The Moon in the Village, Zholdak does not follow a storyline through the text, but rather uses footnotes around the play, which causes surprise, displeasure, or admiration in the audience. In the play "Goldone. Venedia," Zholdak departed as much as possible from the author's source material. He used not so much the plot and motifs of the play itself as derivatives of these motifs, so the production was based on associations, capturing the viewer. In the production of "Romeo and Juliet. Fragment" was already significantly noticeable the absence of ethical criteria, that is, the rules of communication with the audience, and did so intentionally, with a provocative purpose.

However, Andrii Zholdak's productions have been performed in theaters in many European countries: Germany, Switzerland, Finland, Sweden, Macedonia, Belgium, Romania, France, etc. In Ukraine, the audience did not perceive eccentricity and such a peculiar approach to the construction of theatrical performances, and therefore the director has gained great popularity abroad. AndriiZholdak can be considered one of the founders of a new directorial school that has moved away from the basics of Soviet drama and the linear construction of theatrical performance.

Zholdak's approach to the model of construction and staging of performances is such that he goes not to the text, as most domestic directors do, but from the text, thus forming a new attitude toward drama. "The uniqueness of Zholdak is that in his productions he will approach the author's text, not in terms of systematic analysis, but places it in a new dimension, responding the soul of the audience of any age and nationality, - said OlehKokhan. - And I am sure that Ukrainian audiences will soon feel it too" (Russian Literary Newspaper, 2022, February 12) Zholdak is an ambiguous figure in today's theater world, and the evolution of his work is unpredictable. He subjected his performances to unmotivated associations, similar to fragments of dreams. At the Lyon Opera, Ukrainian AndriiZholdak staged "The Enchantress". Tchaikovsky's enormous, almost Wagnerian opera scares off directors and is rarely staged. Zholdak handled the spike, turning it into an erotic-religious blockbuster. Zholdak stages The Enchantress more as a comedy of passions: both bodily and spiritual. But it's one step from farce to tragedy. How Zholdak works with the actresses is a mystery, but they play fantastically in his performances is no exaggeration. And in musical productions, too. What the main character Kuma does on stage! There is a spectrum of debauchery and sanctity; both benevolent innocence and demonic seduction; and desperate irony - the actress can't help but notice the grotesque nature of the operatic heroine, and sincere fervor. Kuma dark folk rumors made up the status of a sorceress - in Zholdak's version, the heroine is not at all shy about it and resorts to "witch" passes, being possessed by her men, naked and snapping like a tigress. One of the play's main characters, devoted to passions and vain attempts to pacify them, naturally becomes Mamirov, Tchaikovsky's old clerk and fried Catholic priest for Zholdak; this role is played (and not only performed) by Piotr Michinsky, a Pole. Mamirov enters the opera straight from the service: the overture is preceded by a video in which the saintly father, having completed the ritual, goes to the Lyon Opera House. By the way, it is very different from other opera houses in the world: in Lyon, everything is black, both the hall and the foyer, where you cannot even find a normal staircase, only elevators, and escalators; only black mass and serve. On the days of the showings of “The Enchantress”, the strangeness of the place was heightened by the installations scattered here and there for another production of Dido and Aeneas, where the action will apparently take place after a nuclear war: the foyer is filled with showcases of human objects, from surveillance cameras to food, all in decay and covered in ashes (Rutkovskij, 2019). Mamirov in the new “The Enchantress” is a consecrated but modern man; he follows the congregation with cameras embedded in the head of a giant Jesus. By the second act, this giant crucifix will be decorated and illuminated with hundreds of lights, which is how crucifixes are decorated in Latin America, where they don't know the word “vulgar”. Yes, Zholdak began his provocative games with religious symbolism precisely in European opera - when he staged Bohuslav Martin's Mirandolina in Giessen, Germany. And he was the second director on Earth after Paul Verhoeven to dare to claim the erotic potential of the crucifixion: in Verhoeven's The Fourth Man, the hero imagined his dream boyfriend in the image of Christ on the cross. However, Mamirov is not prone to bisexuality (unlike the “earwigs,” a “tramp in the guise of a black man” Paysius – Vasyl Yefimovboldly turns into an angry and flirtatious androgynous). After finishing his business and playing chess with the computer, he puts on a virtual reality helmet and flies to the Siberian village where Kuma lives, drinks, and has fun. So, we find ourselves in Russia, in a wooden hut (pickles on the shelves, sticky tape of flies hanging on the shelves - like in Soviet-era village houses), a wild kingdom where a European tired of the dietary life is drawn. The opening festivities of the opera, Zholdak is not so successful. Instead of a one-stage binge, he localized the action in two polar points: on the right side, in the hut, where “vodka and young,” Kuma in a country pink jacket is kind to the dozens and awkward guests of the trade; on the left, in the setting of the princely bedroom, other people fumble around; it is a mess with music. (The bedroom, the church, and the “blight” seem to be a complex set of locations where contradictory human nature searches for itself; the author of the majestic and mobile set design is simultaneously Andrii's son DaniloZholdak, his regular collaborator for the past four years) (Rutkovskij, 2019). After all, the score in theater helps the director and actors because it increases the emotional intensity of the actors' performance (Pinchbeck & Egan, 2022, p. 7).

At the end of the nineteenth century, Ibsen in the Federal Republic of Germany became quite well known and relevant to sociocultural changes. Various avant-garde movements, such as FreieBühne and the prominent theatrical figure Max Reinhardt, regarded Ibsen's plays as leading theatrical innovations (Schor, 2021, p.166-167)

In February 2022, the Romanian Drama Theater premiered with a full house on the stage of a new play by director Andrii Zholdak based on Henrik Ibsen's “Woman from the Sea” (Fig.2). Invited to direct Andrii Zholdak was George Banu, honorary president of the International Association of Theatre Critics. “In 1888, Ibsen wrote A Woman from the Sea. We are now in the year 2022. 134 years have passed... times, meanings and forms have partly changed, there have been some fractures and tectonic changes: in the mentality of men and especially in the mentality of women. My Ellida is still alive today, I often meet her in different cities and countries where I travel,” said Zholdak.

The audience erupted in applause, probably one of the best productions since 1889. This play should also be mentioned because female psychology is another of the director's weaknesses. Translating through the prism of his own vision, he departs from the author's text and the position of systematic analysis and places the main idea of the work in a new dimension, thereby making the performance accessible to viewers of any gender, nationality, age. In doing so, all the space is the most important part of the performance, and the director works with it carefully. Bringing all the components of communication of the theatrical space (dramatic, scenic, scenographic, play (gestural), textual, internal) into a single whole entails distinguishing two levels of dialogue: the first level is an internal dialogue, it occurs within the theater and forms theatrical specificity; the second, outside fixed level, consists of coexisting moments of social reality and is formed by conditions and forms, of life activity.

Fig. 2. The Woman from the Sea, directed by A. Zholdak, Romania, 2022 (Botsman, February 2, 2022).

Zholdak needs to recognize the polar states of human existence. At one time he had to stage several productions (each of which was perceived by the artist as a transitional stage in his work) in Scandinavian countries. And what is the Scandinavian worldview? Imagine you've taken a deep dive and are swimming very slowly, looking at what's under the water. “The Cherry Orchard,” staged in Finland, is a very slow five-hour performance, not without reason that Finnish critics, speaking of the play, remembered Tarkovskyi. And the example of Zholdak's work with the Germans (Kafka's “Transformation”) shows another extreme. Knowing about the discipline and technicality of German actors, the director went on an unprecedented experiment: he constructed the action in an ultra-intensive rhythm, painted the score of a five-hour performance, split every second. After a week of rehearsals, the actors had a breakdown, they defiantly put down their lyrics-notes…

An actor needs to be able to “activate” himself, and quickly oppositely rearrange himself - to enter a pause, to hold the state of inner tension, and when it is not required - to run and shout. For many art lovers who have repeatedly visited Zholdak's theater, his performances are shouting and running. There seems to be a certain grain of rationality in this, but one must answer the quite logical question: for what purpose is it done? Only to come to a state of psychological pause, which is what the great masters of European theater have always sought. A pause on the stage that does not have a deep meaning is meaningless and deceptive.

Zholdak also expects a cultural explosion from directors engaged in theatrical performances directly in Ukraine: in Lviv, Kyiv, and Kharkiv. He lacks sharpness, over-the-top truthful theses, and perhaps even cinematic theatrical productions. The need to develop cultural volunteering, as it is accepted in the West, is palpable. AndriiValeriiovych, as a true patriot, considers the prospect of returning to his homeland, which he declared at a creative meeting in December 2021: “In general, I have to come to you to knock down the sour cream, because you gurgle a little,” - said Zholdak (Faulina, 2021).

The work of director AndriiZholdak once again confirms that a real work of art is deeply subjective, individual, and unique. Before acquiring a concrete form, an artistic image develops, nurtured in the author's ideas. All that is experienced and comprehended by the creator: his vision of the world, his ideals, and the meanings of existence are manifested in concrete forms. It has always been difficult for avant-garde artists to gain recognition from their contemporaries, but Andrii Zholdak consistently continues to amaze audiences with his innovative experiments in stage art - from the passage-metaphorical to the naturalistically shocking.

Consequently, the “Star” figure of A. Zholdak - one of the most outrageous, intriguing by its unpredictability directors - is impossible not to notice in the firmament of contemporary theatrical art. True, not national, but Western

European stage production of the avant-garde director resonates with the priority world trends in theatrical culture.

The Meaning of Theatrical Avant-gardism

The innovative philosophical, aesthetic and political platform of all currents of modern theatrical avant-gardism acts as a peculiar form of protest against traditional art. The main conceptual ideas of avant-gardism, its general features: an atmosphere of rebellion, the constant installation of creative experimentation, mosaicism, outrage, destruction of the whole and installation of its debris in a new interpretation of collage, playful transformation, stream of consciousness (which is used in their own). Experiments with sound technology are an integral part of artistic avant-gardism and are most characteristic of European avant-garde movements (Rosati, 2019, p. 30)

The structure of the individual and the social environment, as well as the process of constructing reality, its perception, and representation through communication, are of great importance. The construction of social reality takes place through communicative actions as a process of coordinating interpretations. Accordingly, once the interpretive strategy is formed, it turns into operational constructivism, and the actions of the individual become social actions (Sandu & Unguru, 2017, p.54).

On this basis, we can say that the theatrical avant-garde is of great importance for modern society, for socialization. In terms of content, art was fueled by the cult of subjectivism and implied the absolutization of inner experiences, an interest in the depths of human psychology, namely the subconscious. Therefore, theatrical avant-gardism lacked the tools, life-like forms, and acting techniques used by theatrical artists of previous epochs. Freedom from tradition and social constraints is the basic idea of avant-gardism, the most widespread in Western European countries. There is a problem of preservation of identity in society and each individual, which is associated with all-encompassing globalization. The individual must adapt to such conditions and have the ability to switch from the internal environment (personal) to the external through social interaction and vice versa The external social environment to a certain extent forms the inner world of the individual (Nerubasska et al., 2020, p. 279).

Such a function is actively performed by the theatrical productions of various avant-garde movements in Europe, America, etc.

Conclusions

Contemporary Ukrainian theater actively uses the heritage of theatrical modernism and avant-gardism. This is evident both indirect quotations of the director's drawings and in the development of ideas proposed by artists of the first third of the XX century.

Like any other “director's” production, Zholdak's play touches on problematic areas of contemporary musical-drama theater. One of these is the definition of the aesthetic foundations from which the radically-minded director reproduces his own conceptual constructions on stage. Another becomes the choice of interpretative tools to be used in the process of clarifying this kind of directorial statement.

Reproduction in the Ukrainian theatrical environment of the avant-garde was short-lived but weighty, and its artistic influence and significance for the development of Ukrainian art stretches far beyond chronological boundaries. Artistic trends defined by avant-garde aesthetics played a fundamental role in the form-making processes of the Ukrainian theater for the development of innovative artistic forms and ideas. After all, the avant-garde directly is a real foundation for the official Soviet art of the 1930s and a kind of basis for the search of avant-garde 1960-1980s is of great importance to the development of contemporary artistic trends in the world context. Decisions Andrii Zholdak cause mixed impressions: some admire him, others - criticize, not perceived at all. But the undeniable fact is that the avant-garde in Ukraine has become a phenomenon virtually unknown, a kind of tabula rasa, and it is Andrii Zholdak that opens the Ukrainian public with a qualitatively new approach to theatrical art.

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Functional and semantic field of aspectuality in different-systemic languages

Ámbito funcional y semántico de la aspectualidad en las lenguas de distinto sistema

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Abstract

Comparative analysis of linguistic phenomena provides the development of the problem in two planes: semantic - how similar or different is the volume of concepts in the national language world pictures, and functional - the means offered by language to actualize the concept in speech. This study provides a detailed analysis of the functional and semantic field of aspectuality in the English and Ukrainian languages at all levels: from grammatical to syntactic. The article also considers the application of the functional-semantic field of aspectuality as a tool for comparative study of multisystemic as to identify their common and distinctive features. The goal of the article was to identify and compare ways of transferring Aspectuality and their main regularities in Ukrainian and English. For this purpose, the phenomenon of Aspectuality in Ukrainian and English was compared from the position of modern aspectological views.

Keywords: Aspectuality, functional-semantic field, grammatical category of kind, perfect kind, imperfect kind, perfect, imperfect, limit verbs.

Resumen

El análisis comparativo de los fenómenos lingüísticos proporciona el desarrollo del problema en dos planos: el semántico - cuán similar o diferente es el volumen de los conceptos en las imágenes del mundo de las lenguas nacionales, y el funcional - los medios que ofrece la lengua para actualizar el concepto en el discurso. Este estudio ofrece un análisis detallado del campo funcional y semántico de la aspectualidad en las lenguas inglesa y ucraniana en todos los niveles: desde el gramatical hasta el sintáctico. El artículo también considera la aplicación del campo funcional-semántico de la aspectualidad como herramienta para el estudio comparativo de los multisistémicos en cuanto a la identificación de sus rasgos comunes y distintivos. El objetivo del artículo era identificar y comparar las formas de transferencia de la aspectualidad y sus principales regularidades en ucraniano e inglés. Para ello, se comparó el fenómeno de la aspectualidad en ucraniano e inglés desde la posición de los modernos puntos de vista aspectuales.

Palabras clave: Aspectualidad, campo funcional-semántico, categoría gramatical de tipo, tipo perfecto, tipo imperfecto, perfecto, imperfecto, verbos límite.

Introduction

The system-structural approach to linguistic phenomena, developed on functional grammar, provides an opportunity to demonstrate the relationship and interdependence of multilevel functional-semantic categories, to analyze situations of the aspectuality in the process of their functioning, to connect linguistic and speech phenomena into a single whole. A significant number of modern linguistic studies are aimed at studying multilevel linguistic phenomena and means and their complex interaction, when each component of the system is considered in terms of its functional relevance.

The most common universal semantic categories in the languages of the world include the

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functional-semantic category of aspectuality, conveyed by verbal means of different levels of language, specialized for the representation of the nature of the course and distribution of action in time. Aspectual relations and their expression belong to one of the hardest-studied phenomena in the study and comparison of languages, since the problem is to understand the relationship not only between the species categories of two languages, but also directly or indirectly related to it other grammatical categories, as well as lexical and morphological units. Now, despite numerous explorations, the functioning of linguistic units with aspectual meanings is covered in detail in the literature, the components and structure of the functional-semantic category of aspectuality, ways of aspectual derivation and means of representation, and other aspects of the problem under study are not defined.

The material of our study is English and Ukrainian languages. These languages belong to different groups, both genetically and typologically. English belongs to the Germanic languages of the branch of Indo-European languages and Ukrainian is to the East Slavic languages. From the structural-typological point of view English is an analytical language and Ukrainian is a fusional language.

Identifying and comparing ways of transferring aspectuality and their main regularities in Ukrainian and English is the **purpose of our article.**

The object of the study is the functional-semantic field of aspectuality and its structure.

The subject of the study is the specific features of Ukrainian and English verbs, which are the structural components of any functional-semantic field.

Literature Review

The study of the functional-semantic category of aspectuality since the middle of the twentieth century is rapidly developing as an independent branch of linguistics - aspectology. However, the problem of describing the functionally semantic field in Ukrainian linguistics remains open. Functional and semantic studies of the analyzed material in the typological comparison of Ukrainian and English in modern linguistics are few.

The category of aspectuality and the problems associated with it, its components and means of expression in their studies within the framework of the functional-grammatical approach were considered by such linguists as (Bączkiewicz et al., 2021; Melnyk et al., 2021), usually considered from the view of the structural-semantic. The linguistic concepts developed by them formed the theoretical basis of domestic aspectology, which develops a model of functional grammar based on the concepts of functional-semantic field and categorical situation.

In most Indo-European languages, space is expressed by means of noun paradigms and time by verb paradigms, that is, space is subject and time is associated with an event. The historical and linguistic analysis of the scientific literature on the problems of the categories of aspectuality, modes of action and verbal species shows us that in the language of any system the history of their study takes its origins from the isolation and description of the most clearly expressed specialized verbal means with one or another aspectual semantics. Next is the analysis of the categories of verbal species and species meanings (modes of verbal action). Functional-semantic representations of tenses in Ukrainian, Russian and English from the view of comparative-typological approach were analyzed.

We agree with the author's judgments, because, as the linguistic material shows, the differentiation on the grounds of speed\slowness, constancy\moment, concreteness\generalization is the most common among the linguistic material, as well as the corresponding concepts, emphasizes their importance for speakers of comparable languages.

In addition to the field of locality, the field of aspectuality interacts with the field of temporality. If aspectuality determines the nature of the course and distribution of action in time, temporality, in turn, covers temporal relations, oriented to the moment of speech or any other moment, associated with the time of broadcasting. The national specificity of the use of words with temporal semantics in Ukrainian and English is highlighted (Lykhosherstova, 2018). It is known that the functional-semantic field of aspectuality interacts with other functional-semantic fields and forms diffuse (combined) segments. For example, the functional-semantic field of Aspectuality, integrating and interpenetrating into the functional-semantic field of locality and temporality, forms segments, where aspectual-locative and aspectual-temporal values are combined. In Ukrainian, the leading center of the functional-semantic category of aspectuality is the grammatical category of the verbal form (Derdzakyan,2021).

As noted by Pérez-Sabater (2021) "scientific interest in the aspectual problematics and its acute debatability caused the emergence of such a science as aspectology". The category of species in direct connection with the category of time is considered (Kuzmina et al., 2021). The Ukrainian aspectological opinion, apart from the study of grammatical species and species-temporal categories, studies "the aspectual classes of verbs (dynamic/static, limiting/indefinite) and their subclasses, that is, the ways of action, as well as various aspectual-relevant context components expressed by non-verbal vocabulary and syntactic means". However, despite the notable intensification of "aspectological research during the last decades", "which "became a prerequisite for scholars to unite their efforts around solving the complex problems of Aspectuality and species" (Pérez-Sabater, 2021) the question of revealing the essence of this category still remains open and requires further research both on the example of the Ukrainian language and on the examples of other languages, so we were so interested in the topic of the study of the multisystem as to identify the differences and common features in English and Ukrainian.

Research Questions or Hypotheses

Data collection and analysis method

The purpose of the article determined the choice of the main methods of research: descriptive method (description of the functional-semantic field of aspectuality and its structure; systematization of approaches to determining the features of the category of verbal species); method of semantic analysis (determination of semantic categories of verbs) method of comparative analysis (comparison of morphological and grammatical characteristics of verbs in English and Ukrainian languages).

The methodological basis of the study is the fundamental features of languages, their systematicity and hierarchy, the interconnectedness and interdependence of linguistic phenomena, the integrative interaction of lexis and grammar.

The work uses the methodology of system-structural linguistic research in order to identify the functional and semantic features of the aspectuality of the relevant Ukrainian and English verbal means, component analysis of linguistic units, comparative analysis of the phenomena of Ukrainian and English languages. The source of linguistic material is texts of classical and modern Ukrainian and English literature and periodicals. The breadth of the factual material, its diversity and versatility allowed to identify multilevel means of representation of aspectual meanings in the above-mentioned languages.

Results

Analysis of the Functional and Semantic Field of Aspectuality

The totality of the verbal means of a multilevel linguistic hierarchy, which are used to convey the same meaning, constitute a functional-semantic category. In modern aspectology of ubiquitous usage has also acquired the term functional-semantic field, the main position of which is the grouping of language means interacting on a semantic-functional basis.

The most common and universal semantic category according to many researchers is the functional-semantic field of aspectuality. The study of this category has led to considerable interest in the comparative study of languages, which aims to identify the similarities and divergences of these languages.

For a long time, the category of aspectuality has been studied primarily as a feature of Slavic languages, and aspectuality in other languages has been considered against the background of the Slavic model. Today, the situation has changed somewhat, and new works on aspectuality have appeared, based on comparative and typological approaches, describing the diversity of aspectual systems in the world's languages. Now the generally accepted point of view is the following: the Slavic type is only one of the existing aspectual systems.

The analysis of such linguistic phenomenon as aspectuality in English is a more difficult task than the description of this category in Ukrainian. This is due, firstly, to the relatively smaller number of works devoted to Aspectuality in English, and secondly, to the fact that all existing conclusions are also quite debatable. There is no consensus among linguists concerning both the semantic aspectual inventory itself (the number of "species" or aspectually significant features) and the belonging of morphological forms of the category in question. Opinions are divided: some linguists consider aspectuality only as morphologically allocated forms, another part recognizes its presence only in the lexical meaning of verbs. Valuable observations on the presence and expression of meaningful aspectual categories are contained in works that examine aspectuality in English typologically, combining it with the broader context of a set of verb categories, including kind, time, and possibly modality, mode of action.

We agree with the statements that the category of aspectuality is a functional-semantic category and has a field structure with a predicative core. The semantic content of this category, is the nature of the course of action, and the expression - morphological, word-formation, lexical and syntactic means (Bączkiewicz et al., 2021).

In each language we can distinguish a functional-semantic field of aspectuality, as all languages present interacting linguistic means expressing the nature of the course of action in time. The main components of the structure of any functional-semantic field are the core and its periphery. Basically, the core is the grammatical (morphological) category of species. At the periphery are: 1) the classifying lexical and grammatical category of the verb's species character; 2) the classifying semantic (lexical) category of modes of action.

The species character of the verb is expressed by the opposition of limit and non-specified verbs, and the category of modes of action includes lexical-semantic groupings of verbs (they convey different modes of action).

Verb species as a grammatical category expression of aspectuality

Thus, let us elaborate on the analysis of the category of aspectuality. The grammatical category of species (the core of the functional-semantic field of aspectuality) is present only in some languages and there is still no single, satisfactory, universally accepted definition. The term is first encountered in Slavic linguists, so it would be more logical to begin our analysis by the Ukrainian language.

In the Ukrainian language, the verb form is considered as a binary category, including two opposite groups of verbs - perfect (perfective) and imperfect (imperfective) forms. The oppositional use of the species forms is important in the linguistic consciousness of a native speaker of the Ukrainian language in situations such as: "Andrew wrote, wrote, but did not finish it. The students read, read, but didn't finish, etc. " As we can see from the example, the semantic basis of this type opposition is the opposition of reaching / not reaching the internal limiting of the verbal action. In Ukrainian, as in other Slavic languages, the perfect form expresses the “completeness of the situation”, the achievement of its natural (internal) limit, and the imperfect form expresses the “incomplete” nature of the situation. Thus, in the lines of Lina Kostenko's poetry: “There is still a name, and the river is no longer there. The willows have withered away ... “and” Where have you gone, river? Come back to life! The shores have cracked lips... "The highlighted verbs of the perfect form indicate the limit landmarks of the action, on its completeness and symbolize the result”.

It should be noted that the species differs only in the past and future tenses. The idea of completeness does not coincide in the Ukrainian language with the present and the forms of the present turn out to be out of aspectual opposition. Thus, in the fragment “And what about man? What about man? He lives on the ground. He does not fly. No wings. Has wings”, in the verbs of the present tense lives, does not fly, has, we trace the absence of action boundaries.

Most linguists consider it necessary to terminologically distinguish between the category of species in Slavic languages and the aspectual category in other languages, since the Slavic species is as a special case of the general concept of “aspect”. The development of the Slavic verb species is not limited to the field of aspectuality. From the very beginning, the interaction between the fields of aspectuality and temporality played an essential role. Thus, the development of the category of the species was carried out in such a field structure, which already had grammatical elements - aspectual-temporal.

However, not all scholars consider kind a morphological category, because kind in the Ukrainian language is not based on the opposition of inflections, that is, grammatical forms.

Verbs with different kinds differ from one another in the ungrammatical element of meaning.

View is considered in morphology as a tribute to the tradition established back when word-formation was not separated from morphology. If we take this point of view, the species core of the functional-semantic field of aspectuality in the

Ukrainian language is built only on the binary opposition of grammatical meanings of perfect and imperfect kinds, that is, there are no unified grammatical forms that build the opposition of perfect and imperfect kinds. Thus, the category of species is a more classifying category than the word-derivative.

It is worth noting that for the English language, not only the belonging of morphological forms to the aspectuality, but also the semantic aspectual inventory itself (the number of “kinds” or important aspectual meanings) continues to be debatable. It is thought necessary to distinguish between aspectuality as a grammatical category of the verb, aspectuality as a lexical and grammatical character of verbs, and aspectuality as part of the semantic structure of the sentence, that is, the result of semantic interpretation, which takes into account the meaning not only of verb categories. Just like aspectuality in Ukrainian, this category in English is conveniently represented in the form of a functional-semantic field. Aspectuality as a grammatical category will correspond to the center of the functional-semantic field, while lexical and grammatical characteristics of verbs and other means will be located towards the periphery. The functional-semantic field of aspectuality in English should probably be presented as polycentric. The number of centers depends on the number of the identified aspectual categories, in which the views of scholars differ quite strongly.

There is also a great diversity of opinion on the problem of species in English. Since in Old English the category of kind was represented by two kinds - imperfect and perfect, some scholars erroneously include only the perfect and the imperfect in the category of kind. In English the aspectual meanings are transmitted lexically, through the context in combination with some temporal forms, which are verbositive, while in Ukrainian the category of species is word-formation, independent of the category of time, although it is related to it. Therefore, there is every reason to assert that there is no verb category of species in modern English, although it was in Old English.

From a typological point of view, the meanings of Aspectuality in English can in no way be reduced to a single binary opposition of the “perfect/imperfect” type. As Kruty et al. (2022) rightly points out, scholars who support such a binary approach to the universal category of kind are usually too strongly influenced by the “Slavic model” of type.

Two species categories are distinguished in the English language system: the type of "development" (continuum/indefinitum). (continuum/indefinitum) and the species of "retrospective coordination" (perfect/imperfect). However, we should not forget that in terms of content, aspectuality and temporality are different. Temporal meanings are associated with the localization of the designated action in time, with its orientation in relation to the moment of speech. Aspectual meanings, on the contrary, have no such functions and show how the action proceeds and is distributed in time, but without relation to the moment of speech. For English, not only the belonging of morphological forms to Aspectuality, but also the semantic aspectual inventory itself (the number of “kinds” or important aspectual meanings) continues to be debatable (Kuzmina et al., 2021). However, the grammatical core of the functional-semantic field of aspectuality in English includes four grammatically expressed types: indefinite: “Work was a shining refuge when wind sank its tooth into my mind”; prolonged: “Everything we love is going away”; perfunctory “On the birthday of the world, I begin to contemplate, what I have done and left, undone”; and perfunctory extended: “I had been talking with Rosina”.

Limit and non-limit verbs

The study of the lexical and grammatical category of verb species, expressed by the opposition of limiting (to shout, discover) and non-limiting verbs (lie, lie), is also essential in the study of verbal species. It represents a transitive link between the modes of action and the grammatical category of species. There are many contradictory opinions concerning the definition of the very concept of liminality.

A limit can be defined as a situation in which the process continues up to a certain point (Comrie, 1976). A direct connection between the limit and the presence or absence of an internal boundary, that is, there must be an indication of an internal constraint (Smith, 1997).

The phenomenon of real and potential limitation by place, the situation occupies on the axis of transition from one state to the opposite, has been studied in detail (“yes-no-transition”) (Dietrich, 1995).

Let's consider his point of view on the example of the verbs to cook and to become cooked the author illustrates the presence of a potential limit in the first example and the achievement of a real limit in the second.

Liminality should be analyzed as "the meaning of completeness (exhaustiveness) by a given verb's fixed manifestation of an action in time," which is often the basis of aspectological studies (Bączkiewicz et al., 2021). The definition of liminality as "the ability of any event to have a definite, definite, distinct, natural completion in time defines. That one should distinguish between special limiting states (subject to the indication or proper moment of transition of a given state to the opposite) and non-limiting states (subject to its absence), argues (Britsyn et al., 2021).

Radyuk & Kozubenko (2021) calls these concepts "situations of conditional duration" and "situations of conditional duration". Limit is what is included in the semantics of the verb and indicates the internal, the very nature of the action provided for the boundary. It is defined as a latent semantic category, it has no grammatical means of expression, but it has a lexical and grammatical meaning and is manifested, for example, in Ukrainian in the ability of verbs to form species pairs. Let us consider several examples of limiting verbs: verbal verbs of unidirectional motion - run, fly, crawl; of concrete physical action - build, cook, weed, sew, chop, cut, break; and most verbs of intellectual activity - count, teach, multiply. Here is an example from Ukrainian classical literature: *"In the morning, did what or not, by nature I ran to my friends, to gather them at five to look at the drill; As I went for water, and there my friends met me, and started laughing at me, that I am a whitewash, as you call me, mother, and I went for water, and I cannot carry buckets, I do not hold a bucket the wrong way; completely ridiculed; and here Trohimu dogs as they attack me, and I as run, as frightened ! And what, Oksana! - Peter began to say, hurrying after her, that like a swallow she flies and does not touch the ground for joy; Our Oksana did not beg, and like a fly flew from him and jumped into the house ...; Oksana stopped joking and running to her friends: she still sits at home, then sewing, then spinning".* (Kvitka-Osnov'yanenko, 1982).

The semantic limitation of these imperfect verbs, we conclude that they are able to correlate with perfect forms, but they can realize this ability only by the presence of such appropriate grammatical means as fully desemantized prefixes. Verbs of unidirectional movement do not have these means, as the prefixes give them the grammatical meaning of the perfect kind, thus making them potential perfectives and giving them different word-formation meanings, e.g., compare the following verbs: to fly into, to fly over, to fly into, etc. Specific prefix correlations of verbal verbs of concrete physical action and intellectual activity form selectively, depending on the ability of this or that prefix to desemantize and turn into a perfect kind indicator in the structure of the verb with the corresponding lexical meaning. Among the main means of their grammatical perfectivation we find the prefix po, e.g., type pairs: build - build, count - count, multiply - multiply, sew - sew, weed–weed out. The prefix c/co-, c-, for example, the species pairs: to build - to build, to hammer - to grind, to knit - to bind, to knit - to bind, and to build - to grind, for example, the species pairs: to build - to build, to hammer - to grind, to knit - to bind.

The non-substantive verbs, respectively, are the absence of an internal limit, which would limit the course of the action at least in perspective. Unsubstantive verbs with the meaning of sound, speech and thinking, verbal verbs conveying differently directed motion, substantive verbs expressing the word meaning "to be someone, to resemble someone" and "to engage in a certain activity": *"Here Oksana was silent, kept silent and said: "You have already left the seventh and thought"; You said that you would go for me, let me send people, beat yourself already ... They gather to talk, but they say nothing, they kiss... "*(Kvitka-Osnov'yanenko, 1982).

There are some differences in the manifestation of the sign of liminality in Ukrainian and English. In English, the limitation of the verb can be expressed through the object, which marks the end point of the situation, for example: "Joe is reading" (indefinite), and "Joe is reading a book" (limiting). In English, liminality is understood as the ability of a verb to express an action that cannot continue after reaching its conclusion. For example, to arrive, to bring, to break, to catch. The non-boundary verbs, on the contrary, do not have the meaning of the finality of the action they express to live, to belong. But here we meet a difficulty in our way, which is that there are many verbs in English that have a dual species character, their limit depends on the context, because they can act with the meaning of both limit and non-limiting action to laugh, to feel, to move, to look. Examples of limiting verbs: He drank a cup of coffee. She built a house. I ran home. Verbs in the extended tense forms are usually indefinite, and those in the past tense forms are usually limiting.

Since the interpretation of the category of limitation of English verbs is not unambiguous, it is recommended to distinguish between the final spatial endpoint associated with the feature and the final temporal endpoint of the event, which refers to their allocated feature. The difference between the temporal endpoint and the spatial endpoint is the scope of the (Xiao & McEnery, 2004, p. 334)

Spatial expressions are common grammatically and semantically. Thus, a limitation in space always involves a limitation in time, but not vice versa. For example, the situation “to walk to school” indicates a specific distance and has a spatial boundary. It also has a finite time point, for example, “It usually takes the child a quarter of an hour to walk to school” (to cover the distance). However, if the child has spent not fifteen minutes on the distance today, but only ten minutes, that is, the situation is limited in time, but without reaching the final spatial point (Lyons & John, 1995).

Supporting the statement (Van Voorst, 1988), we consider a situation to be limiting only when it has a finite object (object of termination), that is, an object with a change of state.

For example, in the sentence “John wrote a letter” the indicative is expressed because “a letter” is a finite object, whereas “John walked” does not express liminality because there is no such object in this situation. But we have no right to say that only combinations with transitive verbs can express a limiting action. For example, the situation “The window broke”, in which the verb to break is non-transitive, is considered limiting because it contains an object that has undergone a change of state. And in the example “John wrote letters”, the action has no internal boundary, because prefixed, uncounted nouns as well as plural nouns cannot act as finite objects and are spatially bounded. They form predicates representing not a series of separate actions, but a single indefinite event: “Sand fell on the roof all morning”. This is because collected, uncounted nouns denote a single substance, regardless of its quantitative indicators. For example, if we add a little more milk to milk, it is still milk, and part of running is still running, whereas a letter plus another letter is having two letters (pl.), and if in the situation of running a mile we run only part of a distance, it cannot be “called running a mile” (Derdzakyan, 2021).

That is, the boundaries between the groups of limiting and non-limiting verbs are not always stable in the languages mentioned. A non-limiting verb may in some contexts express a threshold meaning; but limiting verbs do not, as a rule, lose their intrinsic limit meaning. In addition, between these two groups resides a large group of verbs of a dual nature capable of acting in one sense or another.

The absence of an indication of the facet of an individual action characterizes it as unrestricted in its manifestation, i.e., the indefinite and corresponding indefinite verbs are of the imperfect form, e.g., look, sleep. In other words, odd imperfect verbs can always be regarded as indefinite. The difference between the imperfect meaning of unsubstantial and limiting verbs is that in the former there is no limit, and in the latter, it has not yet been reached. What the imperfect verbs have in common is that there is no limit to the manifestation of the action. In the case of repeated action, for example: "I walk the promenade every day." The boundary may be in a separate action, but the cycle of action is not completed.

In Ukrainian, all verbs of the perfect form are limiting, they have a sign of actually reaching the limit of action, which is the basis of the categorical meaning of the perfect form: integrity, limited by the limit. The imperfect forms may be both limiting and non-limiting. The categorical meaning of the imperfect form is defined negatively in relation to that of the perfect form as “the meaning of an action unlimited by a material boundary, having no sign of wholeness”. The division of verbs into limiting and non-limiting is also important in English grammar, so their distinction is closely related to the use of species and temporal forms.

Semantic divisions of verbs and aspectuality

Another peripheral component of aspectuality is the mode of action, i.e., semantic divisions of verbs. If the core of the semantic category of aspectuality is the grammatical category of kind, then at its periphery is the lexicalandgrammatical category of modes (genera) of verbal action. Methods of verbal action are related to the semantics of the verb, and their meaning is determined by the entire grammatical system of language and semantic-paradigmatic lexical relations. Now the problems of opposing connection and interaction of the type and mode of action of verbs are considered in more detail, calling verb genera the series of verbs which are characterized by morphological uniformity and semantic commonality.

The content side of the species category and the modalities category of the verbal action are sufficiently close in their semantic content, and therefore we may even argue that they belong to the same sphere of meanings (Kruty et al., 2022).

Since both kind and ways of a verbal action convey certain differences in the types of realization of a verbal action or in the types of expression (interpretation) of this realization by the speaker (Melnyk et al., 2021). To give an example: the verbs jump, bite show the single mode of verbal action with respect to the verbs jump, bite and are their correlates. Vocabular modes play an important role with respect to the verb mode, as they form new verbal lexemes with qualitatively new meaning according to the primary verb: to play - to lose, and have, as a rule, correlate species pairs: to lose - to lose.

The further away from the core the linguistic means are, the less grammatical and more lexical they are. Nowadays, they associate the modes of verbal action with the category of kind, calling them semantic-verb groupings of verbs. Some verbs denote the beginning, the occurrence of action, others show that the course of action is limited to what interval of time, others denote action performed in a single act, the fourth express action, repeatedly repeated (Melnyk et al., 2021).

English ways of the verb also convey different ways of action, such as beginning, iteration, completeness, which, in turn, form their own microfield and are expressed by different levels of means. For example, the repetition of a verbal action in the past tense is expressed by the construction used to i would: *"Clement **used to** say this was a case of envy", "She **would** spend an hour a day 'doing her face", "The policeman **used to** stand at the corner for two hours each day", "The old professor **used** always **to** arrive late".*

One way of expressing the beginning of a verbal action is with the verb constructionsstart, become, begin, get, commence: "*She said: "Why blue when it is white, why blue for heaven's sake?"and* ***started to cry*** *again".*

There are various ways and ways of studying the relationship between kind and modes of verbal action. However, modern linguistics makes a clear distinction between kind as a grammatical category of the verb and the various ways of expressing the characteristic of an action, which are collectively called ways of action.

Discussion

The functional-semantic field of aspectuality in Ukrainian is monocentric. In its center is the category of kind, which covers the whole system of Ukrainian verbs. To the periphery of the Aspectuality field belong the modes of verbal action, aspectual features in the lexical meaning of verbs (limitation/non-limitation). If we represent aspectuality in English as a functional-semantic field, then in the center we can probably locate aspectual meaning regularly expressed by morphological temporal forms, while aspectual lexical-grammatical characteristics of verbs and other means will be located towards the periphery. In contrast to the functional-semantic field of the Ukrainian language, in English it is polycentric. Formalization of aspectual constructions in English is the most difficult to study, since the category of kind has no clear grammatical expression, but is reflected in a ramified system of aspectual genders, which include multiplicity. The peculiarity of the aspect in English consists in the fact that it is represented by a significant number of categories characterizing the way the action proceeds in time with the help of multilevel linguistic means.

So, if the verb kind is a special grammatical category, not peculiar to all languages of the world, then the way of action is the lexical meaning of the verb of each language. Since the category of aspectuality (according to the two-component theory) includes not only grammatical component, but also non-grammatical, in Ukrainian language cannot be limited to the verb category of kind. According to affirmatively assert that the category of aspectuality in the Ukrainian language is a complex phenomenon, which is not yet fully investigated requires further fundamental research.

In our opinion, it is interesting to study in a comparative aspect the functional-semantic field of aspectuality in the Turkish and Ukrainian languages at all levels. After all, in the Turkish language the set of means is wider; for example, purely syntactic means of realization of causality semantics: participles, pseudo-participles and derivative complexes -dığıiçin, -dığından, -dığındandolayı, -acağıiçin, -acağından (dolayı). A similar concept (or group of concepts united within the conceptual field) in Turkish is verbalized by means of participles, derivative complexes and gerundial complexes with prototypical meaning of causality and the presence of an additional semantic component - temporality (more precisely relative temporality, or cabs Panov (2021) for example (for the verb gelmek in the third person singular): geldiğiiçin; geldiğinden; geldiğindendolayı, the possibility of using gerundial complexes to objectify the concept in question is related only to their combination with periphrastic forms. A detailed study of participles, participles and grammatical complexes formed on their basis - their semantics, communicative functions as well as "conceptual content" (i.e., concepts of linguistic world pictures of Ukrainian and Turkish languages, which are verbalized by means of these formal means) - is the task of our further research.

Conclusion

In the network of modes of action there is no structure peculiar to morphological categories, there is no grammatical opposition of morphological forms, modes of action by their nature are subclasses of the verb lexicon, lexical and grammatical classes. Such aspectual features as limitation/non-limitation, immediacy/static/dynamic are associated with the category of verb kind. Liminality characterizes an action in terms of its directionality/non-directionality to the limit, upon reaching which the action ceases. There is a certain difference in the interpretation of liminality for Ukrainian and English verbs. In Ukrainian, limiting verbs form limiting pairs, where the imperfect verb denotes a process that is potentially aimed at reaching the limit. It is very easy to define a limit verb pair: you can take them in a phrase like “to build, to build and to build”. In addition, verbs that are non-limiting in some meanings can become limiting when combined with a complement (of a certain type) or circumstance: To drink and drink coffee, to walk slowly and come to market. This is the behavior characteristic of English verbs: One and the same verb can act as a limiting and as a non-limiting.

Summarizing the material, we conclude that the functional-grammatical field of aspectuality in the English and Ukrainian languages do not have complete isomorphism. Functional and semantic branching of the considered grammatical forms its constant development in language and speech, the completeness of its field representation in the studied languages separately and in their typological comparison.

In Ukrainian, according to many linguists, there are no pure grammatical forms of species expression, and the meaning of species is closely related to the ways, that is, changing the ways of the verbal action inevitably leads to a change in the species meanings. English has grammatical forms of species expression that are independent of the species character and modes of verbal action. The spheres of Ukrainian and English aspectual-temporal network can by no means be considered equivalent. Ukrainian has the opposition of perfect and imperfect kinds with different semantic relations within verb pairs, a narrow temporal paradigm and ways of verbal action, which have specific and rather subtle aspectual meaning.

An extensive network of verb tenses and verb groups is available in English, denoting similar aspectual situations. The grounds for comparing languages of different types, should become the object of linguodidactics gives us an allocation in linguistics of functional-semantic categories. The conducted research allows us to deepen somewhat the scientific knowledge on the application in general and specific conditions, and clarify the definition of the structure of the functional-semantic field of aspectuality as a tool for a comparative study of the multisystem as to identify their differences and common features.

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Attitude of higher education learners toward online examination[75]

اتجاهات متعلمي التعليم العالي نحو الاختبار الإلكتروني

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Abstract

The study aimed to enrich the national online learning context and settle the skeptical arguments regarding the student's attitude toward online examination and misconduct among them. A cross-sectional approach is used, and an online survey distributed over the sample of the study consists of 762 higher education learners in Saudi universities. The results of the study showed those positive students' attitudes toward online examination, reveals no significant differences exist on the dependent variables between the different genders and degrees, and significant differences were evident on the dependent variables related to study year and college.

Keywords: Online Examination, Saudi Arabia, learners of higher education, learners' attitude.

الملخص

هدفت الدراسة لإثراء السياق المحلي للتعليم الإلكتروني وتسوية الجدال حول توجهات الطلبة نحو الاختبار الإلكتروني. استخدمت الدراسة منهج الدراسة المقطعية وتوّزعت الاستبانة بصورتها الإلكترونية على طلبة التعليم العالي والبالغ عددهم 762 طالب وطالبة في الجامعات السعودية. أظهرت نتائج الدراسة أن للطلبة توجهات إيجابية نحو الاختبار الإلكتروني ولم يكن هنالك فروق في توجهاتهم تُعزى للمتغيرات المستقلة (الجنس والدرجة العلمية) وكانت هنالك فروق في توجهاتهم تُعزى لمتغير السنة والكلية.

الكلمات المفتاحية: الاختبار الإلكتروني، المملكة العربية السعودية، طلبة التعليم الجامعي، توجهات الطلبة.

Introduction

Despite that Saudi universities offered online learning platforms, the first real full online learning was initiated during the obligated unplanned shift toward online learning imputed to emerged on-going Coronavirus (CoVID-19) at the beginning of December 2019 (Khalil, et al., 2020). Accord-ingly, the increasing dependence on online learning in higher education forces increased using of online examination, which emphasizes the request of aligning assessment methods and forms accords to the unplanned shift of E-learning experiences to avert cognitive discrepancy (James, 2016). Thus, the new online examinations have to go beyond the conventional formats and structure; for example, multiple-choice test, short answers, and fill in blanks question, which cannot actually assess students' skills and cognitive capacity, and encourages new online examination norms such as in-video examination, online presentation, simulations (Ragupathi, 2020), Webcam-based examination (Hylton, Levy, & Dringus, 2016), open-book examination, and open-web ex-amination (Myyry & Joutsenvirta, 2015). Another raised merits, Myyry & Joutsenvirta (2015) de-noted that there are differences among online examination experiences impute to individual differences, such as self-efficacy, beliefs, and attitudes. Furthermore, previous studies concern students' performance discussed students' misconduct and debated the differences in students' performance imputed to the online exam proctorship, discussing time-consuming during exam and performance, found that time-consuming is two likelihoods in nonproctored examination compared to the proctored exam,

[75] El título debe ser corto, claro, impactante y mostrar la esencia del trabajo en máximo 20 palabras. Sugerimos que el título incluya palabras que permitan a los lectores encontrarlo fácilmente. / The title must be short, clear, powerful and show the essence of the work in a maximum of 20 words. We suggest that the title include words that allow readers to find it easily.
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better performance within non-proctored examination compared to proctored examination (Daffin & Jones, 2018). While a comparative study found that students' performance was at the same level without any significant differences between in-class examination and online examination, even more, the study found that students have a lower pressure level within online exam compared to the in-class exam, a higher sense of control, and an opportunity to re-take an exam several times, which enable students to get back and research and continuously reread related knowledge, but they claim that exam does not involve actual thinking (Greenberg, et al., 2008).

Accordingly, in this paper, we attempt to enrich the national online learning context and settle the skeptical arguments regarding the student's attitude toward online examination and misconduct among them.

Literature Review

There is a dearth of literature that reports the effectiveness of using online examination from both academic instructors' and pupils' perceptions, namely, preferences, weakness, strengths, benefits, and challenges (see Inuwa et al., 2011; Sheridan et al., 2014; James, 2016; Bahar & Asil, 2018; Peytcheva-Forsyth et al., 2018; Shraım, 2019; Ilgaz & Adanır, 2020).

The studies have conflicting outcomes of assessing perceptions and favoring online examination, vary between favoring positively and aversion. Bahar and Asil (2018) presented the positive attitude results toward online examination. These attitudes were exhibited by Turkish university graduate and postgraduate students who experienced both direct education, online programs, and online examinations. Jeljeli et al., (2018) manifested that students prefer online rather than paper examination in a comparison study involved 274 graduate and undergraduate participants in Emir-ates. Peytcheva-Forsyth et al., (2018) reported, likewise, that students have a positive attitude toward online learning activities. Similar to a survey of medicine and healthcare students conducted by Inuwa et al., (2011), 44.5% of students exhibited a positive attitude and preference for online examination attributed to the high quality of specimens that used for learning rather than cadavers, which is considered to lack in quantity and quality, for anatomy purpose. Interestingly, results revealed in the trial application of invigilated online examination in Australia, most of the students changed their initial perceptions toward online examination. A 93.7% of students reported negatively skewed perception toward online examination and refused to continue in the online examination trial due to technical difficulties and lack of support during the exam (James, 2016). As much as students have a negative perception toward online examination, students were claiming that online examination eliminates face-to-face communications and declines peer relationships. Students declared that face-to-face meetings before examination allow them to share information and exchange knowledge with their peers to ensure their learning correct their acquired misconception (Sheridan, Kotevski, & Dean, 2014).

One of the most repetitive reported advantages of the intact online learning platform is the flexibility and the easy-to-do features. Students share a consensus that doing an examination off-campus is easier than attending university for examination, in the context of reducing time and effort. For example, some students comply drive or spend more than an hour attending university. Instead of wasting an hour on roads, students gain an extra hour to focus on their learning, not to mention the physical burden (Sheridan, Kotevski, & Dean, 2014). Medical students are claiming that through online examinations, they can manage their examination time efficiently. For example, they can distribute examination time over questions according to their own demands rather than giving an equivalent period for each question. Students can invest more time on the hard questions and conserve time on the easiest ones. They also mentioned that performing practical examination in the laboratory requires students to frequently moving during the examination process, while through online examination, they stabilized in one place all over the test (Inuwa, et al., 2011).

Furthermore, online examination drives more private and personal settings, which reduces, in turn, the peer pressure level imputed to the distraction inattentive and gain more time in an examination scenario. Students claimed that online examination is amenable to full self-control; since a student has the independent willingness to manage their responses and submitting answers (Sheridan, Kotevski, & Dean, 2014). Bettinger et al. (2014) reported both sides of peer-pressure and reflection on the students' performance in the online environments, first, it has a negative influence on students' performance and course completion, Second, evidence reported that online discussion room in online learning systems assists students to enhance their performance (2014). Accordingly, this has implicated the message that peer pressure and influencing is persisting in online environments. Another aspect argued that online examination increases the cheating potentials with the increased private and personal settings, particularly if the examination process is not invigilated (James, 2016). For example, a survey study of chemistry courses addressed the online cheating potentials in both examination and task solutions. The instructors and teachers claimed that students frequently use others solutions or download just answers from internet resources, which they consider not cheating, but it is cheating according to educational standards, and they are cheating themselves out of their exam performance (Nguyen, et al., 2020).

Business school students also shared that cheating in online examinations compared to on-campus examinations is easier (King, et al., 2009). Accordingly, the validity and reliability of online examination remain ar-guable. (Öz & Özturan, 2018) addressed this quandary and found that students' achievement in two examination modes (i.e., online vs. paper) was equivalent and not significantly different. Ilgaz & Adanır (2020) argued that there is no difference in learners' achievement between paper examination and online examination as found by a quantitative analysis of academic achievement 163 students enrolled in diverse academic programs in a Turkish university. Students' score data, which is collected in the environmental science course over the period between 2009 to 2019, indicates that there are no differences in the students' performance between both online examination and face-to-face examination (Paul & Jefferson, 2019). Inconsistently, Sheridan, Kotevski, & Dean (2014) conveyed that online examination enhances students learning since they achieve more clarity and better assimilation of subject knowledge. A comparison between different examination modes and performance demonstrated that in the online examination, students increase their performance; due to the aid of technology in learning (Jeljeli, et al., 2018). They further illustrated that Learning Management Systems (LMS) based examination (such as Moodle) is the most effective tool to enhance student's performance compared to both social media-based examination and paper examination (Jeljeli, et al., 2018). Hakim (2017) found similar results, and the students have higher performance scores at online examinations than on the equivalent paper.

Online examination advances a feature of well-integration between workplace and learning continuity because the students can do their exam without the need to attend university and thus do not need to leave or take off from their work; especially to those working and completing an aca-demic degree (Sheridan, Kotevski, & Dean, 2014). Consistent with students' responses in James (2016), there is a high degree of agreement that online examination reduces transition time and cost, reduces the likelihood of being late at the exam, and decreases the take-off time from work. Peytcheva-Forsyth et al. (2018) established, however, that employed students have a higher positive attitude toward online learning since they share a greater need for online learning compared to their unemployed peers since online is a more flexible learning environment to employed students.

Another aspect of online learning is the anxiety and frustration associating with performing exams. There is uncertainty toward this issue since the studies, such as (Bahar & Asil, 2018; Peytcheva-Forsyth et al., 2018; Joshi, et al., 2020; Arora, et al., 2021), reported that online examination in-creased the anxiety level of students and it may add a new anxiety category, which does not occur in the in-campus examination, the anxiety associating with using computers and technology. Furthermore, Peytcheva-Forsyth et al. (2018) explained that technological barriers and lack of competencies increase the anxiety of learning online and reduce the motivation level for online learning. However, Arora et al. (2021) found that the online examination, particularly the unplanned shift toward this examination format due to global health condition, adds to anxiety level of examination and negatively affects thus students' self-efficacy. Joshi et al. (2020) emphasizes the increased level of anxiety in the online examination, especially in the home, due to family interruption during the test, control lack of external distraction, and the support lack during examination actions. Contrasting participants' expectation in James (2016), reporting online examination reduces anxiety levels.

Furthermore, instant feedback examination supports reflection on action involving self-evaluation personal and professional progression through the learning process. The student during the online examination can assess their own growth and increase their self-assurance, self-improvement, and self-awareness. Accordingly, the students' feelings of belonging and connectedness were raised (Sheridan, Kotevski, & Dean, 2014). Furthermore, Marchisio and her colleagues (2018) were interpreting the instant feedback of online examination makes students aware of their progress toward their predefined goals and suggesting what they need to achieve better progress. In turn, students utilize, and process information acquired from feedback for the sake of self-level enhancement.

Male students showed higher positive attitudes compared to female students, according to the results of Bahar and Asil (2018). These differences were attributed to their higher usage of computers and higher technology experience compared to their female peers. Similar to James (2016), endorsed there is an association between gender and attributes toward online education at all, in which female students showed two-folds negative perception to examine online and clarifying they are more likely to ask teachers' help in the exam which male students did not. The male medicine and healthcare students also showed a high preference for online examination counterparts their female peers (Inuwa et al., 2011). In contrast, Jeljeli et al., (2018) found no difference in the prefer-ence toward the online examination tool due to gender, but the differences appear due to subject and time spent in the university.

Methodology

The study adopted the explanatory research method, utilizing a cross-sectional quantitative approach to investigate the attitude toward online examination and mentoring among Saudi university students, since they are experiencing online examination for the first time of their academic life, and it is mandatory due to consequences of Corona virus on education learning system and obligation shift toward online learning. The data will be collected using online survey distributed among university students, the survey will be developed using panel of previous research such as (Myyry & Joutsenvirta, 2015; James, 2016; Tarricone & Newhouse, 2016; Shraim, 2019). The instrument will be distributed over a randomly selected sample of Saudi university students that engaged online examination during the last shift toward E-leaning in higher education institutes.

Data analysis

This part presents the findings of the study that aims to enrich the national online learning context and settle the skeptical arguments regarding the student's attitude toward online examination and misconduct among them.

This part will explain the questionnaire outcomes obtained after collecting and analyzing the response, an analysis of the results of the respondents' answers to determine the attitude theirs toward online examination.

A cross-sectional survey was utilized to obtain results by distributing them to a sample of (762) participants. Thus, the statistical package for the social sciences (SPSS) was utilized to analyze the collected data in tabular and graphical form to perform an illustrative analysis. All information collected by the survey was treated confidentially since it was only used purely for academic research purposes.

Statistical treatment

The following statistical treatments through statistical software packages (SPSS) were used:

- Normality test
- The reliability (Cronbach's alpha).
- Frequencies and percent of the characteristics of the study sample.
- Means and standard deviation for study item.
- Pearson correlation.
- One-sample kolmogorov-smirnov test.
- Mann-Whitney and Wilcoxon test.
- Kruskal-Wallis test.

Normality

Normality test is one of the most tests required before going through the data analysis, in which the normality assumption for each variable must be checked. According to represents the results of Kolmogorov-Smirnov and Shapiro-Wilk tests, the significance value which is (p-value ≤ 0.05) the Kolmogorov-Smirnov and Shapiro-Wilk test thus significant value indicates that the data has deviated from the non-normal distribution significantly.

Reliability analysis

The extents of the reliability of data provided by the tool are one of the most important foundations of data collection in scientific research. Therefore, the researcher computes extents questionnaire reliability by calculation of internal consistency using Cronbach's Alpha values, the Cronbach's Alpha value reached (0.819) for the total alpha values of items. This indicates to accept reliability; this indicates to accept reliability. Othman (2001) mentioned in this research that the coefficient of reliability (Cronbach's Alpha) that can be adopted is from 0.65 to 0.85.

Validity analysis

To test the validity of the instrument, the Pearson correlation test was applied. The results for the variables are shown in table 1:

Table 1.
Correlation results for the ítems.

Items	Pearson correlation	Items	Pearson correlation
1	.294**	8	.680**
2	.750**	9	.797**
3	.805**	10	.702**
4	.798**	11	.809**
5	.758**	12	.787**
6	.415**	13	.441**
7	.775**	14	.135**

Correlation is significant at the 0.01 level (2-tailed). **

Table 1 shows that correlation coefficients of items ranged from (.135-.809), indicating a strong correlation coefficient, these values were appropriate for conducting this research study.

Descriptive analysis

Demographic profile of participants

The study tool was distributed among all Saudi university students. The percentage and frequency were computed for each demographic variable to explore the participant's profile. The total number of participants in this study was 762 participants, belonging to gender, year, degree, college.

Table 2.
The Demographic Profile of the Study participants.

Independent Variable	Category	Frequency	Percent %
Gender	male	212	27.8
	female	550	72.2
	Total	762	100
Degree	Diploma	59	7.7
	Bachelor	676	88.7
	Master	21	2.8
	PhD	6	.8
	Total	762	100
Year	First year	320	42.0
	Second-year	116	15.2
	Third-year	148	19.4
	Graduation year (fourth and more)	178	23.4
	Total	762	100
College	Literature College	521	68.4
	Science College	199	26.1
	Medical college	42	5.5
	Total	762	100

According to gender category, the high percentage of the participant was female with a total of 72.2% of participants, while the male participants represented only 27.8% of the study participants. Years of study, concerning the years of study in the university, responses recorded, and the percentage table computed indicates that the majority (42%) had the First year. Few responses (15.2%) were registered in the category of the Second year as shown in Table 3.

However, table no. (3) Reveals the scientific degree of participates were most of them a Bachelor degree representing 88.7% of the sample, while 7.7% of participants a diploma degree. As well only 2.8% of participants are holding Masters' degrees. College, the Percentage values of Table 3 indicate that the majority of the respondents were from Literature College (68.4%). Those in Science and Medical

College the least Percentage representing only 31.6%.

Results and Discussion

Means and standard deviation:

Means and standard deviation for "investigate the attitude toward online examination and mentoring among Saudi university students" items and total means of them, table 3 shows that. The descriptive analysis was computed for each component, as well as for each item within an individual component. Table 3 below, reveals the component's means and standard deviation. For the investigation, the attitude toward online examination and mentoring among Saudi university students is high level, in which the highest mean value is at 4.32, and the lowest mean is 2.45.

Table 3.
Means and standard deviation for "investigate the attitude toward online examination and mentoring" items and total means of them (n= 762)

No	items	Mean	Standard. Deviation	Rank	Agreement degree
	I think online examination results do not fully represent a student's true achievement.	2.45	1.345	14	Strongly disagree
	I would rather take the online examination than take the paper exam.	4.32	1.165	1	Strongly agree
	The online examination is an effective way to assess the amount of knowledge a student has.	3.98	1.200	7	Strongly agree
	The online examination is an effective way to assess a student's skills.	3.95	1.234	8	Strongly agree
	The online examination enables me to show better academic achievement.	4.07	1.128	5	Strongly agree
	An online exam makes me feel less nervous than a paper exam.	3.55	1.592	12	Strongly agree
	I focus more on the online examination.	4.12	1.178	2	Strongly agree
	The online exam does not facilitate cheating.	3.84	1.371	9	Strongly agree
	The online examination is a flexible, accurate, and reliable assessment method.	4.10	1.199	4	Strongly agree
	The online examination identifies problems and weaknesses experienced by students.	3.64	1.302	10	Strongly agree
	The online exam is suitable for assessing a student in any course.	4.04	1.155	6	Strongly agree
	The online examination improves a student's cognitive skills.	4.12	1.086	2	Strongly agree
	Taking the online examination requires less time than the paper-based examination.	3.57	1.460	11	Strongly agree
	I prefer to take a paper-based exam than take the online examination to assess my reading comprehension.	2.60	1.545	13	Strongly disagree
Total means		3.74	0.706		

Shown in table 3 that the arithmetic means of paragraphs "investigate the attitude toward online examination and mentoring" ranging from (2.45-4.32), and most notably the highest means reached (4.32) out of (5) for item (2)" I would rather take the online examination than take the paper exam ", and then for item (7) "I focus more on the online examination" (means 4.12). And the lowest means was (2.45) for items (1)" I think online examination results do not fully represent a student's true achievement ". The total mean for "the attitude toward online examination and mentoring among Saudi university students" reached mean (3.74) and standard deviation (0.706). This is consistent with the study by Jeljeli et al., (2018) that explored students prefer online rather than paper examination. Peytcheva-Forsyth et al., (2018) reported, likewise, that students have a positive attitude toward online learning activities. The results of the current study as well as the aforementioned studies by Inuwa et al., (2011), 44.5% of students exhibited a positive attitude and preference for online examination attributed to the high quality of specimens that used for learning rather than cadavers.

Differences in attitude toward online examination due to Studied Variables:

To have a more exploratory viewpoint, the research intends to find the differences in student's attitudes toward online examination and mentoring according to all previous variables. Since not have a normal distribution, this section of analysis was examining the non-normal distribution.

To assess attitude toward online examination and mentoring, the Mann-Whitney and Wilcoxon test is a non-paramedic test since the data is not normally distributed. The survey examines the student's attitude toward online examination and mentoring according to gender, year, college, degree.

Table 4.
The Mann-Whitney and Wilcoxon test results for student attitude toward online examination and mentoring according to gender.

	gender	N	Mean rank	Sum of ranks	Mann-Whitney	Wilcoxon	Sig.
attitude toward online examination and mentoring	Male	212	386.80	82001.50	57176.5	208701.5	0.680
	Female	550	379.46	208701.50			

According to table 4, there is no difference among the gender in student attitude toward online examination and mentoring, in which Mann-Whitney is (57176.5) and it is not significant at level (0.680) with favor to the female which has a higher mean (386.8). These results agree with the results of a study by Jeljeli et al., (2018) found no difference in the preference of the online examination tool due to gender. Also, these results disagree with the results of a study by Bahar and Asil (2018) explored male students showed higher positive attitudes compared to female students, these differences were attributed to their higher usage of computers and higher technology experience compared to their female peers. Likewise, a study by Inuwa et al., (2011) revealed that the male medicine and healthcare students also showed a high preference for online examination counterparts their female peers.

To assess student attitude toward online examination and mentoring according to year, degree, and college, the Kruskal-Wallis test a non-paramedic test since the data is not normally distributed.

Table 5.
The Kruskal-Wallis test results for student attitude toward online examination and mentoring according to year.

	year	N	Mean rank	Chi-square (df=3)	Sig.
attitude toward online examination and mentoring	First-year	320	399.50	22.301	0.000
	Second-year	116	395.67		
	Third-year	148	412.55		
	Graduation year (fourth and more)	178	314.09		

According to table 5, there is a difference among the year in student attitude toward online examination and mentoring which chi-square is (22.301) and it is significant at level (0.000) with favor to the Third year which has a higher mean (412.55). These results agree with the results of a study by Jeljeli et al., (2018) found differences appear due to time spent in the university.

Table 6.
The Kruskal-Wallis test results for student attitude toward online examination and mentoring according to degree.

	Degree	N	Mean rank	Chi-square (df=3)	Sig.
student attitude toward online examination and mentoring	Diploma	59	383.18	2.349	0.503
	Bachelor	676	379.01		
	Master	21	453.29		
	PhD	6	394.58		

According to table 6, there is no difference among the degree in the student attitude toward online examination and mentoring, in which chi-square of the Chi-square is (2.349) and it is not significant at level (0.503) with favor to the Master which has a higher mean (453.29).

Table 7.
The Kruskal-Wallis test results for student attitude toward online examination and mentoring according to college.

	college	N	Mean rank	Chi-square (df=2)	Sig.
student attitude toward online examination and mentoring	Literature College	521	381.33	31.950	0.000
	Science College	199	418.65		
	Medical college	42	207.57		

According to table 7, there is a difference among the college in the student attitude toward online examination and mentoring which chi-square is (31.950) and it is significant at level (0.000) with favor to the Science College which has a higher mean (418.65). These results agree with the results of Jeljeli et al., (2018) found differences appear due to subject matter.

Conclusions

This study provided theoretical and practical insight into students' attitudes toward online exami-nation and mentoring. This study aimed to enrich the national online learning context and settle the skeptical arguments regarding the student's attitude toward online examination and miscon-duct among them. To achieve this goal, the sample of the study consists of 762 higher education learners in Saudi universities. The results of the study showed those positive students' attitudes toward online examination and mentoring. The results also suggest that no significant differences exist on the dependent variables between the different genders and degrees, and significant differ-ences were evident on the dependent variables related to study year and college.

The results emphasized the positive attitudes toward online examination and mentoring among Saudi university students, where the students greatly agreed on they rather take the online examina-tion than take the paper exam. Also, students claimed that the online examination improves their cognitive skills. In another hand, students illustrated that using the assessment method of online examination is flexible, accurate, and reliable, as well as the online examination enables to show better academic achievement.

These results agreed with the results of a study Peytcheva-Forsyth et al., (2018) pointed that the established, however, that employed students have a higher positive attitude toward online learning since they share a greater need for online learning compared to their unemployed peers since online is a more flexible learning environment to employed students. It also agreed with Bahar and Asil (2018) presented the positive attitude results toward online examination.

Suggestions

In the recommendations, the study called for the qualification of teachers, parents, and students themselves, and the creation of appropriate electronic means that make the process of the remote examination an interactive process and easy to deal with by providing appropriate devices for students and free internet lines, as well as by adapting educational curricula and means to become able to learn remotely. Remote evaluation through exams can also measure the learner's ability to recall and understand knowledge quickly. The study also suggested increasing the time for objective questions, taking into account the time for essay questions, given that electronic writing requires more time than paper writing, with the need to return to the previous question, in addition to raising the percentage of final exams for some specialties, including medicine.

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Legal institute of lobbying: the problem of legislative regulation in Ukraine

Правовий інститут лобіювання: проблема законодавчого врегулювання в Україні

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Abstract

The article examines the problem of legislative regulation of the socio-political institution of lobbying in Ukraine on the basis of borrowing similar experience from developed democracies using the dialectical method. It is noted that lobbying should be considered as one of the democratic institutions of influence of the public and business structures on decision-making by public authorities (representation of interests), namely as a professional mediation activity between society and government. Legislative regulation of the institution of lobbying in Ukraine may not restrict other rights of citizens regarding their influence on the authorities, which are guaranteed by the Constitution of Ukraine and defined by national legislation (for example, the right to appeal to the authorities, the right to participate in the management of public affairs through advisory bodies, parliamentary hearings, public discussions, etc.). It is concluded that the most pressing aspects of the problem of legal institutionalization of lobbying in Ukraine, which need to be addressed, are the following: development of theoretical-methodological

Анотація

В статті досліджується проблема законодавчого врегулювання суспільно-політичного інституту лобіювання в Україні на основі запозичення аналогічного досвіду розвинених демократичних держав з використанням діалектичного методу. Зазначається, що лобізм слід розглядати як один із демократичних інститутів впливу громадськості та бізнесових структур на прийняття рішень органами публічної влади (представництва інтересів), а саме як професійну посередницьку діяльність між суспільством та владою. Законодавче врегулювання інституту лобізму в Україні не може обмежувати інші права громадян щодо їх впливу на органи влади, які гарантовані Конституцією України та визначені національним законодавством (наприклад, право на звернення до органів влади, право брати участь в управлінні державними справами через консультативно-дорадчі органи, парламентські слухання, громадські обговорення тощо). Зроблено висновок, що найбільш актуальними аспектами проблеми

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foundations of lobbying in national political-legal realities, taking into account similar foreign experience; a comprehensive approach to the legislative regulation of lobbying activities at all levels of public authority, and on the basis of clear harmonization of lobbying rules with legislation in related areas; legislative definition of the concept and all components of lobbying activities, the legal status of lobbyists; particular attention should be paid to the development of ethical rules for the lobbying profession, which should be based on the principles of legality, transparency, openness and integrity.

Keywords: democracy, integrity, lobbying, rule-making activity, citizens' rights, public authority.

правової інституціоналізації лобізму в Україні, які потребують свого вирішення, є наступні: розробка теоретико-методологічних засад лобіювання в національних політико-правових реаліях з врахуванням аналогічного зарубіжного досвіду; комплексний підхід до законодавчого врегулювання лобістської діяльності як на всіх рівнях публічної влади, так і на основі чіткого узгодження норм про лобіювання з законодавством у суміжних сферах; законодавче визначення поняття та всіх складових лобістської діяльності, правового статусу лобістів; окрему увагу слід приділити розробці етичних правил професії лобіста, які мають виходити з принципів законності, прозорості, відкритості та доброчесності.

Ключові слова: демократія, доброчесність, лобіювання, нормотворча діяльність, права громадян, публічна влада.

Introduction

In Ukraine, the issue of legislative regulation of lobbying in the activities of public authorities has been actively discussed for over 20 years, in particular, referring to the similar experience of other countries. During this time, a number of draft laws were registered in the Parliament of Ukraine, the subject of which is the legal institute of lobbying: "On lobbying in Ukraine" (1999), "On the legal status of groups united by common interests (lobby groups) in the Verkhovna Rada of Ukraine" (1999), "On the activities of lobbyists in the Verkhovna Rada of Ukraine" (2005), "On the regulation of lobbying in Ukraine" (2010), "On lobbying" (2016), "On public advocacy" (2017), "On ensuring transparency and legality of communication with subjects of power" (2017), "On state registration of lobbying entities and lobbying activities in Ukraine" (2020 and revised - 2021), "On lobbying" (2020) (Stavniichuk, 2020). However, none of the proposed draft laws has been adopted.

At the same time, lobbying, as a mechanism for representing the interests of various groups before the government, is an integral part of the political life of any democratic state, a specific model of communication between society and government. The objective necessity of lobbying is explained by the fact that the state itself can not sufficiently take into account the interests of different social strata, groups that make up society (Godny, 2019). The absence of civilized legislative regulation of lobbying leads to the functioning of this phenomenon in Ukraine as an informal institute (Yarovoi, 2017). Ukrainian society has formed a negative attitude towards such a social phenomenon as lobbying, the latter is associated with the illegal influence of business, oligarchs on public authorities and their officials in favor of making a specific decision, corresponds to various manifestations of corruption and bribery. All this determines the relevance of the chosen research topic.

The purpose of this article is to analyze attempts to regulate lobbying activities in Ukraine and identify a number of key issues that need to be addressed in the process of adopting a special law on lobbying in Ukraine.

Theoretical Framework or Literature Review

The objective need to lobby, as one of the democratic institutions of society's influence on the government, has led to interest in various aspects of this issue from both political scientists and legal scientists from various foreign countries. For example, Weil (2017) provides a comprehensive overview of different kinds of lobbying strategies and techniques. Hall & Deardorff (2006) model lobbying not as exchange (vote buying) or persuasion (informative signaling) but as a form of legislative subsidy—a matching grant of policy information, political intelligence, and legislative labor to the enterprises of strategically selected legislators. Nicoll (2007) suggests a theoretical and empirical framework and attempts to explain variations in interest group behavior at the policy level.

Intensive political development of Ukrainian society and its further democratization has led to a number of theoretical-legal studies of the phenomenon of lobbying and domestic scientists. This study analyzed the work of Ukrainian legal scholars who have dealt with this problem.

Thus, in his dissertation research Godny (2019) substantiates the understanding of lobbying as a political and cultural phenomenon of society, the specificity of which is determined by the existing features of the relevant state traditions, constitutional system, differences in economic systems, historical features, cultural traditions of society and suggests the use of the concept of "civilized lobbying". The issues of development and formation of lobbying in Ukraine, in particular in the context of the use of foreign experience, its legislative regulation have been studied by a number of domestic scientists, whose works were analyzed in this article.

Also, the information and analytical base of the study consists of draft laws on lobbying, which were developed and submitted to the Parliament of Ukraine, explanatory notes of the subjects of the right of legislative initiative to them and conclusions of the Main Scientific and Expert Department of the Verkhovna Rada of Ukraine on these draft laws, other official documents.

Methodology

The basis of the study is the dialectical method, which provides for the need for a comprehensive study of such a social political-legal phenomenon as lobbying, the specific content of which is determined by the influence of historical, social, economic, cultural components of a society, state. Based on this, lobbying can be positive, be one of the democratic legal institutions of interaction between civil society and government, and negative, be synonymous with corruption.

The formal-logical method, based on the laws of formal logic, was used to clarify the concept of lobbying as one of the activities, the content of which is the influence of stakeholders in civil society, business on the decision-making process of public authorities. The concept of lobbying should be defined through a more general generic concept of influence (pressure, representation of interests) with the definition of significant (essential) specific species characteristics of this activity.

Activity approach, which assumes that the methodology of the study is based on the category of human activity as a subject of political-legal relationships, used in determining all the necessary elements of the structure of lobbying activities, namely its subject, object, result, methods and purpose.

Results and Discussion

The history of the origin of the term "lobby" (lobbying) is associated with lobbies, hotel corridors, the corridors of the parliaments of Great Britain and the United States, which became a meeting place for various stakeholders and government officials who listened to requests and promised, often not selflessly, but for money, to fulfill them (Kartashov, Horodok & Herasymchuk, 2016). In the allegorical sense of political terminology, this word is interpreted as "corridors of power" (Marenichenko, Sychova & Garkavyi, 2018). Vocabulary definition of the word "lobbying" (or "lobby") is a group of people who exert influence, exert pressure when considering issues in public bodies in the interests of certain groups, individuals in favor of one or another decision (Busel, 2005). So, lobbying is usually seen as a set of ways of targeted influence of individual citizens and their associations, business structures to public authorities in the process of their rule-making activities; a special mechanism of dialogue between the public, representatives of different social interest groups and public authorities.

First of all, it is necessary to say about the often quite broad understanding of the concept of "lobbying" and it is identified with the concept of public or social "influence", "pressure", "representation of interests" in domestic legal science. In particular, the title of one of the draft laws "On lobbying" in the process of its consideration was changed to the following: "On the influence of the public on the adoption of normative legal acts" (Nesterovych, 2010a). In this connection, attention should be drawn to the position of the Parliamentary Assembly of the Council of Europe, expressed in the report "Lobbying in a democratic society" of 5 June 2009. According to its, the regulation of lobbying should be based on the principle of clear delineation of lobbying as a professional paid activity and the activities of civil society organizations (Bazilevych, Nesterovych & Fedorenko, 2015).

The influence of civil society (interested groups and individuals) on the rule-making activities of public authorities can be exercised through a number of democratic legal institutions. Nesterovych (2014) writes that there are two models of public influence in the law-making process: 1) Anglo-Saxon (traditional, classical) model (USA, Canada, Great Britain, Australia, etc.) - public influence on the adoption of normative-legal acts is based on the implementation of the constitutional right of citizens to petition the authorities and has a clearly defined legal form; 2) continental (European) model (Germany, France, Austria, the Netherlands, etc.) - the influence of the public on the adoption of normative-legal acts is carried out through specially created advisory bodies to public authorities.

Lubinets (2020) points to the main difference between the American (Anglo-Saxon, classical) and continental (European) models by regulating lobbying in the law-making process. The American model assumes the existence of legislation on lobbying, which establishes the procedure for registration and reporting of lobbyists. The continental model does not impose strict requirements on lobbyists, but the legal framework of these states imposes legal restrictions mostly on officials in relations with members of the public. This model provides for the establishment of special advisory institutes, in which representatives of different interest groups have the opportunity to influence policy decisions.

Accordingly, approaches to the legislative regulation of lobbying in different countries are different. Some countries have chosen the American model by adopting a separate special legislative act in this area (USA, Canada, Australia, Great Britain, Austria, Ireland, France, Lithuania, Poland, etc.), and other continental - has no special legislative acts on lobbying, provisions governing certain aspects of lobbying are included in various legislative acts (Germany, Netherlands, Italy, Spain, Finland, Czech Republic, Croatia, Romania, Latvia, etc.). At the same time, for example, the legislation on lobbying in Hungary, adopted in 2006, was repealed in 2011 due to its ineffectiveness (Lubinets, 2020). The Law on Lobbying was adopted in the Republic of Lithuania in 2000, but in the first year of its operation only 6 people registered as lobbyists (European Information and Research Center, 2016). Thus, for various subjective and objective reasons, attempts at legislative regulation the institution of lobbying in different countries are not always effective.

The country of "classical lobbying" is the United States, where the legislative regulation of this activity has deep roots, and did not arise as a result of a one-time political decision. In 1946, the world's first special law regulating lobbying was passed, aimed at separating lobbying from corruption. Yarovoi (2019) points to the positive experience of the United States in the field of special regulation of lobbying activities, and notes that the problem of corruption related to the influence of various groups in society on decision-making by officials, until it is fully resolved, even in the United States.

Both models of representing the interests of citizens (their groups) before the government are to some extent implemented in the legislation of Ukraine. Thus, the first model of public influence on the rule-making of public authorities is based on the implementation of the constitutional right to appeal to public authorities, local self-government bodies and officials of these bodies, who are obliged to consider the appeal and give a reasoned response within the time limit established by law in Article 40 (Constitution of Ukraine, 1996). According to the Law of Ukraine No. 393/96-VR (1996), citizens can address public authorities with proposals (comments) which provide advice, recommendations on the activities of these bodies and their officials, as well as to express opinions on the regulation of social relationships and living conditions of citizens, improving the legal framework of state and public life, socio-cultural and other spheres of state and society. An electronic petition is a special form of collective appeal of citizens to the President of Ukraine, the Verkhovna Rada of Ukraine, the Cabinet of Ministers of Ukraine, and the local self-government body.

The second model of public influence on the rule-making of public authorities is based on the realization of the constitutional right of citizens to participate in the management of state affairs in Article 38 (Constitution of Ukraine, 1996). For example, at the level of the Parliament of Ukraine, the influence of the professional scientific community on legislative activity is realized through the creation of the Scientific Advisory Board under the Chairman of the Verkhovna Rada of Ukraine - consultative-advisory body that operates to attract highly qualified specialists in the field of law to work on draft laws and provides its scientific support (Order No. 502, 2021). At the level of executive power, this model is implemented through the legal institution of public councils. Thus, the Resolution of the Cabinet of Ministers (Resolution No. 996, 2010) provides for the establishment of public councils at ministries, other central executive bodies and local state administrations as temporary consultative-advisory bodies that promote public participation in the formation and implementation of state and regional policy. The main tasks of the public council, in particular, are promoting the consideration of public opinion by the executive body, involvement of representatives of interested parties in decision-making.

Accordingly, lobbying can be considered only as one of the public political-legal institutions of public influence (stakeholders and individuals) on the rule-making activities of public authorities and their officials, carried out by special entities (lobbyists) on a professional basis. The formation of the legal institution of lobbying in Ukraine can take place only taking into account the existing in Ukraine legal democratic institutions of public influence on government, without limiting the latter, and in parallel with them. Thus, speaking about the legal regulation of lobbying in Ukraine, lobbying should be seen as a professional activity of lobbyists (intermediaries between stakeholders and public authorities), which consists in defending the interests of certain groups and exercising legitimate targeted influence on public authorities and their officials in favor of making of one or another decision. Legislative consolidation of the legal institution of lobbying should not replace or limit other existing and existing legal institutions of public influence on the decisions of public authorities, and should provide for the formation of a professional group of mediators between society and government (lobbyists), who must have a certain amount of rights and responsibilities to carry out their mediation activities.

In particular, the Concept of the Draft Law of Ukraine "On Public Influence on the Adoption of Legal Acts" defines lobbying as a legitimate influence of duly registered and accredited persons (lobbyists and lobbying associations) on public authorities, their officials in the interests of customers, during the adoption (participation in the adoption) of their normative-legal acts (Order No. 448-p, 2009). The draft law No. 3059 "On State Registration of Lobbying and Lobbying in Ukraine" of 11 February 2020 defines lobbying as the activity of a natural or legal person, who from the moment of state registration and for monetary remuneration, in accordance with the terms of the agreement on lobbying, aimed at fulfilling the terms of such agreement, as well as preparation, planning, coordination, research, other ancillary work, which at the time of their implementation are aimed at fulfilling the terms of the contract for the provision of lobbying services. Thus, lobbying is a "mediating" public political and legal phenomenon, one of the mechanisms of communication between society and business with the government (Marenichenko, Sychova & Garkavyi, 2018).

The subjects of lobbying are lobbyists (legal entities and individuals) who are engaged in mediation activities between society and government, provide organized representation of the interests of various stakeholders, and are registered in accordance with the legislation on lobbying. For example, in the United States there are lobbyists, lobbying firms, law firms, companies specializing in government relations, public affairs. In Germany, lobbying is exclusively for legal entities with the status of associations, unions and organizations. In France, these are individuals and legal entities, which are mainly formed by professional, age and other characteristics. In the United Kingdom, there are lobbyists who are united in lobbying firms, and most lobbyists are members of the Association of Professional Political Consultants (European Information and Research Center, 2016). Accordingly, the objects of lobbying activities are public authorities and their officers. The result of lobbying is the adoption (non-adoption) of a decision (normative-legal act) by these bodies or their officials in the interests of relevant groups or individuals. The purpose of lobbying is to organize and exert pressure (legitimate influence) on the process of decision-making by the authorities of certain decisions (normative-legal acts) to secure the interests of interested groups or individuals (Nesterovych, 2010b). These interests may be different, but even in countries with rich democratic traditions, lobbying pursues predominantly socio-economic interests (Odintcova, 2008).

The goal of lobbying can be achieved in different methods. Their choice depends on the political-legal situation in a particular country, potential opportunities of subjects and features of objects of lobbying activity (Kravchenko & Kucheriavyi, 2019). In the experience of different countries of legal regulation of lobbying, the main organizational and legal forms of interaction of lobbyists with public authorities in the process of adopting normative-legal acts are: sending petitions to the authorities; organization and holding of public hearings; participation of lobbyists in the work of parliamentary committees, consultative and advisory institutions established under public authorities; initiating the adoption of necessary normative-legal acts (European Information and Research Center, 2016). For example, in the

European Union, the mechanism for cooperation between civil society and the legislature is the official "European Commission Transparency Register", where any European organization can submit its data in order to receive notification of the opening of a particular issue of future EU legislation or, by filling in the relevant documents, thus communicate its position to the EU structures (Krut, 2020). In the Ukrainian reality, in the absence of legal regulation of lobbying activities and its shadowy nature, illegal methods of dialogue are usually used: providing illegal benefits, undeclared funding of politicians and civil servants, shadow ties, backstage conspiracies (Main Scientific and Expert Department of the Verkhovna Rada of Ukraine, 2020).

Professional lobbyists have a certain legal status, which determines the scope of their rights and responsibilities, and therefore have real legal mechanisms in order to provide public authorities with information on certain topical (socially significant) issues that need to be addressed, and to exert legitimate pressure on a decision. Accordingly, organizational and legal forms of participation of lobbyists in the activities of public authorities, methods of control of lobbying activities and legal responsibility of lobbyists also require a clear legislative definition. Rosenko (2010) writes that lobbying is sometimes compared to advocacy. Only a advocate protects the already violated right of the client, and the lobbyist seeks to ensure his right by adopting appropriate normative-legal acts.

When trying of legislative regulation the institution of lobbying in Ukraine, special attention should be paid to the ethical side of the issue, which determines the positive or negative nature of lobbying in general. In particular, it is a question of creation of an image of the highly professional, honest and incorruptible lobbyist, formation of image of independent, successful and respectable profession. For example, in the United States, these functions are assigned to the American League of Lobbyists, a non-governmental organization established in 1979 (Main Scientific and Expert Department of the Verkhovna Rada of Ukraine, 2020). Ethical rules of conduct for lobbyists should be based on the principles of legality, transparency, openness and integrity as the basic principles of the lobbying profession. Legality provides for lobbying exclusively in the legal field. Transparency and openness are associated with the availability to the public of complete, objective and reliable information about lobbying. Integrity characterizes the lobbyist's personality, is key to his reputation as a professional, should become the standard of the profession, find expression in corporate moral and ethical standards that lobbyists must follow when lobbying, and is ensured by the existence of lobbying ethics. In particular, the draft Law on Lobbying (Law No. 5144, 2016) proposed the following interpretation of integrity as a principle of lobbying. Integrity is the activity of lobbyists aimed at conscientious protection of the interests of clients of lobbying services, prohibition of lobbyists to simultaneously represent the interests of two or more competing customers of lobbying services, if this may lead to a conflict of interest as defined in the relevant lobbying agreements.

It should also be noted that the legislative regulation of lobbying in Ukraine should be comprehensive and systematic, in particular, taking into account that lobbying takes place in the rule-making process at all levels of public authority from parliament to local governments. The norms of the special law on lobbying should be harmonized with the legislation regulating the functioning of other legal institutions of influence of certain groups of society and citizens on the government, as well as with the legislation determining the legal status of public authorities, anti-corruption legislation and other legislation in related areas.

Conclusions

In the current political-legal realities of Ukraine, lobbying is an integral part of the life of the state and society, but operates outside the legal field, has a mostly shadowy, corrupt nature. The experience and effectiveness of legislative regulation of lobbying in different countries are different: both the existence of special laws on lobbying, and the inclusion of rules on certain aspects of lobbying in other laws. Technical copying of foreign models of legal regulation of lobbying without taking into account the historical, cultural and state traditions of Ukrainian society, domestic political-legal reality is unpromising. The formation of the legal institution of lobbying in Ukraine cannot restrict other rights of citizens regarding their influence on the authorities, which are guaranteed by the Constitution of Ukraine and defined by national legislation. Lobbying should be considered as one of the democratic institutions of influence of the public and business structures on decision-making by public authorities (representation of interests), namely as a professional mediation activity between society and government.

Lobbying needs to be clearly distinguished from other activities related to the influence of civil society on decision-making by public authorities.

The main issues that need to be resolved in the process of adopting a special law on lobbying in Ukraine are the following: 1) development of theoretical-methodological foundations of lobbying in national political-legal realities, taking into account similar foreign experience; 2) a comprehensive approach to the legislative regulation of lobbying activities at all levels of public authority; 3) clear coordination of lobbying norms with legislation in related areas; 4) legislative definition of subjects, objects, purpose, result, methods of lobbying activity, legal status of lobbyists, their rights, duties and legal responsibility, the order of their state registration; 5) development of corporate moral-ethical standards, which should guide professional lobbyists, based on the principles of legality, transparency, openness and integrity as the basic principles of the lobbying profession. Only in this case, lobbying can become one of the effective, efficient and legitimate democratic political and legal institutions of public influence on the content of decisions of public authorities.

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The communication and acceptance of chinese films and TV series in Kazakhstan in the context of overseas promotion of chinese

中华文化“走出去”背景下中国影视剧在哈萨克斯坦的传播与接受[82]

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Abstract

Kazakhstan is the largest country in Central Asia, and its cooperation with China in economic and cultural aspects is increasingly close. Studying the communication and acceptance of Chinese film and TV series in Kazakhstan can better understand the acceptance and cognition of Chinese culture by the Central Asian people. Based on data analysis and literature research methods, this paper reviews the history of communication and current situation of Chinese films and TV series in Kazakhstan, uses questionnaires to explore the ways and effects of communication of Chinese film and TV series in Kazakhstan, and analyzes the perception of different types of Chinese film and TV series by Kazakhstan audience. It also pointed out a series of problems existing in the communication and promotion of Chinese films and TV series in Kazakhstan: the cultural differences between China and Kazakhstan, the low quality of subtitle translation of film and TV series, and the lack of adequate publicity. Some suggestions are proposed to promote the promotion of Chinese film and TV series in Kazakhstan and Central Asia, so as to promote the in-depth exchange and cooperation of film and television culture in countries along the Belt and Road.

Key Words: Chinese films and TV series, Kazakhstan, communication and acceptance.

摘要：

哈萨克斯坦是中亚地区最大的国家，与中国在经济和文化等方面的合作日益密切。研究中国影视剧在哈萨克斯坦的传播与接受，能更好地了解中亚民众对中国文化的接受度和认同感。本文基于数据分析和文献研究法梳理了中国影视剧在哈萨克斯坦的传播历史和现状；利用调查问卷探讨了中国影视剧在哈萨克斯坦传播的途径和效果，剖析了哈萨克斯坦观众对中国不同类型影视剧的接受情况；并指出了其中存在的一系列问题：中哈两国文化差异大、影视剧字幕翻译质量不高、宣传不到位等相关问题提出若干建议，以期促进中国影视剧在哈国以及中亚地区的传播，推动“一带一路”沿线国家影视文化层面的深入交流与合作。

关键词：中国影视剧；哈萨克斯坦；传播与接受

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Introduction

With the improvement of China's comprehensive national strength, more and more countries in the world are turning their attention to China. In order to let more countries in the world know about Chinese culture, China has launched the "Going Out" Strategy of Chinese Culture. Kazakhstan is the largest country in Central Asia, with the further development of relations between China and Kazakhstan, China and Kazakhstan have continuously strengthened cooperation in politics, economy, trade, culture and other fields. In this context, the communication of Chinese film and TV series in Kazakhstan has also ushered in new opportunities. Taking this as the starting point, this paper analyzes the communication and acceptance of Chinese film and TV series in Kazakhstan from the perspectives of communication background and communication opportunity. It also discusses the acceptance of Chinese film and TV series by the Kazakhstan audience and the communication dilemma of Chinese film and TV series in Kazakhstan through a questionnaire survey. In view of the current situation of Chinese films and TV series in Kazakhstan, this paper puts forward five suggestions to improve the communication effect of Chinese film and TV series in Kazakhstan.

Theoretical Framework or Literature Review

Communication Background of Chinese Films and TV Series in Kazakhstan

In recent years, driven by the strategy of “overseas promotion of Chinese culture industry” and "Belt and Road Initiative", Chinese cultural industry, such as literature, culture, fine arts, and film and television works, have been "sailing out to sea" to achieve better overseas communication. In such a macro background, the overseas communication of Chinese films and TV works have also made remarkable achievements. According to the data of the Ministry of Commerce, China's cultural trade exports reached 99.89 billion US dollars in 2019, and China's foreign cultural communication has achieved rapid development. In the export and communication of cultural products, film and television works are the most common and widely spread type that the public is willing to appreciate and accept.

The communication history of Chinese films and TV series in Kazakhstan can be dated back to the period of the Soviet Union. At the end of the last century, the Russian version of *Pilgrimage to the West* was widely loved by the Kazakhstan people and has been rebroadcast for many times. The films of *Turpan Love Song* and *Beautiful Homeland* produced by Tianshan Film Studio were the first Chinese films to enter the Central Asian film market (Jianqi, 2015: 119). In recent years, with the continuous deepening of the friendly relations between China and Kazakhstan, economic and trade cooperation has become increasingly close. As a Chinese saying goes, "the state-to-state relation lies in amity between the two peoples". With the deepening development of China-Kazakhstan relation, the Kazakhstan people are increasingly enthusiastic and interested in learning Chinese language and the Chinese culture. One of the best ways to understand Chinese culture is to watch Chinese movies and TV series because they demonstrate Chinese culture in a visualized, vivid and poplar manner.

In the 21st century, with the vigorous development of mass media, films and TV words have become an important carrier of cultural exchanges among various ethnic groups because of their prominent entertainment functions. They are easy to understand, pleasing to the eyes and can be widely communicated in many areas. Therefore, Chinese culture, including Chinese music and TV series, has gained more and more attention in Kazakhstan.

The Communication Opportunities of Chinese Films and TV Series in Kazakhstan

The Growth of China's Comprehensive National Strength and the Deepening of China-Kazakhstan Relation

The influence of a country's culture on the world depends largely on its comprehensive national strength (Mengzhen, 2018: 152). On the one hand, the prosperity of national strength has led to innovation and great progress in other social and cultural fields, resulting in great cultural prosperity and development, and thus more advanced and innovative cultural products and varied cultural forms have been spread overseas. On the other hand, a country with strong comprehensive national strength will have greater influence in the world and attract people's interest and attention. People would like to know the history and cultural development of such strong and developed countries (Bin, 2008). With the rise of China on the international stage, Kazakhstan media have paid much attention to the achievements of China. *24.KZ, Khabar*, and

Kazakh TV have made a lot of news reports related to the development of China's economy, highly praising the achievements of China in various fields. In such a macro context, more people in Kazakhstan are eager to learn Chinese language and understand Chinese culture. Films and TV series are an important window for the Kazakhstan people to understand China and learn Chinese.

As the most powerful and richest country in Central Asia, Kazakhstan is the first stop on the Silk Road. President Xi Jinping attaches great importance to China-Kazakhstan relation and has visited Kazakhstan for many times. In August 2015, the ministers of Culture of the two countries signed a new intergovernmental agreement of cooperation on cultural and humanity issues. Since the signing of the agreement, senior officials of relevant departments and non-governmental organizations of China and Kazakhstan have continuously expanded and deepened exchanges and cooperation in the relevant field. Through the governmental decision-making and the policy of top-down promotion, China-Kazakhstan comprehensive strategic partnership has entered a new stage and the bilateral economic and cultural exchanges have been growing steadily. In particular, the cooperation in the cultural field has been continuously refined, and the film and television exchanges between China and Kazakhstan have also made great progress, which is also the basis for the smooth communication of Chinese films and TV series in Kazakhstan.

The Rapid Development of Kazakhstan's Cultural Industry

Culture is a social phenomenon, and every country and nation has its own specific culture. In the context of globalization, the role and status of culture is increasingly recognized, and cultural strength has become an important indicator to measure the comprehensive national strength of a country. Since the independence of the country, Kazakhstan has set the cultural development goal of protecting the Kazakhstan national cultural tradition and fully supported its cultural development.

Nazarbayev, former President of Kazakhstan attached great importance to developing its culture. In the State of the Union address entitled "*The Road to Kazakhstan - 2050 Development Strategy: the Same Goal, the Same Interests, and a Shared Future,* the president put forward the idea that “Kazakhstan ought to inject new impetus to the development of our culture, and formulate long-term cultural political ideas”. The concept should include measures to develop a modern culture cluster with the aim of forming a competitive internal culture of Kazakhstan. Strong support for the country's cultural development is also reflected in the *Strategic Development Program of Kazakhstan 2030*. To this end, the Kazakhstan government has beening increasing its investment in the field of cultural development year by year. According to the Statistics bureau, Kazakhstan invested 68 billion tenge in cultural, leisure activities and sports projects in the year 2016. The total of the investment in the year 2017 was 75.1 billion tenge, 104.2 billion tenge in the year 2018 and 155.8 billion tenge in the year 2019. In the first ten months of the year 2020 the figure was 240 billion tenge (Italics, 2020) Therefore, Kazakhstan's cultural industry has made great progress, with the number of cultural facilities and venues increasing year by year. The specific data are as follows (see Table 1):

Table 1.
Statistical Table of Cultural Venues and Facilities in Kazakhstan.

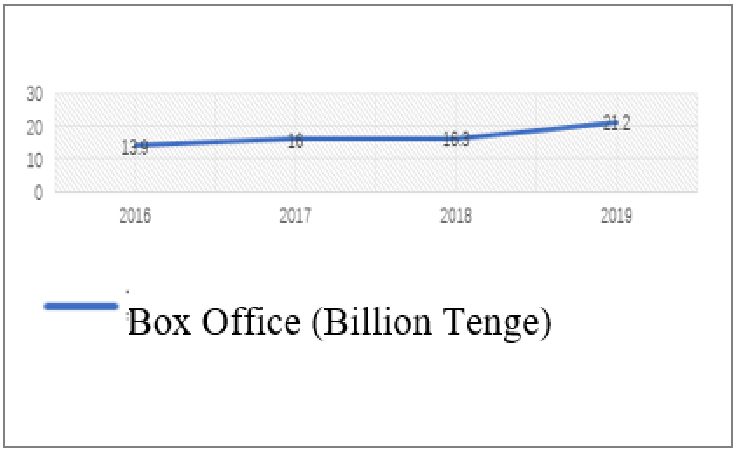
Cultural Venues	2016	2017	2018	2019	2020
Theatres	64	68	68	65	65
Audience (1,000)	2,341.4	2,771.1	2,833.6	2,942.1	894
Libraries	4,118	4,100	4,054	3,962	3,925
Audience (1,000)	49,573.9	51,511.8	53,360.6	52,396.7	34,109.6
Museums	238	240	245	250	253
Audience (1,000)	5,894.7	6,450.2	6,716.0	6,829.3	2,351.3
Cinemas	94	96	96	101	99
Audience (1,000)	14,474.9	17,606.7	17,840.7	19,880.5	4,781.2

(Source: Statistical Office of Kazakhstan Strategic Planning and Reform Agency, 2021)

As can be seen from Table 1, the epidemic in 2020 had a certain impact on Kazakhstan's cultural industry. Before 2020, Kazakhstan's cultural industry showed a trend of steady development, and the number of visitors or audiences to various cultural institutions kept increasing. The film industry was booming, and the total numbers of moviegoers in 2019 was about 37 percent up than that from 2016. Cinemas in Kazakhstan launched various preferential activities in order to attract more audiences. For example: some cinemas set the ticket price by time (the ticket price was cheaper in the morning), and set the ticket price by age (there are adult ticket, children ticket, and youth ticket). Some cinemas launched the movie membership card, and offer preferential prices from Monday to Wednesday, etc. In addition, the equipment of cinemas has been constantly upgraded. In 2018, for example, there were 314 cinemas in Kazakhstan, of which 62.4 percent were 3D screens (Leontieva, Kuzmichev & Mudrova, 2019).

The soaring box office of Kazakhstan films (see Table 2) also shows that Kazakhstan film industry has achieved great development, and the Kazakhstan people's spiritual consumption and pursuit have been improved.

Table 2.
Box Office of Films in Kazakhstan.



(Source: Leontieva, Kuzmichev & Mudrova, 2019；State Center for National Cinema Support, 2022)

To sum up, the development of Kazakhstan's cultural industry has created favorable conditions for the communication of foreign films including Chinese films in Kazakhstan.

Extensive Construction of Film and Television Culture Communication Platforms in China and Kazakhstan

In order to further promote cultural exchanges between China and Kazakhstan, relevant government departments and enterprises of the two countries have actively set up platforms for film and television exchanges, which played a significant role in helping film fans of the two countries interact and understand each other's cultures. In the year 2017, the Chinese Film Exhibition, which was jointly undertaken by China Film Group Corporation, China Film Literature Society and Young Heroes and Heroines Culture Co., LTD, was held in Astana, the capital of Kazakhstan. During the film exhibition, many excellent Chinese films were screened, such as *Kung-Fu Yoga, True Love, The Wolf Totem, Ili River, Go Away! Mr. Tumour, The Flowers*, and so on (Xiao, 2017). During the same period, "Kazakhstan Chinese Film Exhibition -- Xinjiang Film Week" was held in Almaty, during which a number of Xinjiang films were screened, including *True Love, Where Dreams Begin, Money on the Road* and so on, which were well received by Kazakhstan film fans（Fan，2017）.

In addition, film and television co-production between China and Kazakhstan has also witnessed vigorous development. In 2019, The Musician, a co-production between China and Kazakhstan, was released in both countries. The film tells the story of Xian Xinghai, a musician who was stranded in Kazakhstan during the war in the 1940s. The film grossed a box office of $649,703 and was loved by Kazakhstan audiences, who considered the film "deeply moving and touching" and "worth seeing."

As the deepening of trust and cultural ties between the Chinese and Kazakhstan people, Chinese TV series have also opened up a market in Kazakhstan. Many Chinese films have easy-to-understand storylines that can cause the same emotional response of the Kazakhstan audiences. This makes Chinese TV series more appealing to the Kazakhstan people. KTK (Kazakh commercial television channel) broadcasts a large number of modern and ancient Chinese TV series. During its run in Kazakhstan, the channel's Chinese modern TV series *Hey, Old Man* attracted 10.5 percent of viewers. *Feathers to the Sky*, a TV series about ordinary Chinese entrepreneurs, was also popular in Kazakhstan. Ayman Varieva, manager of the program manager department of KTK TV, said that she liked the Chinese TV series *Come on, you are the Best* very much, and that Chinese TV series were very popular with the Kazakh people. At the same time, KTK has found a new way to broadcast Chinese period dramas such as *Wei Zifu* and *Empresses in the Palace*. In 2020, Astana TV broadcast the Chinese TV series *All Is Well*, which achieved good ratings among the Kazakhstan audience. The leading actor Ni Dahong gained a large number of fans in Kazakhstan by virtue of this TV series.

Methodology

In order to further understand the communication status of Chinese films and TV series in Kazakhstan, the author conducted a survey by means of questionnaire and drew some conclusions. This survey mainly targeted at Kazakhstan who know Chinese language, and a total of 200 copies were distributed and 139 copies were recovered. Among the respondents, 49 did not understand Chinese language and 90 did.

Results and discussion

Investigation on the Current Situation and Problems of Chinese Films and TV Series in Kazakhstan

Channels and Ways for Kazakhstan People to Watch Movies

Based on the analysis of specific survey data, it can be seen that the Kazakhstan people mainly watch Chinese films and TV series through film festivals, cinemas, film and television channels, video websites and other ways, and the specific proportions of these ways are different. Twenty-one of them (about 15 percent) watched Chinese films through film festivals. Twenty-four respondents, or 17.2% of them went to the cinemas to watch Chinese films. 11 people (about 7.8% of the respondents) watch Chinese movies through film and television channels, such as MGTV, etc. More Kazakhstan (83, or 60 percent of the respondents) watch Chinese movies and TV series on free video websites, including www.1905.com, YouTobe, Baskino, Doramatv.live, hdrezk. PRO and others. So fewer Kazakhstan people are actually willing to go to the cinema and pay for the movies they are going to watch. The rapid development of the Internet has made it the main channel for the Kazakhstan people to watch Chinese films and TV series.

Popular Types of Chinese Films and TV Series among the Kazakhstan People

In order to further understand the interest of the Kazakhstan people in watching movies, this questionnaire designs and involves the film and television themes that the Kazakhstan people like. The questionnaire data intuitively reflect the audience's interest in China in different types of film and television. 75 people (about 54% of the respondents) of respondents like Chinese Kung Fu movies, represented by Bruce lee, Jackie Chan, Jet Li and other Chinese martial arts stars. They have carried forward Chinese Kung Fu action movies, and made Chinese Kung Fu action movie a "business card" for the foreign audiences to get know China. Eighteen people (about 13 percent of the respondents) prefer Chinese comedies, while 17 people (about 12 percent of the respondents) prefer Chinese family dramas. The rest of the respondents prefer Chinese literary movies, historical dramas in costume and documentaries about Chinese culture.

It can be seen that with the continuous promotion of the "Belt and Road Initiative", Central Asian countries represented by Kazakhstan have diversified types of Chinese films and TV dramas. Historical costume dramas, family dramas, science fiction films and literary films have entered their life and won recognition of the Kazakhstan people. From the perspective of communication types, the communication of Chinese films and TV series in Kazakhstan should not only rely on a certain type, but also select and match film types according to Kazakhstan's culture and movie-watching habits, so as to achieve better communication and acceptance effects in Kazakhstan (Huilin & Zheng et al, 2016: 17-25).

The Kazakhstan People's Attitude Towards Chinese Films.

Through a detailed study of the questionnaire, it can be seen that the communication effect of Chinese films and TV series in Kazakhstan is not satisfactory. Sixty-one people (about 43 percent of the respondents) think Chinese films and TV series are good and like them. Seventy-three, or 52 percent of the respondents, have a neutral attitude toward Chinese films and TV Series. Six, or about 4 percent of the respondents, said they dislike Chinese films and TV series. At the same time, the survey detailed which films and TV series the Kazakhstan like to watch. American movies topped the list, with 91 people (61% of the respondents) favoring American movies, citing their compact plots, superb acting skills and excellent production. Thirty-two people (about 23 percent of the respondents) like Russian movies, because the two countries have similar culture and the Russian films are easy to understand. Fifteen people (about 10% of the respondents) like Chinese movies. Twenty-six people, or 18 percent of the respondents, like Korean movies. At the same time, many respondents being interviewed like to watch films from Turkey, Japan and European countries. In recent years, with the improvement of Kazakhstan's domestic film production level, many interviewees (8 people, about 5% of the respondents) support domestic films.

The topic of favorite Chinese actors and actresses is closely related to the movie themes watched by the Kazakhstan people. Forty-six people, or 33 percent of the correspondents, like Chinese martial arts stars such as Jackie Chan, Bruce Lee, Donnie Yen and Jet Li. Chinese actors such as Gong Li, Ni Dahong, Ge You and Zhang Ziyi are also popular in Kazakhstan for their acting skills. 19 people, or 13 percent of the correspondents, said they like the new generation of Chinese actors, including Huang Jingyu, Wang Dalu and Xiao Zhan. Twenty-two, or about 15 percent of the correspondents, said they had no interest in Chinese actors and actresses. From the above survey data, it can be seen that most of the Kazakhstan people's impression of Chinese films stays on Kung Fu movies and Kung Fu stars. As more and more Kazakhstan students choose to study in China and get in touch with Chinese culture, Kazakhstan audiences will break through the previous limitation of Chinese Kung Fu movies and have a more diversified choice of Chinese films and TV series.

Problems Existing in the Communication and Acceptance of Chinese Films and TV Series in Kazakhstan

The economic and diplomatic cooperation between China and Kazakhstan has laid a solid foundation for the communication of Chinese films and TV series in Kazakhstan. A series of positive measures, such as Chinese Film festival and China-Kazakhstan co-production of films, have greatly promoted the communication of Chinese films and TV series in Kazakhstan. However, the communication of Chinese films and TV series in Kazakhstan also faces multiple problems. Many Kazakhstan people still have an impression of Chinese films at the level of Kung Fu movies, while some Kazakhstan people say they have no interest in Chinese films and TV series.

There are many factors influencing the wide spread of Chinese films and TV series in Kazakhstan, the most obvious one of which lies in the different cultures of China and Kazakhstan. Film and television works have their own national characteristics, and the film and television works of a region reflect the cultural characteristics of the region. Sixty-six respondents (about 47%) believe that there is a big difference in cultural values between China and Kazakhstan, and they cannot accept and understand the culture and values expressed in Chinese films and TV series. Fifty-two people (37% of the respondents) said they could not understand the meaning of Chinese films due to language problems. Foreign audiences' cognition of Chinese films basically starts from the subtitles, and the quality of the translated subtitles directly affects audiences' cognition and understanding of the films. Respondents said that when watching Chinese films, they need to use English or Russian subtitles, but the translation of these subtitles cannot clearly and completely express the content and meaning of the film. Twelve people, or about 8 percent of the respondents, said Chinese films are not well-made enough to compete with the American films. Twenty-two respondents (about 15%) cited other reasons, such as political factors, less publicity of Chinese films and TV series in Kazakhstan, and less cooperation between the two countries in this regard.

Countermeasures and Suggestions on the Communication of Chinese Films and TV Series in Kazakhstan

How to effectively spread Chinese culture and promote Chinese films to enter the international market is an issue constantly discussed by the academic circle. Based on the questionnaire survey and interview attempt of Kazakhstan audiences, the following countermeasures are given in this paper:

Actively Carry out "Film diplomacy" and Explore New Channels for China-Kazakhstan Co-production of Films

In the mid-20th century, China's "Panda Diplomacy" was a way for China to enhance its soft power. In the year 1971, the "Ping-pong Diplomacy" between China and the United States helped to improve relations between the two countries. Professor Liu Wenfei of the Chinese Academy of Social Sciences put forward the new concept of "Literature Diplomacy" for the first time, which advocated the "normal" diplomatic relations between two countries should be pluralistic, involving political, economic and cultural fields. At the same time, this relationship should also be enhanced to a certain depth and breadth. We should not only rely on political diplomacy, economic diplomacy, military diplomacy and energy diplomacy, but also rely on cultural diplomacy and cooperation and communication in the fields in humanities, among which literature occupies an important position (2016). Compared with printed books, films and TV series have more advantages in attracting audiences for their audio-visual expression and easy accessibility. So, actively carrying out "Film Diplomacy" will play an important role in the overseas promotion of Chinese films and deepening diplomatic relations between the two countries.

An important channel of "Film Diplomacy" is the active cooperation between China and Kazakhstan in film production. A series of agreements between the two countries have provided national support for this "Film Diplomacy". In the year 2017, China and Kazakhstan issued a joint statement, in which the article 22 clearly stipulates that "the two countries should strengthen their cultural exchanges, expand media cooperation, strengthen mutual translation cooperation of literary works and films, and jointly produce films and TV series." In the same year, the two governments signed the *Agreement on China-Kazakhstan Film Production*. Under the framework of this agreement, the Sino-Kazakh co-production of *Composer*, a film about Xian Xinghai's experiences during the war, was widely acclaimed and welcomed by the audiences in Kazakhstan. China has always upheld the concept of good-neighborliness and friendship with Kazakhstan. The joint production of films between the two sides will not only combine Chinese culture with Kazakhstan culture, but also resonate with the Kazakhstan people based on the perspective of their own audiences. Co-produced films and TV series will not only enhance the cultural soft power and international influence of China and Kazakhstan, but also tell China's stories and spread China's voice in a better way (Yanling & Yixuan, 2019: 53-58).

Attach Importance to the Cultural Communication Power of Overseas Students and Establish an Effective Working Mechanism

With the further advance of the *Belt and Road Initiative*, learning Chinese language has become a trend in Kazakhstan. During his visit to Kazakhstan in the year 2017, Chinese President Xi Jinping announced an increase in the number of Chinese government scholarship granted to overseas students in Kazakhstan (Delu, 2019). During a visit to the local schools in December 2018, former Kazakhstan President Nursultan Nazarbayev said that the trade with China accounted for 20 percent of Kazakhstan's foreign trade and called on students to choose Chinese as a second foreign language (Xiao, 2019). What's more, the Kazakhstan news agency reported that China had become the second largest destination for Kazakhstan students to study abroad (Shangluo, 2021).

Through learning Chinese language and getting in close touch with Chinese culture, the international students from Kazakhstan can have a deep affection for China, and they will have a positive impact on the spread of Chinese culture after returning home including Chinese movies. From this point of view, the work related to international students in China should not only be an international educational and cultural exchange, but also a part of the national cultural diplomacy strategy of China (Jiaying, 2010: 152-157). The United States was the first country to recognize the important role of foreign students as a "medium" for cultural exchange between countries. The US has done much to convey its American values abroad, with 200,000 young people from Central Asian countries receiving some certain forms of American education, and many of them are now working for Western companies. After studying in the United States, these young people returned to their home countries and became the main "medium" for spreading American culture overseas (Jie, 2006: 70-72).

It can be seen from the above questionnaire that the Kazakhstan people with Chinese learning experience generally like Chinese culture and have a high evaluation of Chinese films. As an important channel for Chinese films to spread to the foreign countries, the national government of China and the relevant schools should strengthen its cultural strategic awareness and establish a long-term mechanism in the education of overseas students. In the teaching process, the Chinese film and television arts should be introduced in the contents of their courses, and help the foreign students to experience the charm of Chinese film and television arts. This can make them keep into contact with more excellent Chinese film, feel the Chinese culture in the movies, understand the system of China's national policy, and better understand the culture and values of Chinese spirits and the deep cultural connotation in it, so as to cultivate more messengers of carrier to spread Chinese culture and enhance China's international image. The overseas students will become the new force of Chinese film overseas communication, which is topic worth pondering and researching for Chinese educators in the future.

Maintain the Established Mode and Develop the Advantages of New Media in the Digital Era

In the past, Chinese films went to the international market mainly relying on film festivals, cinemas and other physical communication channels. However, the coming of the digital age has greatly impacted the traditional mode of film viewing and the communication of film culture. In the digital era, new media has become an important way for people to watch movies and TV series due to its strong communication ability and convenient application. From the questionnaires and interviews, it can be seen that that about 60 percent of respondents in Kazakhstan watch Chinese movies and TV series on free video websites. With the further development of digital technology, mobile apps, video websites and other new media have become important channels for the people to watch movies. According to the *Global Survey on China's National Image*, 51 percent of overseas audiences prefer to learn about Chinese culture through new media. Young people, in particular, are more accustomed to getting Chinese information through new media (Yunquan, 2017). Based on this, while relying on traditional cinemas and TV channels, Chinese films and TV series should also actively seek cooperation with Kazakhstan video websites, earnestly explore the viewing needs of Kazakhstan people, and deliver high-quality Chinese films and TV series to Kazakhstan through those new media.

In addition, the function of new media in film and television publicity cannot be ignored. Different from the traditional forms of communication, the power of new media and its influence have become a trend in the network information age. In the era of digital economy, the publicity, broadcasting and feedback of Chinese films and TV series can all rely on the effectiveness of new media. In the future, we should pay attention to the power of new media, build a new communication system for Chinese films and TV series, establish government or more private websites, and give full play to the role of network communication, so as to promote the wide spreading and communication of Chinese films and TV series in Kazakhstan.

Improve the Translation Quality and Optimize Translation Strategies

Some scholars have pointed out that translation is always a bottleneck in the promotion of Chinese culture (Xiaoyong, 2013). The same is true of the spread of Chinese films and TV series. Film and TV works are the material carrier of Chinese culture to the outside world, and film and television language contains rich cultural information and cultural connotation. Different from written words and contents, film and television language is characterized by its instantaneity, localization and simplicity. Compared with literary works, the audience of film and television is obviously wider and more popular, so the language of film should be suitable for both the old and the young as well as for the educated and uneducated, so the language should be both elegant and popular. A translation that is too obscure will only deter foreign audiences. At present, the institutions and individuals committing to the Chinese film and TV series translation in Kazakhstan mainly consist of translators from relevant film and TV departments in Kazakhstan, Chinese producers, and fans of Chinese film and TV series on relevant video platforms. However, there are many problems. Firstly, there lacks standards and supervision for the translation of Chinese films. Secondly, some translators do not understand the film, and foreign translators do not understand Chinese culture. Thirdly, some production companies or Kazakhstan distribution companies do not understand the translation and do not pay attention to the translation. There are other problems. According to questionnaires and interviews, about 37 percent of the respondents said Chinese subtitles translation is difficult to understand. As is known to us, the translation strategies should serve translation purposes. Kazakhstan's impression of China lies in the rapid development of science and technology and economy, while its acceptance of Chinese culture and their perception of the identity of Chinese culture and values are not so high as we expect.

In this context, the selection of translation strategies for film and TV art works' translation is particularly important. In order to smoothly carry out cross-cultural communication in film and television translation, it is necessary to consider the dual context of Chinese and Kazakhstan language cultures and their different film and television cultures. When there is no corresponding vocabulary in the target context, the translation strategy of "combining domestication and foreignization" can be adopted to localize the film and television language as much as possible, which is conducive to local people's understanding of the film and television content.

Give Full Play to the Advantages of University Scientific Research and Cooperate with Multiple Departments

With the continuous promotion of the "Belt and Road Initiative", the academic circle pays more and more attention to the research on the countries along the "Belt and Road", and the research fields include the economy, politics, military, humanities and other aspects of the related countries. After the disintegration of the Soviet Union, China established friendly relations with central Asian countries one after another. Many research institutes and research centers specializing in Central Asian issues emerged, such as The Central Asian Institute of Lanzhou University (established in1994) and the Central Asian Institute of Shaanxi Normal University (established in 2004). Shanghai International Studies University (in 2015), Beijing Foreign Studies University (in 2016) and Dalian Foreign Studies University (in 2016) have set up the Kazakhstan Research Center, and Zhejiang University of Finance and Economics (in 2018) has set up the Kazakhstan Economic and Social Research Center. These Central Asia Institutes and Kazakhstan research centers have made full use of their advantages to provide multiple support for the further development of China-Kazakhstan relations. Colleges and universities should establish cooperation mode with enterprises, and complement each other's advantages to jointly carry out academic research, including investigating the channels for foreign audiences to watch Chinese films and TV series and exploring the demand for foreign audiences to watch Chinese films and TV series, so as to provide accurate countermeasures and guidance for Chinese films and TV series to go global. In the future, more attention should be paid to the research capacity of scientific research institutions in colleges and universities, so as to achieve better overseas communication of Chinese films and TV series.

Conclusion

Under the guidance of the strategy of “overseas promotion of Chinese culture industry” and "Belt and Road Initiative", the spread and communication of Chinese films and TV series in Kazakhstan have achieved certain progress. However, on the whole, the influence and market share of Chinese films and TV series in Kazakhstan is still very low, and the communication of Chinese films and TV series in Kazakhstan also faces multiple problems. There is still a long way to go before Chinese films and TV series really enter the hearts of Kazakhstan people. In the future, China can develop a variety of channels to promote the spread of Chinese films and TV series in Kazakhstan, give play to folk "Film Diplomacy", eliminate ethnic cultural barriers with the help of accurate translation, and create a good reputation of Chinese films and TV series by new media means. In line with the communication concept of equality and mutual benefit, the communication of Chinese films and TV series in Kazakhstan will surely realize the transformation from form to reality and its influence will surely transform from the minority to the masses.

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Tolerance and social inclusion as a condition for successful rehabilitation of persons with disabilities

Толерантність та Соціальна Інклюзія як Умова Успішної Реабілітації Осіб з Інвалідністю

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Abstract

The academic paper is devoted to studying the features of the attitude of teachers, parents, employers towards people from different social groups in need of social inclusion and rehabilitation. A survey of 120 people (40 primary school teachers, 40 parents of healthy children, 40 employees of the State Employment Service of Ukraine) was conducted on their attitude to people in need of social-psychological and social-labour rehabilitation. The survey was conducted in 2 stages. At the first stage, it has been found out whom exactly the respondents consider to be those who require social and psychological assistance and rehabilitation. In the second stage, a modification of the method of E. S. Bogardus has been applied in order to determine social distance. Teachers and parents believe that children with disabilities need rehabilitation, involvement in an inclusive school community and increased attention. Regarding the categories with other health disorders (ADHD and dysgraphia), the viewpoint of teachers is quite unanimous – they know about these students and believe that they need above average teachers' attention. However, while parents are aware of the presence of children with ADHD, they are almost unfamiliar with children with reading and writing disorders. Children with mental disorders, autism and ADHD have the greatest problems with integration into inclusive communities. They are

Анотація

Стаття присвячена вивченню особливостей ставлення вчителів, батьків, роботодавців до осіб з різних соціальних груп, які потребують соціальної інклюзії та реабілітації. Було проведено опитування 120 осіб (40 вчителів молодших класів, 40 батьків здорових дітей, 40 працівників Державної служби зайнятості України) щодо їхнього ставлення до осіб, які потребують соціально-психологічної та соціально-трудової реабілітації. Опитування було проведено в 2 етапи. На першому етапі було з'ясовано, кого саме респонденти вважають тими особами, хто потребує соціально-психологічної допомоги та реабілітації. На другому етапі було застосовано модифікацію методики Е.С. Богардуса з метою визначення соціальної дистанції. Вчителі та батьки вважають, що діти з інвалідністю потребують реабілітації, залучення до інклюзивної спільноти школи та підвищеної уваги. Щодо категорій з іншими порушеннями здоров'я (СДУГ та дисграфія) позиція вчителів є достатньо одностайною – вони знають про цих учнів та вважають, що вони потребують вище середньої уваги вчителів. Тоді як батьки знають про наявність дітей із СДУГ, і майже не знайомі з дітьми, в яких є порушення навичок читання та письма. Найбільші проблеми з інтеграцією до інклюзивних спільнот виникають в дітей з ментальними порушеннями, аутизмом та СДУГ.

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ready to be perceived at the maximum social distance – in a special school, in a boarding school, except sporadically on the playground. For employees of the employment service, the maximum social distance was for people with mental and psychological disorders. According to experts' viewpoints, employers do not want to hire people with these disorders.

Keywords: Rehabilitation, inclusion, children, disability, mental disorders, tolerance, social distance.

Їх ладні сприймати на максимальній соціальній дистанції – у спеціальній школі, в інтернаті, хіба що епізодично на дитячому майданчику. Для працівників служби зайнятості максимальна соціальна дистанція була щодо осіб з ментальними та психічними порушеннями. На думку спеціалістів, роботодавці не хочуть наймати на роботу осіб з цими порушеннями.

Ключові слова: Реабілітація, інклюзія, діти, інвалідність, ментальні порушеннями толерантність, соціальна дистанція.

Introduction

UNICEF identifies inclusive education as the most effective way to give all children a fair chance to go to school, learn and develop the skills they need. Inclusive education means learning possibilities for groups who have traditionally been excluded, like children with disabilities, or speakers of minority languages. Inclusive systems can give unique opportunities for people of all backgrounds to learn together and allow diverse groups to grow side by side, to the benefit of all (UNICEF, n.d.).

The process of implementing inclusive education in Ukraine now covers all components and levels of the education system, as well as intensified researchers to find effective ways to attract people with special needs to the educational and social space. In recent years, inclusive communities have been created in Ukraine, primarily in the educational environment as provided by the Procedure for the organization of inclusive education in general secondary education (Decree, No. 957, 2021), but gradually this process has been covering enterprises, recreational institutions, etc. However, the pace of this process in Ukraine is not as fast as in developed countries. Participants of the educational process unknowingly hinder the adequate implementation of the principles of inclusive education not only due to lack of funds for barrier-free equipment, manuals and teaching methods, but also due to doubts about the feasibility of implementing inclusion. Attitude towards adults belonging to other social minorities or with disabilities is also ambiguous; it does not always contribute to the creation of a normal psychological microclimate in work teams and other communities. Therefore, the study of tolerance, attitudes of teachers, parents, employers to people in need of social inclusion and rehabilitation, as well as psychological factors that promote or hinder the development of inclusive communities, is especially relevant for successful rehabilitation of people with disabilities in Ukraine.

Literature Review

In recent years, the term "inclusive communities" has increasingly appeared at the political, practical and theoretical levels, based on various disciplinary positions. An inclusive community values all its members and helps them meet basic needs and provide them with the possibility to live with dignity, actively participate in various activities and contribute to their community. Inclusive education in secondary school is the first step for the development of inclusive communities; this issue has been discussed in detail in our previous study (Miliutina, 2017). The implementation of such training is an essential component of the development of inclusive communities in Ukraine. The basic principles, inherent in inclusive education, have been proposed by G. P. Kaidalova (2015) based on the analysis of foreign experience, namely: the value of a person does not depend on his abilities; everyone can think and experience certain feelings; everyone has the right to communicate and to be heard; all people need each other; real education can only take place in the context of real relationships; all people need support and friendship of peers; for all learners, making progress is what they can do, not what they can't do; diversity adorns all aspects of human life. The peculiarity of inclusive education lies in its dynamism, forasmuch as there is a constant adaptation of the learning conditions to the individual characteristics of each student. Yu. G. Nosenko and co-authors (2015) have conducted a thorough study, in which the features of inclusive education are proposed, the categories of persons who can receive support within the framework of inclusive education are identified, the main types of psychophysical disorders and the functional limitations caused by them are indicated, the main conditions for the successful implementation of inclusive education are highlighted. O. Golubovych (2012) believes in tolerance and protects the rights of the individual. Along with this, unfortunately, in practice, the involvement of children with special educational needs in the training process of a general secondary school, according to the viewpoint of O. Ye. Gordiichuk (2015), causes complications and even problems affecting the quality of education. A. A. Verbenets (2016) adheres to the position that the inclusiveness of education contributes to the social integration and rehabilitation of adults with disabilities, and the root cause of such situations is usually insufficient development of professional competence of teachers of inclusive classes.

In English-language publications (Johnson, 1982), (Wiggins, 1988), (Andrews, 2000), active attention is drawn up to the problems of tolerance, political correctness and communication in inclusive communities; however, insufficient attention is paid to the psychological factors of the role of tolerance in social-psychological rehabilitation aspects of coexistence within inclusive communities. While analysing publications on inclusive school communities, it has been revealed that most publications focus on addressing the issues of tolerance and inclusion of children. The qualitative study (Hazel, & Allen, 2013) has examined how schools create inclusive communities. From the analysis of open interviews with members of 3 state elementary schools in the United States, 3 topics have emerged, namely:

1) community and culture;
2) structure;
3) responsibility and expectations.

The emphasis on promoting inclusiveness in communities and a conscious focus on culture and school affiliation was universal: members of the school wanted to be in this school; there was a strong faith in pedagogy, and all members of the school community clearly understood that their most important result is the success of students. Each school had three basic principles of pedagogy as follows: academic education, education of the emotional sphere of the personality and individualization of training. Each school expected that adults and students would set and achieve high goals of behaviour and learning. Recommendations have been provided for the application of these findings by practitioners and researchers (van Rhijn et al, 2021). In order to provide information about the development of an inclusive national childcare system for all families and children, we investigate the institutional engagement of 127 Canadian families with children with disabilities. Our analysis has revealed that families had been participating in many services from an early age, however, 79,5 % were excluded. Using institutional ethnography, we show that exclusion occurs through the policies and rules that families face in order to gain access, maintain enrolment, and combat professional metatexts. In the scientific work of Gunn, A. C. (2003), key considerations on human rights, economics, and inclusion policy have been represented. Our analysis shows that families participated in many early childhood services, but 79,5 % were excluded. From the point of view of institutional ethnography, we show that exclusion occurs within the framework of policies and rules that families should follow in order to be accepted, to maintain enrolment, and to deal with professional metatexts. Key considerations based on economic rights and inclusion policies are given. Our studies and policy considerations recognize not only the importance of inclusion in childcare, but also the role of childcare in creating inclusive communities. These families are involved in a vast amount and variety of services, including services related to their child’s age. Disability status may increase access in some cases; however, this may prevent others from accessing. Nevertheless, child care workers can have an impact on the social rehabilitation of children of early age.

Lundberg, E. (2018) has conducted a study of the role of a positive school context for tolerance among Swedish students aged 14 to 20, while taking into account competing explanations, such as social networks and personal traits. The results show that factors at the school level are related towards tolerance. Herewith, social-economic factors and social networks tend to play a more important role. The study is concluded by drawing attention to the role of schools as inclusive communities for students of different ethnic and social groups.

Francis, G., & Nagro, S. (2017) believe that the education system is the one that almost all families with a child with a mental disability should interact with. For some families, involvement in the rehabilitation system and inclusive education can begin as early as childhood. This section provides an overview of the legal requirements of the Law on Education for Persons with Disabilities (IDEA). Strategies are provided that educators, families, and others can use in order to effectively communicate and maximize students' and family's outcomes. The benefits of family-professional partnership are well documented in the educational literature and extend to students in need of rehabilitation, teachers and families. Families and professionals review the strategies presented in this chapter for developing or rebuilding relationships so that stakeholders can work together to prevent or overcome barriers. Effective communication is the basis for developing positive relationships and working partnerships. Professionals, who maintain a relaxed, friendly nature of communication, feel more partnership between families and can raise family expectations regarding their children.

Watson, K. (2016) has reflected on tolerance within the "inclusive" early period. Tolerance and friendliness towards everybody are narratives that are shared and accepted by children in an "inclusive" classroom. Tolerance is perceived positively as a common and useful course of action when it is implemented, starting from the primary grades of school.

Cole, E., & Siegel, J. A. (2003) have also studied inclusiveness in the classroom. However, under more careful and critical consideration, tolerance can work in many other ways. Tolerance is usually perceived as a personal virtue creating a positive attitude towards the personality of the other person and, conversely, a position of intolerance for violations. Although tolerance has multiple and flexible definitions, however, in the present academic paper, this term means a generous act or the ability to tolerate something or someone. The practice of tolerance combines kindness and generosity with aversion to dangerous and aggressive behaviour. In such conditions, a child in need of social-psychological rehabilitation can form his identity and his otherness, as well as his affiliation and marginality. The school supports the idea of "inclusive learning communities", where normativeness and disability are perceived as aspects of diversity.

Along with this, the issues of inclusive communities are not only school problems, social inclusion should be developed at the level of the community, neighbours, businesses, etc. Arthurson, K. (2002) has explored particular fundamental assumptions related to public housing strategies with "social cohesion" strategies in contemporary Australian public housing regeneration policy. The empirical analysis is based on six estates, that is, two estates in New South Wales, South Australia and Queensland. Two main ideas emerging from projects in South Australia and Queensland are as follows: firstly, reducing the concentration of public housing and developing mixed-income communities offers a way to reconnect socially disadvantaged tenants with mainstream society; secondly, a balanced social cohesion is a prerequisite for the development of "inclusive", "sustainable" and "cohesive" communities. Becker, P. E. (1998) considers the problem of inclusiveness in religious communities; the author believes it is an indispensable part of the modern world.

An interpretive study of Trussell, D. E. (2020) examines the complexity of lesbian parents' experiences in organized youth sports programs. In particular, he seeks to understand youth sports as a potential place for social change, which contributes to a sense of an inclusive community for various family structures. Using thematic analysis, the author examines the viewpoints of nine participants from Australia, Canada and the United States. The emphasis is placed on the fact how lesbian parents influence on the common understanding of inclusive sports culture. The results draw particular attention to the significance of intentional and unintentional actions (by families, as well as sports organizations) creating a sense of community and inclusive organizational culture. The interaction of the experience of lesbian parents with broader concepts such as sexual stigma and transformational services is also explored in the context of youth sports.

Munford, R., Sanders, J., & Maden, B. (2010) draw attention to the fact that in the development of inclusive communities, the interests of persons with social-economic disadvantages should also be taken into account. It has been specified how support services can work more effectively towards developing family and community capacity for children and families living in socially and economically disadvantaged environments. In addition, the article explores new approaches meeting the needs of families, even as they build caring/accepting (careful) and inclusive communities. The issue is discussed in the context of a public agency that uses sensitized practices to change the lives of socially and economically disadvantaged families.

Grassi, R. (2018) provides specific advanced practices to librarians for young adults and adolescents in order to develop positive, effective, and tolerant relationships with young adults with disabilities in the library. Using the author's professional library experience and citing other published works, this scientific work represents customer service strategies for librarians and library employees. These strategies are as follows: talk directly to the teenager; consider communication and language; develop mutual understanding; respect their privacy. Along with this, this article offers different methods of working with parents and caregivers, forasmuch as the development of positive relationships with parents is an integral part of the development of positive relationships with adolescents.

Based on a review of previous investigations, it can be assumed that in order to create effective working inclusive communities, people should possess a high level of tolerance towards certain population groups, tolerance towards thoughts and attitudes, as well as tolerance towards uncertainty. In order to conduct a detailed research of tolerance in the context of inclusive communities, it is necessary to identify factors contributing to or hindering the acceptance of people who differ from others.

The purpose of the research lies in studying the attitude of teachers, parents, employers towards people from different social groups in need of social inclusion and rehabilitation.

The Research Methodology

To study the attitude to people in need of socio-psychological and social-labor rehabilitation during 2020-2021, a survey was conducted among 120 people, namely: 40 primary school teachers from different regions of Ukraine; 40 parents of children from different regions of Ukraine attending primary school; 40 employees of the State Employment Service of Ukraine, whose responsibilities include promoting the employment of persons with disabilities and other people in need of social and labour rehabilitation. The survey was conducted voluntarily, anonymously and consisted of 2 stages.

At the first stage, the respondents have mentioned who, in their opinion, requires rehabilitation, and they have assessed this need from 1 to 7 points, the respondents could mention several categories. In the groups of teachers and parents, the survey has concerned children. In the group of employment service workers, the survey has concerned adults.

At the second stage of the research, a modification of the Bogardus social distance research methodology was proposed. Based on the interviews with the respondents, a specific scale of social distance was created, measuring the distance with children and adults in an inclusive community. Regarding children, the following scale has been created:

"I agree that a child from this social group

1. Will make friends with my child, and they will go to each other's house. 1 p.
2. Will sit at the same desk with my child. 2 p.
3. Will study with my child in the same class. 3 p.
4. Will study with my child in the same circle, section. 4 p.
5. Will sometimes play on our playground. 5 p.
6. Will study at a special school. 6 p.
7. Will study and stay in a special boarding school. 7 p.

Choose one of these statements that best reflects your attitude toward this social group".

The scale for adults was aimed at assessing social distance in working relationships.

"I agree that a person from this social group

1. Will be my boss. 1 p.
2. Will be my subordinate. 2 p.
3. Will work with me in one department (subdivision). 3 p.
4. Will work in the same organization with me. 4 p.
5. Will work in the same organization with me, but remotely. 5 p.
6. Will be my client, customer, and provide services to me. 6 p.
7. Will no working relationship with me. 7 p.

Choose one of these statements that best reflects your attitude toward this social group".

The survey revealed the attitudes of teachers, parents, employers towards people from different social groups in need of social inclusion and rehabilitation, as the success of inclusion depends on their attitudes and mediation.

Results

The results of the first phase of the survey among teachers and parents on who they think need rehabilitation are shown in Table 1.

Table 1.
Categories of children in need of rehabilitation and inclusion.

Categories of children		The number of teachers who mentioned them	The number of parents who mentioned them	The need for rehabilitation (points) from the position of teachers	The need for rehabilitation (points) from the position of parents
Children with disabilities	With movement disorders	40	39	6,3	6,9
	With visual impairments	34	27	5,8	6,3
	With hearing impairment	35	33	6,7	5,2
	With mental disability	40	32	5,1	6,9
	With autism spectrum disorders	32	40	6,8	6,8
Children with ADHD		37	40	5,4	3,2
Children with dysgraphia		35	15	6,3	2,9
Children from disadvantaged families		23	38	2,6	5,6
Children from low-income families		19	37	1,3	4,8

Source: Created by the authors

There were single mentions of other categories of children: children with diabetes, migrants, internally displaced persons, adopted children. However, due to the fact that most of the respondents did not mention them, they were not taken into account in the further research. As it can be seen from Table 1, both parents and teachers believe that children with disabilities need rehabilitation, involvement in an inclusive school community and increased attention. Regarding the categories with other health disorders (ADHD and dysgraphia), the position of teachers is quite unanimous – they know about these students and believe that they need above average teachers' attention. On the one hand, parents are aware of the presence of children with ADHD, however, on the other hand, they are almost unfamiliar with children with reading and writing disorders. Parents do not think that these children need special attention. Children from disadvantaged and low-income families attract the attention of parents (because parent committees help them), but not teachers.

When interviewing employees of the State Employment Service of Ukraine, the following results have been obtained, reflected in Table 2.

Table 2.
Categories of adults in need of rehabilitation and inclusion.

Categories of adults		The number of employees who mentioned them	The need for rehabilitation (points)
Persons with disabilities	With movement disorders	40	6,8
	With visual impairments	40	6,9
	With hearing impairment	40	6,9
	With mental disability	32	4,7
	With other disorders (cardio, diabetes, etc.)	35	3,6
Persons with mental disorders		22	4,7
Persons released from places of imprisonment		38	4,1
Participants in hostilities		40	3,8
Forced migrants		25	3,7

Source: Created by the authors

The employees of the State Employment Service of Ukraine clearly identify people with disabilities and believe that they need special assistance in order to integrate into the working community. Workers have explained the lower indicators of the need for intervention in relation to persons with mental disabilities by the fact that they do not believe in the effectiveness of their own efforts. According to experts' viewpoints, employers do not want to hire people with these disorders. The Employment Service of Ukraine has special programs to help the military, migrants and people who have returned from places of imprisonment. However, employees believe that, unlike people with disabilities, representatives of these categories need much less help and can find a job on their own.

The results of the second stage of the research with the modification of the Bogardus social distance scale between parents and teachers are reflected in Table 3.

Table 3.
Social distance for children in need of social rehabilitation.

Categories of children		Social distance according to teachers' viewpoints	Social distance according to parents' viewpoints
Children with disabilities	With movement disorders	2,8+\–0,71	1,3+\–0,50
	With visual impairments	1,7+\–0,83	1,9+\–1,12
	With hearing impairment	3,9+\–0,75	2,6+\–0,85
	With mental disability	5,8+\–0,55	6,8+\–0,98
	With autism spectrum disorders	6,1+\–1,17	4,6+\–0,62
Children with ADHD		4,9+\–0,26	5,9+\–1,78
Children with dysgraphia		2,6+\–0,54	1,8+\–0,13
Children from disadvantaged families		5,1+\–0,72	6,2+\–0,66
Children from low-income families		5,4+\–0,97	4,6+\–0,91

Source: Created by the authors

There is a relatively small social distance for children with disabilities caused by disorders of the musculoskeletal system, hearing and vision. The most tolerant and friendly attitude is towards children with visual impairments; most parents and teachers would not object to friendly and close relationships while studying with these children. The distance with children with motor impairments is somewhat longer and different; teachers have a positive attitude towards these children in the classroom, and parents do not object to friendly relations. As for children with hearing impairments, the situation is somewhat worse: parents and teachers are willing to treat them tolerantly within school and nonformalized education, but not in friendly relations. During the conversation, the respondents have explained their position by the fact that in order to communicate with people with hearing impairments, children should make efforts: master lip-reading, study dactyl. The category of children with dysgraphia also causes a fairly tolerant attitude on the part of adults.

The greatest problems with integration into inclusive communities have been revealed regarding children with mental disabilities, autism and ADHD. They are ready to be perceived at the maximum social distance – in a special school, in a boarding school, except sporadically on the playground Adults, who have not had experience of communicating with these categories of children in their own childhood, feel anxious about their "unpredictable" behaviour, possible aggression.

Children from disadvantaged and low-income families are also perceived as "undesirable" for secondary school, forasmuch as teachers expect them to misbehave, and parents expect them to be a "bad influence" on their own children.

The social distance regarding adults in the work environment also depends on their physical and mental condition, as shown in Table 4.

Table 4.
Social distance regarding adults in need of social rehabilitation

Categories of adults		The number of employees who mentioned them
Persons with disabilities	With movement disorders	4,3+\–1,82
	With visual impairments	2,7+\–0,56
	With hearing impairment	3,4+\–1,15
	With mental disability	5,9+\–0,34
	With other disorders (cardio, diabetes, etc.)	1,6+\–0,37
Persons with mental disorders		6,4+\–1,27
Persons released from places of imprisonment		6,6+\–0,93
Participants in hostilities		5,3+\–1,28
Forced migrants		3,3+\–0,97

Source: Created by the authors

As it can be seen from Table 4, the biggest problems with integration do not arise from the fact of a disability, but from behavioural disorders. Therefore, persons released from places of imprisonment, persons with mental disabilities are perceived as the most unfit to stay in working communities.

Discussion

Bogardus technique, which has been modified by us, attracts the attention of modern scholars and raises particular objections. For instance, O. A. Gorbachyk (2005) draws attention to the fact that for current residents of Ukraine, the scale of social distance differs from that proposed by Bogardus. Rostova, A. V., & Zhelnina, E. V. (2017) have successfully modified this scale in order to study the attitude towards innovations.

Albrecht, G. L., Walker, V. G., & Levy, J. A. (1982), conducting their investigation 40 years ago, tested the relative benefits of theories in explaining conscious social distance to people with disabilities and people with deviant behaviour in the professional environment. Perceived social distance was measured using a modified Bogardus scale. Respondents expressed greater social distancing towards people with deviant behaviours, such as people with alcohol and drug addiction, than towards people with disabilities, such as those with motor and visual impairments. Ruzhenkov, V. A., Ruzhenkova, V. V., & Churnosova, O. I. (2017) also carried out a modification of this technique and revealed, as in our research, an intolerant attitude towards persons with mental disabilities. Students of medical specialities allow persons with suicidal behaviour and marginal mental disorders to a distance farther than “neighbours down the street”, and people with psychiatric disorders (psychosis) – even more remotely than “residents of their city”. Abidin, S. A., & Irwanto, I. (2021) examined the attitudes of students from related academic directions, such as medicine, psychology, and counselling towards people with schizophrenia according to the Bogardus social distance scale. The study was conducted among 230 students. The results show that students of the healthcare sphere have serious stigma problems. Most students do not want to include a person with schizophrenia as a member of their family or caregiver. Students who have previously been in contact with them tend to less stigmatization level. However, students who have family members with schizophrenia have higher stigmatization level.

Ouellette-Kuntz, H., Burge, P., Brown, H. K., & Arsenault, E. (2010) studied a large sample of 625 community members; they used a subscale of social distance attitude towards people with intellectual disabilities. Older and less educated participants had positions reflecting greater social distance. Participants, who had a close family member with intellectual disabilities, and those, who considered the average disability to be “mild”, showed less social distance. The limited variability of scores forces the authors to question our general conclusion about a very favourable attitude to social interaction with people with intellectual disabilities.

The current state of the problem is reflected in the scientific work of Firat, T., & Koyuncu, I. (2021). 1293 students in Turkey were studied. The results showed that the participants indicated the greatest social distance towards people with intellectual disabilities and autism spectrum disorders, and the smallest – towards gifted people (people with genius). It has been revealed that most university students do not prefer to “marry”, “become a close relative through marriage” and “become a colleague (employee)” with people with disabilities. The results have also shown that students’ knowledge of groups with students with disabilities and the frequency of their contact with persons with disabilities are significant factors influencing their social distance. Thus, the results of our research coincide with those obtained in other scientific investigations on studying tolerance issues and social distance.

Conclusions

As a result of our research, it has been established that people in need of social-psychological rehabilitation include not only people with disabilities, but also children and adults with behavioural and social disorders. For both children and adults with visual and motor impairments, the smallest social distance was observed. The longest distance was observed for people with mental and psychological disorders, as well as deviant behaviour. It did not depend on the disability group. An obstacle to social inclusion is prejudice against these individuals, which (according to the literature findings) has been lasting at least for 40 years.

Directions for further research**.** A promising direction lies in studying the influence of the communication experience with persons with physical and mental disabilities on the level of tolerance and social distance.

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Possibilities of implementation of foreign experience of administrative and legal support of fiscal control in domestic realities (Canadian example)

Можливості імплементації зарубіжного досвіду адміністративно-правового забезпечення організації фіскального контролю у вітчизняні реалії (на прикладі Канади)

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Abstract

The purpose of the article is to summarize Canada's experience in providing administrative and legal support for fiscal control. The subject matter of the study is fiscal control in Canada. The methodological basis for the article is a number of modern methods of scientific knowledge, such as: dialectical, logical, monographic, system and structural, methods of modeling and forecasting, documentary analysis, etc. The results of the study can be used to conduct further research on improving fiscal control in Ukraine on the example of leading countries. The scientific novelty of the article is that a comprehensive analysis of Canada's experience in the field of administrative and legal support for fiscal control is carried out for the first time, as well as the possibility of its implementation in domestic realities is considered. Value / originality. The proposals to improve the system of fiscal control of Ukraine by borrowing certain provisions of the Canadian experience on this issue are formulated.

Анотація

Метою статті є узагальнення досвіду Канади щодо адміністративно-правового забезпечення організації фіскального контролю. Предметом дослідження є фіскальний контроль у Канаді. Методологічну основу статті складає низка сучасних методів наукового пізнання, наприклад: діалектичний, логічний, монографічний, системно-структурний методи, методи моделювання та прогнозування, документального аналізу тощо. Результати дослідження можуть бути використані з метою проведення подальших наукових досліджень, присвячених вдосконаленню фіскального контролю в Україні на прикладі провідних країн світу. Наукова новизна статті полягає у тому, що в ній вперше здійснено комплексний аналіз досвіду Канади у сфері адміністративно-правового забезпечення організації фіскального контролю, а також опрацьовано можливості його імплементації у вітчизняні реалії. Цінність/оригінальність. Сформульовано пропозиції щодо вдосконалення системи фіскального контролю України шляхом запозичення окремих положень канадського досвіду з цього питання.

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Keywords: administrative and legal support, Canada, fiscal control, foreign experience, implementation.

Ключові слова: адміністративно-правове забезпечення, Канада, фіскальний контроль, зарубіжний досвід, імплементація.

Introduction

The stability of the State and sustainable development of all its institutions in general and financial sphere in particular, largely depend on the timeliness of the collection and payment of mandatory taxes and charges. However, speaking about the State in general, we should not forget that taxes are an integral part of the financial and economic activities of enterprises, institutions and organizations, regardless of their form of ownership, for which they spend a significant part of their income. That is why quite often the heads of the relevant business entities wish to show the wrong results of financial and economic activities in order to reduce taxes or even evade any payment of taxes and fees and to increase the profitability and viability of their organization. And there is an interconnected trend where, because of these schemes, the State budget does not receive significant sums of money (i.e. there is a budget deficit), and the result is an increase in the shadow economy, which in general has a devastating effect on economic security and vulnerability to external financial and political influence. The solution for the State is to introduce additional tax burden, which, again, will be borne by law-abiding taxpayers. This order reduces competitiveness and provokes social tensions, which in turn leads to increased tax evasion, and the State is losing even more of its financial resources. This problem can be solved only through high-quality, effective and transparent fiscal control, which should be based on deep theoretical and practical knowledge. In particular, it is important to conduct comprehensive research on the study of foreign experience in administrative and legal support for the organization of fiscal control.

In view of the above, the purpose of the presented research is to study the possibilities of implementing foreign experience of administrative and legal support for the organization of fiscal control in the Ukrainian realities, in particular on the example of Canada.

Given this goal, the objectives of the article are:

- to analyze the scientific views of those scientists, who have studied the Canadian tax system;
- to consider and characterize the tax legislation of the specified country.

Methodology

The methodological basis for this article are both general and special methods of scientific knowledge. Thus, monography method is used to consider the researches by foreign and Ukrainian scholars, who have examined Canadian experience in budget process and fiscal control.

The method of documentary analysis is applied to characterize Canadian tax law.

Dialectical method along with logical method make it possible to analyze the features of legal status of the Canadian Revenue Agency, to study its system and authority.

System and structural method is useful for outlining the structure elements of the Office of the Tax Ombudsman, as well as their functions and powers.

Modeling and forecasting methods help to develop the possibilities and directions for implementing Canada's experience in administrative and legal support for the organization of fiscal control in the domestic realities.

Literature Review

Problematic issues related to the analysis of foreign experience in fiscal control have been considered by a number of scholars. Thus, for example, Melnyk and Leshchuk (2015) paid attention to the problem of institutional distortions of the tax control system in Ukraine, among which they highlighted regulatory and legal issues, as well as corruption problems of tax control. As a result of establishing a range of problematic issues and based on the analysis of tax systems of foreign countries, the authors formulated proposals to use the experience of leading countries to improve the control and verification work of domestic tax authorities.

The work by Galai and Yavorska (2014) also deserves attention. The Authors note that public administration and local government were considered as two completely unrelated phenomena in legal science and management science, as well as in domestic law. They analyzed the theory and practice of fiscal control in a number of developed countries, based on which a number of significant proposals and recommendations were made.

Stepanenko and Rudenko (2020), having analyzed the relevant foreign experience, found that the main problems of tax control in Ukraine are: corruption in solving "problematic" issues based on the control results by tax authorities; often unjustified objectives and methods of tax control; lack of tax awareness of taxpayers, aimed at self-proper calculation of tax liabilities, their voluntary payment; low level of tax culture of taxpayers, mainly due to constant and numerous innovations in the domestic legislation, lack of prior awareness of taxpayers about the expected changes in it.

Some issues of public finances control in Canada were considered by Domingue and Salvail (1992). In particular, the authors studied the features of budget process and the authority of the bodies managing and controlling the public finances.

Blöndal (2001) examined the peculiarities of budgeting in Canada.

Ruggeri and McMullin (2004) compared the current situation and future prospects of fiscal systems of the USA and Canada and came to the conclusion that the Canadian one has a fiscal advantage because it has a sustainable fiscal structure.

There are also some researches of multidimensional nature. For example, Alonso et al. (2010) presented a comprehensive study on strengthening the fiscal capacity of developing countries. This includes, first of all, promoting fiscal systems and administrations of these States; and secondly, improving international cooperation on tax matter, which helps to combat fraud, unlawful money transactions and withdrawal of capital.

Gallegos Zúñiga (2018), in his turn, examined the fiscal rules in the countries of the Pacific Alliance (Mexico, Colombia, Peru and Chile). The Author investigated the tax regulations of these States, the agencies authorized to perform tax control and allocated some problems and gasps that need to be eliminated.

However, these works do not fully reveal the possibilities of implementation of positive foreign experience in the realities of Ukrainian legal system, what has led to the need and relevance of our research.

Results and Discussion

Fiscal control in Canada is handled by the Canadian Revenue Agency (CRA). The agency manages taxes, benefits, and related programs and enforces fiscal requirements on behalf of the government throughout Canada, thereby contributing to the sustainable economic and social well-being of Canadians. (Justice Laws Website, 1999).

According to the Canada's tax system the taxpayers, which include both legal and natural persons-entrepreneurs, should submit an annual income tax form to identify whether they are liable to pay taxes or are reimbursed part of the taxes paid. Such a tax system is considered the most economical and effective way of collecting income tax (Government of Canada, 2020).

For natural persons usually tax returns for the previous tax year must be filed by April 30. For various types of legal persons, the deadline for paying taxes can vary greatly. Due to failures caused by COVID-19 (as Kharytonov et al., 2021, p. 158)) correctly point out, the COVID-19 pandemic has been going on for two years now, threatening the lives and health of people, the stable functioning of economic mechanisms, and the social existence of society), in 2019 the CRA extended the deadline for filing an individual tax return for 2 months (Government of Canada, 2020).

The Canadian Tax Agency regulates tax law for the Government of Canada and most provinces and territories. It is responsible for collecting taxes and fees, such as: federal, provincial and territorial income taxes; tax on goods and services / harmonized sales tax; contributions to Canada's pension scheme; insurance contributions for working citizens. The agency also provides Canadians with various concessional and credit programs through the tax system (Government of Canada, 2020).

Operational management of the CRA is entrusted to the head of the agency, who is responsible for organizing the tax process, the results of tax administration, the effectiveness of the agency as a whole. The head is accountable to the board of directors. In addition, the duties of the head of the agency include informing and advising the Minister of Finance on tax administration. When allocating a single tax unit within the national Ministry of Finance, the functions of tax administration are performed by this unit, and all administrative and managerial functions (personnel policy, logistics, finance, etc.) are concentrated at the level of the Ministry of Finance. The work of tax authorities in Austria, France, Switzerland (at the level of the federal government) is similarly organized.

The management of the tax process in the CRA is carried out within the functional units, which include the following divisions: appeals; evaluations and benefits services; reconciliation and dispute resolution programs; inspections of legal entities; risk management; work with taxpayers and debt management; analysis of legislation. Besides, the structure of the CRA includes the units that serve its operations: finance, human resources, information technology, etc.

Outside of its headquarters in Canada, CRA operates in 4 regions, helping to perform the tasks of the Agency in each part of the State. The assistant commissioner leads each region and monitors tax centers and services in their area of responsibility (Government of Canada, 2020).

Tax centers receive and consider income tax forms of individuals and enterprisers. There are 4 tax centers throughout Canada, each with its own area of concern, which varies on the form of declaration. Tax offices are sometimes divided into branches for organizational purposes (Government of Canada, 2020). Disputes and procedural activities are carried out by commissions of inquiry set up by the governor for a comprehensive and impartial investigation of matters of national importance. Commissions are chaired by prominent people, experts or judges and have the right to call witnesses, take evidence under oath and request documents. Conclusions and recommendations of commissions of inquiry are not binding. However, most of them have a significant impact on public opinion and public policy.

The Office of the Tax Ombudsman (Commissioner for Taxpayers' Rights) is an interesting institution in the area of fiscal control in Canada. It is established to strengthen Canada Revenue Authority service accountability and treatment of taxpayers through independent and objective review of complaints related to services and system problems.

The Office of the Commissioner consists of 3 joint working groups: Reception Group, Individual Analysis Group, and System Expertise Group.

Reception Group members are the first contact persons when contacting citizens. They help taxpayers and recipients of benefits in the areas of:

– providing information on the Taxpayer's Bill of Rights;
– assisting them in accessing compensation mechanisms at the Canadian Tax Agency or other government agencies;
– processing of complaints and appeals received by the Office of the Ombudsman.

The Individual Analysis Group handles the taxpayer complaints about the service or fairness of decision. Its main powers are as follows:

– conducting an objective examination of the received complaints;
– assessing the level of service and treatment of the Canadian Tax Agency with individual taxpayers;
– drawing sound conclusions based on evidence.

The System Expertise Group is studying issues that could negatively affect a large number of taxpayers or part of the population. The main powers of this group are the following:

– identification of systemic problems in the area of service or fairness of decisions;
– gathering information from applicants, CRAs and other stakeholders;
– generalization of analysis results and preparation of recommendations.

Thus, it can be concluded that each of the groups responsible performs its powers in a clearly defined area using a specific arsenal of administrative and legal forms and methods (legal tools).

It should be noted that each taxpayer has eight rights in the provision of services set forth in the Taxpayer's Bill of Rights, which governs relations with the CRA. The Ombudsman is responsible for the Agency's compliance with these rights in its relations with taxpayers.

It should be noted that the mission of the Tax Ombudsman is to raise public awareness of taxpayers' rights, influence positive changes in the CRA, strengthen or improve the accountability of the CRA and ensure that complaints about CRA services are fair. The activities of the Taxpayer's Commissioner are based on the following principles: independence (the Ombudsman works separately from the CRA); objectivity (the Ombudsman does not represent or take the side of either the complainant or the Canadian Tax Agency. In considering a complaint or question, the Ombudsman takes into account the position and point of view of both the taxpayer and the CRA); honesty (Ombudsman acts impartially and fairly); Confidentiality (Ombudsman keeps all data of persons requesting assistance in strict secrecy and does not disclose the content of confidential communications unless authorized to do so) (Government of Canada, 2016).

Another fact that proves the focus of the Tax Ombudsman on people’s interests are the ways of submitting citizens’ appeals, including: in person, when visiting the office; by telephone / fax; by postal service; by e-mail; by filling out the application form on the website. Besides, the access to the Ombudsman is facilitated by the location of his / her office – it is right next to the Canadian Tax Agency building to ensure maximum convenience and accessibility for citizens.

In our opinion, the activity of such an institute is extremely useful and effective. We believe that, on the one hand, the very fact of its existence contributes to the maximum realization of human rights in the areas of filing appeals of citizens, the realization of rights in the tax sphere, the right to protection, etc. On the other hand, the existence of such a structure reduces the burden on the fiscal control authorities in the consideration of citizens’ appeals related to taxes, as it acts as a kind of “filter”, which allows only appeals that are reasonable and lawful. That is why, in our opinion, it is appropriate to establish the institution of the Commissioner for the Rights of Taxpayers in Ukraine.

Conclusion

Thus, as a result of the analysis of certain organizational aspects of the functioning of fiscal control bodies in foreign countries, namely in Canada, we consider it appropriate to formulate proposals for improving the fiscal control system by borrowing from individual provisions, namely:

- improving the system of monitoring tax risks by updating the Register of dishonest taxpayers;
- introduction of the system of random selection of controlling persons authorized to conduct tax audits;
- implementation in national legislation of the world principles of fiscal control transparency.

As for the expediency of implementing global principles of fiscal control transparency into national legislation, thus, as a result of the analysis of foreign experience of administrative and legal support for fiscal control, we consider it appropriate to include the following:

- key compliance of fiscal data with data quality standards;
- internal oversight and safeguarding of fiscal activities;
- the need for careful verification of the provided fiscal information.

Therefore, summarizing the above, we consider it necessary to emphasize the expediency of taking into account international standards, recommendations of international organizations to improve national legislation and use the experience of foreign countries, in particular in:

1) elimination of certain contradictions and gaps in the legislation (legislative support of certain forms of fiscal services; upgrading the capacity of the fiscal service; review of potential capabilities of controlling entities; avoiding the abuse of fiscal discretion);
2) development of mechanisms for adequate response of fiscal control actors to the threats arising in the area of their competence;
3) review of the format of monitoring and oversight activities.

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Conflict-related sexual violence as a threat to peace and security of the world

Сексуальне насильсво, повязане з конфліктом, як загроза миру і безпеці світу

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Abstract

The aim of the article is to conduct a review of the main trends in the impact of sexual violence in the course of armed conflict on the growing threat to world peace and security. The subject of the study is conflict-related sexual violence. The research methodology includes the following methods of scientific knowledge: dialectical, logical, normative and dogmatic, monographic, system and structural, summarization. Research results. The concept of sexual violence related to the conflict, provided in international legal acts, is considered, its features and characteristics are studied. The goals of the use of sexual violence during armed or military conflict are established. Practical meaning. It is emphasized that every military conflict is accompanied by sexual violence, despite the adopted international agreements, conventions and resolutions that prohibit such actions. Value / originality. It is noted that conflict-related sexual violence remains a systematic, widespread, pervasive and universal phenomenon that poses a direct threat to world peace and human security.

Анотація

Метою статті є проведення оглядового дослідження основних тенденцій впливу сексуального насильства під час збройного конфлікту на зростання загрози миру та безпеки всього світу. Предметом дослідження є сексуальне насильство, пов’язане з конфліктом. Методологія дослідження включає такі методи наукового пізнання: діалектичний, логічний, нормативно-догматичний, монографічний, системно-структурний, узагальнення. Результати дослідження. Розглянуто поняття сексуального насильства, пов’язаного з конфліктом, надане у міжнародних нормативно-правових актах, досліджено його особливості та характерні ознаки. Встановлено, які цілі «переслідує» застосування сексуального насильства під час збройного чи військового конфлікту. Практичне значення. Наголошено, що кожен військовій конфлікт супроводжується сексуальним насильством, не зважаючи на прийняті міжнародні угоди, конвенції та резолюції, які забороняють такі дії. Цінність / оригінальність. Доведено, що сексуальне насильство, пов’язане з конфліктом,

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Keywords: armed conflict, peace, security, sexual violence, threat, war.

залишається систематичним, масовим, поширеним, та повсюдним явищем, яке містить в собі пряму загрозу світовому миру та безпеці людства.

Ключові слова: сексуальне насильство, збройний конфлікт, війна, загроза, мир, безпека.

Introduction

Full-scale invasion of the Russian Federation on the territory of Ukraine has endangered not only the territorial integrity, independence and sovereignty of Ukraine. The whole concept of international security is under threat. A significant number of international agreements and treaties have not provided reliable protection of human rights and freedoms from the atrocities of authoritarian regimes.

The Charter of the United Nations (UN) of 1945 prohibited war, but armed conflicts started more than they ended. At the same time, civilians are increasingly becoming their victims. For example, only 2% of civilians died during the Franco-Prussian War. The war in Vietnam lost 3 million civilian lives compared to 150 thousand militaries, or 95% (Senatorova, 2018, p. 7).

On the one hand, the world has formulated a prohibition of war. However, in parallel, there is a process of codification of international humanitarian law, which defined the laws and customs of war, protection of victims of war (Hague Conventions and Declarations of 1899 and 1907; Geneva Conventions of 1949 and their Additional Protocols).

Not only internationally declared rules and laws of war are grossly violated during a military conflict; violations of fundamental human rights, enshrined in the international human rights standards and international humanitarian law, are becoming significant.

Every military conflict, being a global threat to human security, at the local level leads to an increase in the number and variety of forms of sexual violence (rape, sexual slavery, forced pregnancy, etc.). The vulnerability of women and girls to the threats of sexual violence, abduction, torture and murder is maximized during the military conflict (UN General Assembly, 2000; Tudorică, 2021).

Victims of such crimes are both women who find themselves in the occupied territories and those who have left their homes in search for a safe place for themselves and their children. The latter are often victims of rape, human trafficking, harassment, sexual slavery, etc. This situation creates a state of danger not only for the population of a particular country, where an armed conflict is taking place; the level of global security is also becoming fragile, as the aggressor country cynically wants to demonstrate to the world not only ignoring the provisions of international agreements, but also their own dominance through violence and neglect of fundamental principles of a civilized and legal State.

Thus the purpose of this article is to conduct a review of the main trends in the impact of sexual violence during armed conflict on the growing threat to world peace and security. Any military conflict not only violates the rule of law, but also exacerbates the dangerous situation and instability, undermines development, and creates favorable conditions for the rise in crime, including cross-border crime.

Methodology

The methodological basis for the study is dialectical method, according to which such phenomena as sexual violence in the course of armed conflict is examined and its consequences are considered.

Logical method makes it possible to study the negative impact on equality between women and men during military conflicts, as well as how sexual violence related to the aggression exacerbates the threat to peace and security.

Normative and dogmatic method is used to investigate the content of international legal instruments, which enshrine that all parties to the armed conflict should take special measures to protect women and girls from gender-based violence, especially rape and other forms of sexual violence in armed conflict.

Monographic method is applied to examine the views of the researches on the problem of committing sexual violence during armed conflicts.

With the help of system and structural method the goals of the use of sexual violence during armed or military conflict are established.

The method of summarization allows to conclude that each military conflict is accompanied by sexual violence, despite the adopted international agreements, conventions and resolutions that prohibit such actions.

Literature Review

A number of foreign and domestic researchers have considered the problem of sexual violence in the course of armed conflicts. In particular, Gaggioli (2015) states that conflict-related sexual violence has always been wide spread phenomenon during all wars in every country and still “holds its positions” in the course of armed conflicts.

Beck (2004), in her turn, substantiated that women are raped in war not because of their sex, but because they belong to “another camp” and are therefore enemies. Accordingly, rape has a special function both in war and in peacetime: it is a method of deliberate, systematic intimidation, by which all men keep all women in constant fear.

Seifert (1993) provides ample evidence that rape should be considered an important element of military strategy. The author develops five explanations for the function of rape in war. Finally, light is shed on the logic of "silence" that characterizes war crimes against women to this day.

Dudorov and Pysmenskyy (2019) examined international legal instruments regulating the protection of sexual sphere and condemning the violations against sexual integrity of the person. They also investigated the methods to protect this sphere in a number of European countries, as well as studied their legal policy concerning this issue.

Movchan et al., (2021) based on the research conducted concluded that the ways of committing violence including sexual one do not change over time. Women and children remain the most vulnerable sector of society due to their psychological features.

Levchenko and Loban (2021) investigated the sexual related offences against the child. In particular, they drew the distinction between the concepts of sexual freedom and sexual integrity of the child and substantiated that all crimes against the sexual integrity of a child are characterized by direct intent. At the same time, the mental attitude of the perpetrator to the age of the victim may take the form of a careless form of guilt.

Results and Discussion

The duality of the world is inextricably linked to the equality of women and men. In 2015, the UN General Assembly adopted a Resolution “Transforming our world: the 2030 Agenda for Sustainable Development” (United Nations, 2015). The goals that, in the opinion of the world community, are able to ensure peace, security of mankind and its sustainable development are formulated in this document. Thus, one of the main goals of sustainable development of the world, ensuring peace and security of mankind is the recognition of gender equality, which is not only a fundamental right of every person, but is also positioned as a fundamental condition for achieving peace and sustainable development.

It should be noted that the Russian Federation, having signed the Agenda for Sustainable Development until 2030 (United Nations, 2015), agreed with the declared provision that ensuring sustainable development is not possible without peace and security. The need to build a peaceful, just society free from social barriers based on respect for human rights, the rule of law and the respect for self-determination by every people is recognized.

The decision by Members of the United Nations to redouble their efforts to resolve and prevent conflicts and provide assistance to post-conflict countries, including by ensuring active and visible participation of women in the peace process is the confirmation of this thesis. Particular emphasis was placed on the need to comply with international law in terms of removing obstacles to the exercise of the right to self-determination of peoples living under occupation, as this negatively affects economic and social development (United Nations, 2015). However, current events have shown that paper-based provisions may run counter to the real policies of individual States. After all, the whole world is in danger today.

Military conflicts, being one of the world’s most dangerous threats, have a negative impact on equality between women and men. Being a widespread manifestation of armed conflict, sexual violence has been a silent topic for a long time. This is due in part to the fact that violence against women was seen as an inevitable side effect of war. However, in recent years there has been a change in the perception of the nature of sexual violence related to military conflict. According to the provisions of the Rome Statute of the International Criminal Court (Articles 6, 7, 8) (International Criminal Court, 2011; Shablystyi et al., 2021), sexual violence related to conflict both includes attributes and is an act of genocide, a war crime and a crime against humanity. In our opinion, such a legal assessment of sexual violence indicates a high level of danger as a socio-legal phenomenon, which has negative multidimensional consequences as regards the violation of fundamental rights human rights and the and the nature and trends of the development of the theatre of hostilities, as well as, in general, the dynamics of the military conflict itself.

To answer the question of how sexual violence related to the conflict exacerbates the threat to peace and security, we should recall that according to the Academic Dictionary of the Ukrainian language (Slovnyk.UA, 2022), peace is the absence of disagreement, enmity, quarrels. Peace is consent; lack of armed struggle between two or more peoples, States. Security is a state where no one is threatened. That is, in the case of conflict-related sexual violence, peace a priori no longer exists, as military conflict has developed, and the state of security is replaced by the state of extreme danger of becoming a victim of sexual violence and other illegal acts. Conflict-based sexual not only does it not promote peace, it exacerbates and prolongs military conflict. As sexual violence is a manifestation of aggression, the desire to demonstrate power and dominance, respectively, it affects not only women and girls, but also men and people with other gender identities as victims of conflict-related sexual violence. According to Kharitonova (2022), violence is used to violate social and legal norms, to humiliate people and communities. Often such sexual violence is a way for criminals to attract political attention and thus declare themselves as a dangerous armed group that should be perceived seriously. During many wars, “sexual conquest” of enemy women was considered both a reward for military success and a trophy. Ruth Seifert (1993) noted that one of the unwritten rules of war is to allow the victors to sexually assault women immediately after the battle. In our opinion, such an “unwritten rule” about receiving women’s bodies as a reward for winning a battle is a manifestation of established gender inequality and treatment of women as a “secondary member of the society”, permissibility of disregard for her rights, interests and desires. For example, the published cases of sexual abuse of women in Ukraine by the Russian military fully confirm their worldview and attitude towards women in a peaceful life. It is known that the criminal legislation of Russia Federation does not provide for liability for domestic violence, although according to NGOs, this phenomenon is very common and widespread in Russia. This situation breeds impunity and proves permissibility of such actions, which ultimately leads to discord of the moral face of a citizen of the Russian Federation.

The threat posed by conflict-related sexual violence to peace and security is articulated internationally. Thus, in 1992, the problem of mass rape was taken into account by the UN Security Council. Systematic violence against women during armed conflict has been recognized as an international crime.

In 1998, the International Criminal Tribunal for Rwanda found the perpetrator of the rape for the first time as having committed a crime against humanity and a crime of genocide (The Prosecutor v. Jean-Paul Akayesu, 1998). In 2001, the International Criminal Tribunal for Yugoslavia became the first international tribunal to recognize rape as a crime against humanity (Gaggioli, 2015).

It is these cases that have irreversibly changed the landscape of international humanitarian law, giving victims the opportunity to speak out about the crimes they have witnessed and experienced. It has been proven to the whole world that everyone will be held accountable for atrocities committed during armed conflicts. In 2002, the Rome Statute (International Criminal Court, 2011) combined various forms of sexual violence into one article and recognized them as a separate category of crimes against humanity (Article 7): rape, sexual slavery, forced prostitution, forced pregnancy, forced sterilization and any other forms of sexual violence of comparable severity.

A landmark event at the international level that has clearly put key questions in one line was adopted on October 31, 2000. The UN Security Council Resolution 1325 (United Nations, 2000) stressed that all parties to the armed conflict should take special measures to protect women and girls from gender-based violence, especially rape and other forms of sexual violence in armed conflict. Along with calls to protect women from conflict-related sexual violence, the Resolution 1325 emphasized the special role of women in conflict prevention and resolution, as well as peacebuilding. Equal and meaningful participation of women in peace and security is a central goal of the Resolution 1325. This Resolution formed the basis for the Women's, Peace and Security Agenda (WPS) (United Nations Development Programme, 2019), which demonstrates the link between peace and security and the disproportionate impact of armed conflict on women and girls. It is women and children who are most negatively affected by military conflicts, including refugees and internally displaced persons, as they are a target for military elements.

Based on the analysis of international documents, we believe that conflict-related violence can be used as:

1) weapons of war, tactics or strategy of war (UN Security Council Resolution 1820/2008). However, only in 10% of cases the military is actually ordered to commit sexual violence. In most cases, commanders allow rape, but do not order rape (DW, 2022). Thus, in the first comprehensive study of sexual violence perpetrated by German soldiers during World War II, Birgit Beck (2004) concludes that rape committed by Wehrmacht soldiers should not be considered a military strategy: firstly, no document containing an order for Germans to commit sexual acts is yet known, and, secondly, military law defined "sexual misconduct" as a crime against military discipline, which rarely resulted in the sentencing of rapists. However, German soldiers were not punished for crimes against the Soviet civilian population. The exception was "serious acts"; however, sexual violence during hostilities was not considered as one (Tertyshnik & Fomenko, 2021);
2) sexualized violence, which is a consequence of gender inequality particularly exacerbated in times of war. Men demonstrate power over the weaker sex;
3) the form of humiliation of the enemy, attempt to demonstrate superiority and insignificance of troops who cannot protect their women and girls;
4) tactics of terror, torture, ethnic and religious opposition. This form is characterized by publicity when men are raped using cruel methods and foreign objects. For example, Daesh militants and other extremist groups use conflict-related sexual violence as a means of attracting and retaining new militants, promising them "wives" and sex slaves. These groups make money from sex slavery by selling women and girls in open markets and collecting ransoms from shocked communities.

22 years have passed since the signing of the Resolution 1325. However, little has been done in this direction, despite the fact that sexual violence related to the conflict continues to be committed systematically and with shocking brutality around the world. Therefore, there are doubts as to whether the signatory States intended to implement it.

According to the UN Secretary General Antonio Guterres, today women are actually peacekeepers, active defenders of human rights, they are the ones who solve important humanitarian issues, but quite often remain on the periphery of official peace processes. However, half of humanity cannot be distracted from peace and security. Besides, the imbalance between men and women remains quite significant. It is reflected in an increase in the level of violence and misogyny faced by women and girls in every society. Therefore, achieving gender parity remains a priority (UN Women, 2021). Today it is important to form the correct paradigm of world development prospects. It is better to reduce the cost of armaments to enhance military capability of the countries, while increasing investment in gender equality, as it has a high return as peace dividends. After all, it is more promising to invest in a world characterized by economic development, technological progress and mass prosperity. Instead, funding the militarization of States leads to assassinations, sexual violence, bullying, torture and destruction of all the achievements of civilization.

Conclusions

Summarizing the above, it should be noted that conflict-related sexual violence remains a systematic, widespread, pervasive and universal phenomenon that poses a direct threat to world peace and human security. The negative trends in the impact of conflict-related sexual violence are reflected in the fact that the world has not yet made progress in counteracting the phenomenon under study. Every military conflict is accompanied by sexual violence, regardless of international agreements, conventions and resolutions that prohibit such actions.

At the same time, noting the generally negative trends, it is worth emphasizing the active formal desire of the international community to end the inevitable effect of any conflict – the commission of sexual violence. This problem needs a comprehensive solution. As we were shown, it is not enough to declare on paper the determination to act against violations of women's rights; it is important to ensure that the State responds adequately to all cases of wrongdoing, including objective and fair punishment. This will avoid impunity. It is impunity that indirectly determines the spread of crime and creates the illusion of permissiveness. This, in turn, destroys all the basis and principles of world security, peace and development.

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Mechanism of protection of business entities from unfair competition

Механізм захисту суб'єктів господарювання від недобросовісної конкуренції

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Abstract

The purpose of the article is to clarify the mechanisms of protection of economic entities from unfair competition in Ukraine. The subject of the study is measures to combat unfair competition. The research methodology includes the following methods of scientific knowledge: dialectical, logical, formal and logical, system and structural, method of analysis, legal forecasting method. Research results. The definition of unfair competition and its features provided in the works of domestic and foreign scientists are analyzed. The concepts of "economic competition" and "unfair competition" are considered, the manifestations of the latter are studied. Practical implementation. The mechanisms of protection of the rights of entrepreneurs are considered in detail with reference to the legal instruments, which regulate the order of their realization. Value / originality. The author's definition of the concept of "economic competition" is formulated.

Keywords: economic competition, economic entity, mechanism, protection, unfair competition.

Анотація

Метою статті є з'ясування механізмів захисту суб'єктів господарювання від недобросовісної конкуренції в Україні. Предметом дослідження є заходи протидії недобросовісній конкуренції. Методологія дослідження включає такі методи наукового пізнання: діалектичний, логічний, формально-логічний, системно-структурний, метод аналізу, метод прогнозування. Результати дослідження. Проаналізовано визначення недобросовісної конкуренції та її особливості, надані у роботах вітчизняних та зарубіжних вчених. Розглянуто поняття «економічна конкуренція» та «недобросовісна конкуренція», досліджено прояви останньої. Практичне значення. Детально розглянуто механізми захисту прав підприємців із посиланням на нормативно-правові акти, які регламентують порядок їх реалізації. Цінність / оригінальність. Сформульовано авторське визначення поняття «економічна конкуренція».

Ключові слова: економічна конкуренція, суб'єкт господарювання, механізм, захист, недобросовісна конкуренція.

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Introduction

The right of citizens to entrepreneurial activity is enshrined at the highest legislative level. Thus, in accordance with the provisions of the Basic Law of Ukraine (Law of Ukraine No. 254k/96-VR, 1996), everyone has the right to entrepreneurial activity, which is not prohibited by law. This right is undoubtedly a mandatory and necessary element in the structure of socio-economic rights of citizens. It ensures not only the functioning of a market economy, but also the optimal combination of market self-regulation of economic relations between economic entities and state regulation of macroeconomic processes, pursuant to the constitutional requirement of responsibility of the state before an individual for its activity, and declaration of Ukraine as a sovereign, independent, democratic, social and constitutional State, defined by the Commercial Code of Ukraine.

At the same time, the State, granting its citizens the right to entrepreneurial activity and in every way supporting and ensuring it, prohibits certain actions aimed at restricting competition, which is a necessary condition for the functioning of a market economy. Thus, the Basic Law of Ukraine and a number of other regulations enshrine a list of offenses in this area (abuse of monopoly position in the market; illegal restriction of competition; unfair competition, etc.), for which there is legal liability. At the same time, it is not the monopoly position as an element of world economic competition that is outlawed, but the abuse of the latter. So, as one can see, the State, by giving certain rights to entrepreneurs, imposes the corresponding obligations on them.

However, unfortunately, the cases of unfair competition are not isolated; its most common manifestations are: misuse of symbols, discrediting of the business entity, dissemination of misleading information, inducement to boycott a business entity, etc. Therefore, the purpose of our article is to study the mechanisms of protection of economic entities from this negative phenomenon.

Methodology

The methodological basis for the research is the set of general scientific and special legal methods of scientific knowledge, the use of which is due to the peculiarities of combating unfair competition in Ukraine.

Dialectical method is used for the general characteristics of economic competition and unfair competition in Ukraine. This method, as well as logical method is applied for considering the mechanism of protection of business entities from unfair competition and examining their features.

The method of analysis is applied when considering the works of scientists on the topic of the research.

Using formal and logical method, the conceptual and categorical apparatus of the Article is formulated; in particular, the concepts of "economic competition" and "unfair competition" are defined, the Authors' definition of the term of "economic competition" is proposed.

System and structural method makes it possible to identify the forms of unfair competition, as well as the acts, which are considered unfair competition.

Legal forecasting is helpful in determining the areas of improvement of the activities of authorized entities in the field of administrative and legal support of economic competition (subsection 3.2).

Literature Review

In the 12th century Smith (1904) established the riverly clause as a competition, defined the conditions for effective competition, and proved that competition by equating the rate of return, leads to the optimal distribution of capital and labor between industries and theoretically developed the model of perfect competition.

According to Porter (1990) – the author of the concepts of competitive strategy and international competitiveness – competition is a complex process determined by the interaction of five main forces: the rivalry of existing competitors in the market; appearance of new competitors; introduction of new competitive goods (substitutes); competitive ability of suppliers (sellers); opportunities for buyers.

In his scientific work, Schumpeter (1934) notes that true competition is competition born of a new product, new technology, new type of organization, new source of supply. It determines the final cost of goods and is a source of innovation, implementation of new technological solutions.

Mill (1848) developed the equation of international demand, highlighted non-competitive groups in the market, proved the existence of several types of of elasticity of demand (price, income, cross), substantiated the nature of alternative costs and economies of scale.

These ideas were later developed by Chamberlain (1949). He laid the foundation for modern Western theory of 4 main types of markets: perfect competition; monopolistic competition; oligopolies; monopolies. The scientist proposed to use two criteria for the classification of markets – interchangeability of products offered by different enterprises and the interdependence of these companies.

According to Fatkhutdynov (2000), competition is the process of managing the subject with its competitive advantages to win or achieve other goals in the fight against competitors to meet objective or subjective needs within the limits of the law or under natural conditions.

Honcharuk (2004) notes that competition has a subject-object structure. Subject-object structure is a system of relationships between its entities that have unidirected goals and interests. It reflects the nature and forms of their interaction with the competition. Competitors are natural or legal persons (or a group of persons) whose interests are directed to the same object. These are individual buyers and sellers of goods, services, labor, and the economy, the State, the national economy as a whole, entering into competitive relations with each other. The objects of competition are the conditions of production and sales, consumer preferences, labor, loans, government benefits, preferences – that is, everything that gives rise to competitive relations.

Mokhnenko, Riznyk, Khomliak (2014) argue that competition is an economic process of interaction and struggle of producers for the most favorable conditions of production and sale of goods, obtaining the highest profits. It reflects the relationship between production and sale of the product, which is causal, essential, necessary and repetitive objective economic law. Competition law establishes a causal link between the possibility to create a product that consumers need and the opportunity to sell it to the benefit of the customer.

Results and Discussion

Competition (from the Latin "concurro" – confronted) means competition between market participants for the most favorable conditions of production, sale and purchase of goods. This type of economic relationship takes place when producers of goods act as independent entities; their dependence is related only to market conditions, a desire to win a competitive position in the production and sale of their products. In market relations, competition – natural and objectively existing phenomenon – can be considered as the law of the commercial economy (Samuliak and Terekhov, 2019, p. 337).

Despite the large number of scientific papers on the problem of competition, to date there is no single definition of this concept. However, essential characteristics of the latter, according to Hredzheva (2009), are:

1) market nature of competition (interaction of enterprises, firms in the market);
2) limited amount of effective demand, for which there is a fierce struggle;
3) competition develops only in real market segments.

Thus, based on the definitions provided by foreign and domestic scientists, we can conclude that economic competition is a struggle of economic entities using their own achievements in real market segments in order to win or obtain other advantages under conditions of limited solvent demand and as a result of which consumers and economic entities s can choose between several sellers (buyers).

At the legislative level, the concepts of protection of economic competition are regulated by the Constitution of Ukraine (Law of Ukraine No. 254k/96-VR, 1996), the Laws of Ukraine "On protection of economic competition" (Law of Ukraine No. 2210-III, 2001); "On the Antimonopoly Committee" (Law of Ukraine No. 3659-XII, 1993); "On protection against unfair competition" (Law of Ukraine No. 236/96-VR, 1996) and others.

Thus, according to Article 42 of the Constitution of Ukraine (Law of Ukraine No. 254k/96-VR, 1996), the abuse of a monopolistic position in the market, the unlawful restriction of competition, and unfair competition, shall not be permitted. The types and limits of monopolies are determined by law. Article 92 of the Basic Law stipulates that exclusively the laws of Ukraine determine the rules of competition and the norms of antimonopoly regulation.

The Law of Ukraine “On Protection of Economic Competition” (Law of Ukraine No. 2210-III, 2001) provides the following definition of this phenomenon: it is competition between business entities in order to gain advantages over other ones due to their own achievements, as the result of which consumers, economic agents can decide between several retailers, purchasers, and a separate enterprener cannot determine the terms and conditions for the circulation of goods on the market.

Unfair competition, in accordance with the provisions of the Commercial Code of Ukraine (Law of Ukraine No. 436-IV, 2003), shall be deemed any actions in competition that contradict the rules, trade and other honest practices in business activity. Unfair competition is the unlawful use of business reputation of an economic entity, creating impediments to economic entities in the process of competition, and gaining unlawful advantages in competition, unlawful collecting, disclosure and use of the trade secret, or other actions classified under Part 1 of this Article. (Article 32).

The Law of Ukraine “On Protection against Unfair Competition” (Law of Ukraine No. 236/96-VR, 1996), in turn, defines unfair competition as any action in competition that is contrary to trade and other fair practices in economic activity. These include:

1) illegal use of the business reputation of the business entity (illegal use of symbols, illegal use of goods from another manufacturer, copying the appearance of the product, comparative advertising);
2) creation of obstacles to business entities in the process of competition and achievement of illegal advantages in competition (discredit of the subject, inducement to boycott the business entity, inducing the supplier to discriminate against the buyer (customer), bribing the employee, official of the supplier, bribery of an employee , buyer’s (customer’s) official, the official of the buyer (customer), achieving undue illegal advantages in competition, dissemination of misleading information);
3) illegal collection, disclosure and use of trade secrets (illegal collection of trade secrets, disclosure of trade secrets, inclination to disclose trade secrets, illegal use of trade secrets).

Slobodyaniuk (2006) further points out that forms of unfair competition are:

– illegal actions aimed at gaining certain advantages over a competitor due to its intellectual activity and business reputation;
– illegal actions connected with disruption of production process of competitor, creating obstacles during the competition and achieving illegal advantages in competition;
– actions related to the illegal collection, disclosure and use of trade secrets.

There are two ways to protect against unfair competition – administrative and judicial ones. The first is to address to the Antimonopoly Committee of Ukraine to protect violated rights. This agency is the State body with a special status, the purpose of which is to ensure State protection of competition in business and public procurement. The main task of the Antimonopoly Committee of Ukraine is to participate in the formation and implementation of competition policy in terms of:

1) exercising State control over compliance with the legislation on protection of economic competition on the basis of equality of business entities before the law and the priority of consumer rights, prevention, detection and termination of violations of legislation on protection of economic competition;
2) control over concentration, coordinated actions of economic entities in the course of the regulation of prices (tariffs) for goods produced (sold) by natural monopolies;
3) promoting the development of fair competition;
4) methodological support for the application of legislation on the protection of economic competition;
5) control over the creation of a competitive environment and protection of competition in the area of public procurement;
6) monitoring of State aid to economic entities and control over the admissibility of such aid for competition (Law of Ukraine No. 3659-XII, 1993).

To fulfil the above objectives, the Committee is authorized to consider applications and cases of violations of legislation on protection of economic competition and to investigate these applications and cases, as well as to adopt orders and decisions on applications and cases, review decisions on the cases, provide conclusions on the qualification of actions in accordance with the legislation on protection of economic competition.

All applications and cases submitted to the Antimonopoly Committee are considered under the Regulation of the Antimonopoly Committee of Ukraine No. 5 (Order No. 5, 1994). This legal act determines certain features of the procedure for consideration of applications, cases of contravention of the law on protection of economic competition by the Antimonopoly Committee of Ukraine and establish the procedure for reviewing decisions by the Committee in these cases.

An application for violation of the legislation on protection of economic competition (including violations of the legislation on protection against unfair competition) may be submitted by economic entities – competitors, suppliers or buyers of the defendant and other individuals and legal entities who can confirm that actions or omissions by the defendant may have negative impact on their rights.

The complaint is submitted exclusively in writing and is considered within 30 calendar days. If it is necessary to obtain additional information that cannot be provided by the applicant, the term for consideration of the application may be extended by 60 calendar days (the applicant shall receive a written notification from the body of the Committee authorized to consider it). If the person withdraws an application, the statement is remained without examining, which shall not be an obstacle for the Committee to continue to investigate the issues raised therein.

The submission of the application is free of charge. The application should indicate the signs of violation (according to the applicant); name, known details (address, telephone number, etc.) of business entities, public authorities or local governments. If the applicant withdraws the application or fails to comply with the requirements within the prescribed period (which, however, does not deprive him/her of the right to apply to the Committee with a repeated application), the latter remains without consideration.

If the applicant believes that his / her application may have negative consequences for him / her, the Antimonopoly Committee of Ukraine may investigate on its own initiative. To this end, the applicant must submit a reasoned request to initiate proceedings on the Committee's own initiative.

Based on the results of consideration of cases on violation of the legislation on protection of economic competition, the bodies of the Antimonopoly Committee of Ukraine make decisions, including on:

recognition of the violation of the legislation on protection of economic competition;
termination of violations of the legislation on protection of economic competition;
obligations of the authority, local government, administrative and economic management and control body to revoke or modify the decision or terminate agreements recognized as anti-competitive actions of public authorities, local governments, administrative and economic management and control bodies;
recognition of a business entity occupying a monopoly (dominant) position in the market;
forced division of an economic entity occupying a monopoly (dominant) position in the market;
imposition of a fine;
blocking of securities;
elimination of the consequences of violations of the legislation on protection of economic competition, in particular elimination or mitigation of the negative impact of concerted actions, concentration of economic entities on competition;
cancellation of the authorization for the agreed actions;
end of the proceedings (Art. 48 of the Law of Ukraine No. 2210-III, 2001).

As for the court procedure, then, pursuant to Par. 7, Part 1, Art. 20 of the Commercial and Procedure Code of Ukraine (Law of Ukraine No. 1798-XII, 1991) the jurisdiction of commercial courts extends to disputesarising from relations related to the protection of economic competition, restriction of monopoly in economic activities, protection against unfair competition, including in disputes related to appeals against the judgments of the Anti-Monopoly Committee of Ukraine, as well as cases filed by the bodies of the Anti-Monopoly Committee of Ukraine on issues referred by law to their competence, except for disputes referred to the jurisdiction of the High Intellectual Property Court.

Thus, legal relations related to the restriction of monopoly and protection of economic entities from unfair competition are subject to regulation of economic law, and therefore cases arising from the relevant legal relations are considered by commercial courts.

According to Art. 176 of the Commercial Procedure Code of Ukraine (Law of Ukraine No. 1798-XII, 1991), if there are no grounds for leaving the statement of claim without motion, return of the statement of claim or refusal to initiate proceedings, the court shall open proceedings within five days from the date of receipt of the statement of claim or statement on elimination of deficiencies filed under Article 174 of this Code.

Par. 2, Part 3, Art. 12 of this Code (Law of Ukraine No. 1798-XII, 1991) stipulates that the general action proceedings are intended for consideration of cases, the consideration of which is inexpedient in the simplified action proceedings due to complexity or other circumstances.

In accordance with Part 3, Art. 247 of the specified regulatory legal act in resolving the issue on consideration of the case in the simplified or general action proceedings, the court shall take into account: 1) the cost of claim; 2) the significance of the case for the parties; 3) the remedy chosen by the plaintiff; 4) category and complexity of the case; 5) the amount and nature of evidence in the case, including whether it is necessary to appoint an expert in the case, call witnesses, etc.; 6) the number of parties and other case parties; 7) whether the consideration of the case is of significant public interest; 8) the opinion of the parties on the need to consider the case under the rules of simplified action proceedings.

Par. 5, Part 4, Art. 247 of the same Code enshrines that the cases in disputes arising from relations that are related to the protection of economic competition, restriction of monopoly in economic activities, protection against unfair competition may not be considered by way of simplified action proceedings.

In view of the above imperative requirements, such cases are subject to general action proceedings.

Conclusion

Based on the above, the following conclusions can be drawn. Economic competition is a struggle of economic entities using their own achievements in real market segments in order to win or obtain other advantages under conditions of limited solvent demand and as a result of which consumers and economic entities s can choose between several sellers (buyers).

Unfair competition is any action in competition that contradicts the rules, trade and other fair practices in business (improper use of the business reputation of the entity, creating obstacles to economic subject in competition and achieving undue advantage in competition, illegal collection, disclosure and use of trade secrets, as well as other actions specified by law).

There are two ways to protect against unfair competition – administrative and judicial ones. The first is to apply for protection of violated rights to the Antimonopoly Committee of Ukraine, which is the state body with a special status, the purpose of which is to ensure State protection of competition in business and public procurement. The second one is filing a claim in the relevant commercial court, as legal relations related to the restriction of monopoly and protection of economic entities from unfair competition are regulated by economic legislation. We have considered in detail these mechanisms for the protection of the rights of entrepreneurs with reference to legal instruments governing their implementation.

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Analysis of the effects of green wall usage on the user's in indoor spaces

İç Mekanlarda Yeşil Duvar Kullanımının Kullanıcı Üzerindeki Etkilerinin Analizi

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Abstract

Green walls are constructed by covering the interior or external wall plane of a structure with plants, assuring sustainability, and functioning as a barrier to environmental hazards. Those used on the inner wall of the building are called living walls, and those used on the outer walls are called green facades. According to some studies, there are four types of green wall construction techniques: tree against wall, wall-climbing, suspended, and modular. Green facades can be built directly or indirectly, according to other studies, whereas living walls can be produced modularly or continually. Ecosystem services such as reducing noise, and dramatically enhancing air quality can all be provided by green walls. Increased cognitive function, patient recovery, and a more environmentally responsible approach are just a few examples. The study's aim is to analyze how green walls affect users, as well as to analyze and evaluate the benefits of employing green walls in spaces and advocate their usage in future projects. The qualitative research approach was used to analyze user thoughts by conducting a survey by making a literature review with keywords like green walls, the benefits of green walls, the psychological implications of green walls, interior space, and the user wants.

Key Words: Green wall, Users' Needs, Benefits of Green Walls, Vertical Garden, Indoor Spaces.

Özet

Yeşil duvarlar, yapının iç veya dış duvar düzlemlerinin çeşitli yöntemler sayesinde bitkilerle kaplanması, sürdürülebilirliğin sağlanmasında ve çevresel tehlikelere karşı bariyer işlevi görmesiyle inşa edilir. Yapının iç duvarında kullanılanlara yaşayan duvarlar, dış duvarlarında kullanılanlarına yeşil cepheler denilmektedir. Bazı araştırmalara göre dört tip yeşil duvar yapım tekniği vardır; ağaç duvara dayalı, duvara tırmanma, asma ve modül tipi. Diğer araştırmalara göre ise yeşil cepheler doğrudan ve dolaylı olarak inşa edilebilirken, yaşayan duvarlar modüler veya sürekli şekilde inşa edilmektedir. Gürültüyü azaltmak ve hava kalitesini önemli ölçüde artırmak gibi ekosistem hizmetlerinin tümü yeşil duvarlarla sağlanabilir. Artan bilişsel işlev, hastanın daha hızlı iyileşmesi ve ekolojik olarak çevreye daha duyarlı bir yaklaşım sadece birkaç örnektir. Çalışmada yeşil duvarların kullanıcılar üzerindeki etkilerini analiz etmek ve yeşil duvarların mekanlarda kullanılmasının faydalarını analiz etmek ve değerlendirmek ve gelecekte yapılacak olan projelerde de yeşil duvar kullanımının yaygınlaşmasına yön göstermek amaçlanmıştır. Araştırmada yeşil duvarlar, yeşil duvarların faydaları, yeşil duvarların psikolojik etkileri, iç mekan, kullanıcı ihtiyaçları gibi anahtar kelimeler ile literatür taraması yapılarak nitel araştırma yöntemi; anket çalışması yapılarak kullanıcı düşüncelerinin analiz edilmesi nicel araştırma yöntemi kullanılmıştır.

Anahtar Kelimeler: Yeşil Duvar, Kullanıcı İhtiyaçları, Yeşil Duvarların Faydaları, Dikey Bahçe, İç Mekanlar.

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Introduction

The increasing use of natural resources due to the increase in the world population has put researchers and people in a state of concern. With the increase in consumption, there has been a decrease in the sources of use and the concept of sustainability has come to light. Sustainability, in other words, the ability to be permanent, means the transfer of existing resources to future generations. Population growth not only increases consumption but also causes factors such as environmental pollution and global warming. There are many methods to avoid such negativities. Green walls, one of these methods, have been the focus of interior architects, architects, and landscape architects in recent years. They have many benefits both in terms of aesthetics and human health.

Environmental issues such as global warming, the ozone hole, which is getting worse by the day, pollution of the air, damage to natural resources, forest destruction, the urban heat island effect have risen dramatically since the industrial revolution and are now at a critical level. When the mentioned environmental issues are combined, negative events such as climate change and natural disasters that harm the lives of many people/users are experienced. To take precautions against such negativities, research studies by researchers should be considered. Environmental issues have reached a point where they may be seen on a global scale rather than only on a national level. Green roads, green roofs, and green wall applications have all been shown to be effective in combating environmental issues in studies.

Green walls aren't just for aesthetic purposes in the places where they're implemented. It also has numerous advantages for both the area and the user. The usage of a green wall on the outside of a building, for example, helps to balance the humidity and temperature differences between the structures. At the same time, the green walls applied in the building's interior offer a similar impression. The purpose of this study was to see how living green walls affected the user and the space, as well as to advocate the usage of living green walls in future project designs.

The Aim of the Research

This research was conducted to determine the impacts of green walls on users and examine the benefits of using green walls in spaces, as well as ensuring the sustainability of future projects and spreading the usage of green walls. In this context, literature analysis and survey study were conducted. At the end of the survey, a survey study was conducted to determine whether the users are aware of green walls, how much they know about the benefits of green walls, and what effect the use of green walls in the interior has on them. In line with the obtained data, information was collected and analysed.

Scope of the Research

Studies about green wall systems have been developed for many parts of the world. However, in Turkey and K.K.T.C., there are few studies on green wall systems, their benefits, and their effects on users. As a result, the benefits of green walls and their effects on users will be investigated in this study. In addition, a survey study will be done with participants living in Turkey and K.K.T.C. to collect more detailed data on user opinions.

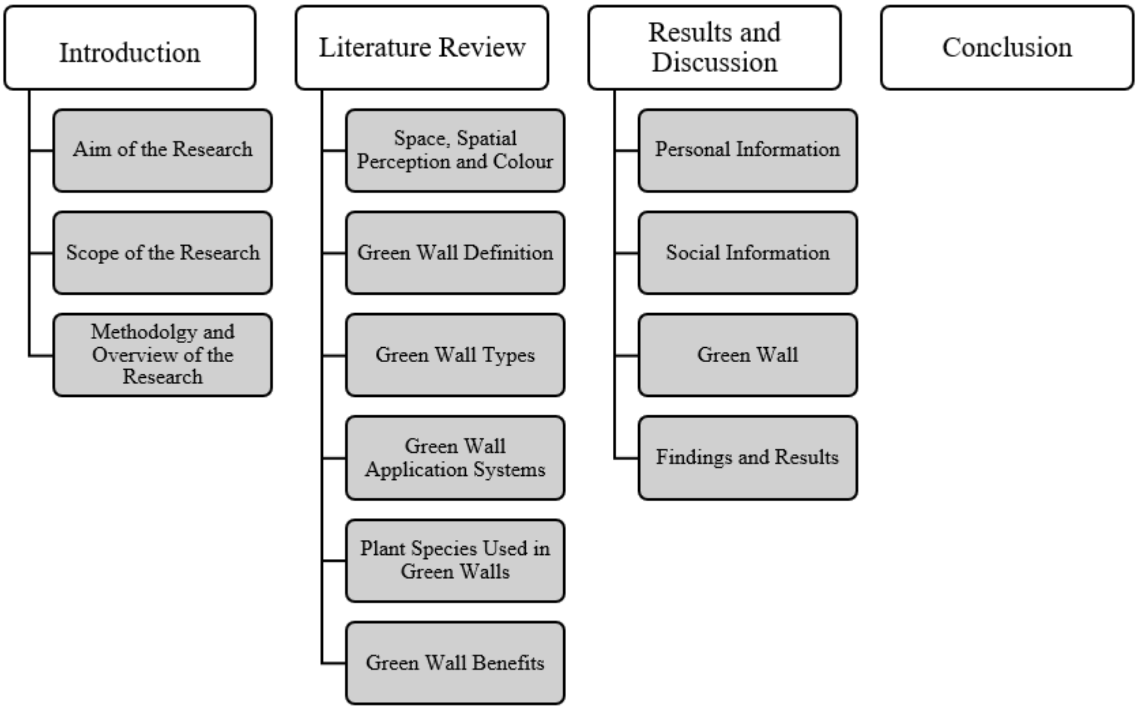
Methodology and Overview of the Research

Both qualitative and quantitative methodologies were used in this study. Literature research on related issues such as space, colour, space perception, the effects of colours on users, green facades, living walls, application techniques, type of plant used, and benefits of green walls are researched for the qualitative portion of the study.

In order to examine the effects of green wall systems on the user, firstly, after defining what the green walls are, how many types of green walls and how they are applied to understand the effects on the users in Turkey and the TRNC a survey study was conducted.

In the overview of this study, after the introduction to the subject in Chapter 1 as 'Introduction', the data analysed in the literature review were evaluated in Chapter 2. Section 3 presents the findings of the survey study with questionnaires. In the last part (Chapter 4), a conclusion was reached in line with the data obtained in the study (Table 1).

Table 1.
Overview of the Research Table.



Literature Review

In this section, space, spatial perception, colour, green walls, types of green walls, construction methods of green walls, plant species used in green walls and finally the benefits of green walls have been researched by literature review.

Space, Spatial Perception, Colour

People have built closed spaces to take shelter from natural disasters and the negative effects of the environment since the beginning of settled order. The concept of space first originated as a user need. Villages and cities developed as the number of such places increased. Changes in the responses of spaces to user needs and wishes have happened because of technological improvements and changes in the materials used in the construction of places. It is not needed for a space to be bordered by concrete barriers on all sides for it to be created. At this point, the most essential distinction between space and volume develops. The restriction that generates the space can be physical in the sense that it prevents mobility, or it can be just visual in the sense that it creates a texture on the floor that can only be sensed through other senses. Almost all the user's needs are met in this location (Aslan, Aslan , & Atik, 2015).

Perception is the process of using the senses to comprehend knowledge and experiences, and spatial perception is the result of this process. Users examine, observe, and finally analyse a location to achieve spatial perception. To offer spatial perception, there are four categories of perception. Dimensional perception, visual perception, thermal perception, and aural perception are the four types of perception. Form, colour, substance, texture, and light all have an impact on visual perception (Aslan, Aslan , & Atik, 2015). People's perceptions of a space determine whether their goals and needs are met in that space. The materials, interior layout, physical dimensions, and colours are chosen to have a direct relationship with spatial perception. The function of space determines the size of that space. For example, to determine the square meter of a house, the user who will live in that house is considered, a calculation is conducted correspondingly, and the space limits are created. If the house's boundaries were as large as a shopping mall, the user would be left with many unused spaces. However, leaving the house's limits narrow may not be sufficient for the user who would live there. In other words, determining a space's dimensions is directly proportionate to meeting user needs.

Another element in the dimensional perception of spaces is the colours used in the space. Colour, according to scientific studies, generates electromagnetic waves. Colour is the visual impression of light on the eye, which is determined by its structure and propagation through objects. The interdependence of physical, physiological, and psychological events leads to colour perception in the visual environment (Aslan, Aslan , & Atik, 2015). Each colour has psychological effects on the user. In many studies on the colour-space relationship, it has been stated that colours tend to play an important role in dimensional perception. Warm colours like red, yellow, and orange have a smaller effect on spaces (Yıldırım, Çapanoğlu, Cağatay, & Hidayetoğlu, 2012); cold and lighter colours like blue and green, on the other hand, are shown to make the space feel much larger (Yıldırım, Hidayetoğlu, & Çapanoğlu, 2011). At the same time, each hue has psychological effects on people. For example, in fast food places, mostly yellow and red colours are used because it evokes hunger and being fast. Blue, for example, has a cleansing, comforting, tranquillizing, and calming influence on humans. It also aids people in thinking, making decisions, and coming up with innovative ideas (Göler, 2009). Blue, on the other hand, is always chilly and has a relaxing impact on the nervous system (Aydınlatan, 2001). As another example, the colour green is a combination of blue and yellow. Yellow gives warmth, blue gives calmness and peace to green. The green colour is the symbol of trees and plants in nature. Green is the colour of spring, vitality, and positive serenity. Green is a quiet and peaceful colour that evokes nature and paradise. In decoration, it evokes silence and not being disturbed, so it is a colour used in hospital rooms or theatres. In summary, colours have a great impact on spatial perception such as colour can make the space's atmosphere like as wanted, reveals unity or difference, can characterize the furniture, defines the form of the space.

Green Wall Definition

The phrases green wall, living wall, plant wall, and vertical garden are all used interchangeably, although they all refer to the same thing. A vertical garden is a green surface created by keeping the plants alive in the vertical plane, usually with iron construction and other carrier systems installed on a wall or building. The climate, aspect, and light conditions of the area to be vertically planted are the first factors to be considered. Plant selection should be made by looking at the climate of the region, the altitude and the zone values that show the cold resistance of the plants. The temperature and humidity requirements and growth rates of the plants that will take place in vertical planting should be close to each other. The first green walls were built in BC. It was first noticed about 1500 when Egyptians began to cultivate grapes (Saki & Küçükali, 2020). It was roughly 30 years ago when green walls were first introduced to the public sphere. Patric Blanc, a French botanist, created the first living wall system (Weinmaster, 2009). Green walls refer to the use of plants to green vertical surfaces such as walls, facades, partition walls, and blind walls, as well as the growing of plants on, up, and within a building's wall.

Green Wall Types

Green wall systems are divided into two categories based on their intended use: green façades and living walls. Climbing plants that grow directly against the wall (using aerial roots, leaf tendrils, and adhesion pads) or have an indirect support system (e.g., wire, mesh, trellis) are commonly used in green façades (Vox, Blanco, & Schettini, 2018). Green façades often take a long time to cover and have a limited plant selection. Living walls, on the other hand, allow for more constant vegetation development over the surface and the utilization of a variety of plant species (Perini, Ottelé, Haas, & Raiteri, 2013). Living wall systems, on the other hand, may need constant nutrition and watering (Manso, Teotónio, Silva, & Cruz, 2021).

Green Wall Application Systems

In literature, there are different number of building systems of green walls. According to Safikhani et al., (2014), there are four types of green wall building techniques exists tree-against-wall type, wall-climbing, hanging-down type, and module type. Although tree-against-wall systems are not technically vertical greenery systems, their results are comparable. Plants can cover wall surfaces directly or utilize trellises to ascend in wall-climbing kinds, which are typical in traditional architecture (Sheweka & Magdy, 2011). Wall climbing is simple but covering whole facade surfaces with flora takes effort. Plants with long pedicels on balconies or top of buildings produce hanging-down kinds. This kind is a combination of a green roof and a green facade. All facades will be green in a short time if hanging-down type plants are used on each level of the building; moreover, the façade will be colourful and aesthetically appealing if different types of plants are used. The final technique, module type, is the other technique. Module plants have the advantages of being fast-growing, colourful, variety, appealing, and easy to replace when they get spoilt or wilted (Yu & Hien, 2011).

According to the Manso et. al., (2021), Palermo & Turco (2021) and Addo-Bankas et. al. (2021): green façades can be built in two ways directly and indirect because they are low systemic technology, with few constituent pieces, and a minimal level of interaction between plants and walls. Also light, easy to install, and often intended at promoting the natural growth of plants, primarily climbing plants, which can have evergreen or deciduous leaves and grow to a large height, taking several years to cover the entire wall. Living walls can be continuous and modular. Permeable screens, such as foam or felt layers, are used as a substrate in which plants are individually put to create continuous living walls. They lack a dirt base and have been observed to clog easily, limiting their use in various wastewater treatment methods. Containers containing substrate material such as soil or mineral granules, on the other hand, are put into a supporting framework one above the other or mounted directly on the vertical surface in modular living walls. Plant and substrate containers in the shape of trays, vessels, planter tiles or flexible bags, pocket-typed planters, and panels make up modular living walls. All of them need support structures.

Plant Species Used in Green Walls

The choice of plants, which are the most important elements used in green walls, may vary due to the climatic conditions of the region, the humidity level, as well as the benefits and harms that it spreads on the plants.

There are ways to choose plants to use when building a green wall. First, attention should be paid to the growth of the plant and the location of the wall to be built. Then creativity is a must to get the most out of your green wall by making good use of available resources. Aesthetics and taste are a personal matter, but when it comes to vertical gardening it is essential to practice some form of symmetry. Various flowering plants can be tried to be grown, plants with leaves of different sizes can be combined. Finally, biodiversity will bring vertical gardening to your green space, providing much-needed biodiversity in our naturally overbuilt urban environment (Fantastic Gardeners, 2021).

Ferns (Figure 1) are very adaptable and moisture resistant plants that may swiftly cover enormous areas by growing on walls. They're best for vertical planting since they like to grow downwards. Sword ferns, bird's nest ferns, and blue star ferns are the simplest to incorporate into your living wall. Ferns, which bring out the deep and light hues of green, are prevalent on green walls. Bromeliads (Figure 2) have shallow roots and require minimal room to flourish. As a result, they complement the green wall well. The blooms are unusual and persist for a long time. Succulent plants (Figure 3) do not require much care, their habitat is wide. Therefore, their use is quite common. Even if no care is taken, the plant will not die, it can even grow better. Species such as Crassula, echeveria and sedum are mostly used in green wall designs. Vines (Figure 4) do not require intensive care. It is a type of plant that loves sunlight and spreads quickly (Fantastic Gardeners, 2021). Basil, parsley, chives, dill, mint, thyme, oregano, marjoram, lemon balm, and cilantro are the best herbs to use on green walls (Leonard, 2020). Pothos, golden pothos, devil's ivy, tradescantia; are classic houseplants all over the world (Figure 5 & Figure 6). These plants are one of the more forgiving indoor plants, tolerant to low light, high light, watering, dry periods, rich soils, poor soils, neutral, alkaline, and acid conditions (Rathour, 2017).

Figure 1. Ferns (Strenge, 2020)

Figure 2. Bromeliads (Vanzile, 2021)

Figure 3. Succulent plants (Skiba & Esseveld, 2016)

Figure 4. Vines (O'Toole's Garden Centers, 2021)

Figure 5. Tradescantia and Pothos (Live Wall, 2021)

Figure 6. Devil's Ivy (Wolfe & Wolfe, 2020)

Green Wall Benefits

Green walls conserve energy, reduce sound transmission through buildings, and help in the treatment of grey water. It may shade and protect bare walls while also lowering surface and air temperatures. They can be employed as a feature in new construction as well as to retrofit existing structures. At scale, green walls can provide ecosystem services such as urban heat island reduction, water management, noise reduction, and improved air quality. Furthermore, their implementation may have other benefits, such as contributing to the aesthetic enhancement and recreational use of public places, enabling the use of urban agriculture, nourishing biodiversity, and increasing people' health and well-being.

Air Quality Improvement

Urban environments typically contain greater concentrations of air emissions that are harmful to human health. According to the European Environment Agency, urban residents are often subjected to levels of air emissions above the limit values. Plant types, depending on their shape and scale, can sequester atmospheric contaminants and ingest carbon dioxide to improve their vital functions. Evergreen conifers can be more beneficial than deciduous species as they hold their leaves all year long.

Energy Consumption Reduction

Green walls can increase energy efficiency in buildings. Performance varies according to system characteristics, physical characteristics of buildings and local climate conditions. Green walls can have an energy efficiency of 34% and living walls of 59% to 66% during the cooling time in the CSA climate, according to studies.

Sound Transmission Reduction

Few research studies show how the addition of a green wall can have a major effect on the reduction of sound transmission. Some authors have shown that green walls often have good sound absorption properties compared to other cladding materials.

Greywater Treatment

Local greywater recycling can save water by 9% – 46% (Manso, Teotónio, Silva, & Cruz, 2021) inside the household. Greywater use, providing simultaneous treatment, may be a cost-effective option to using freshwater to fulfil certain water needs in houses. If a greywater system is built in the house, no substantial additional costs are needed for the use of greywater as a green roof or green wall irrigation.

The mentioned benefits of green walls can be titled as environmental benefits. Green walls also have user-scale benefits like reducing psychological and physiological stress, increased sense of well-being, developing the ability to refocus attention, relaxation of the mind and reduction of mental stress, increased performance on cognitive tasks, faster recovery and pain tolerance for patients, more environmentally friendly approach.

Results and Discussion

The use of green walls has become a highly preferred trend in recent years, both in terms of aesthetics and because of its benefits. They can be used in many interiors. For example, restaurants, hotel lobbies, cafes, clinics, hospitals, residences, and offices are examples of these places. In this part of the study, the data obtained as a result of the survey study will be included. The survey was carried out with the participation of people aged between 18-75 living in the TRNC and Turkey. The survey study consists of three parts: personal information, social information, and questions about the green wall.

Personal Information

In this part of the survey, questions of gender, age, nationality, educational status, and occupation were included.

Gender

Participation in the survey study was 58.5% female and male users were 41.3% (Figure 7). Participation in the survey was mostly female users.

Age

The response to the study was 38.5% between the ages of 18-25, 46.2% in the 26-40 age group, 13.1% in the 41-55 age group, 1.5% in the 56-65 age group, and finally 0.8% in the 66-75 age group (Figure 8). As a result of these data, the majority of the participants participating in the survey were between the ages of 26-40 and 18-25.

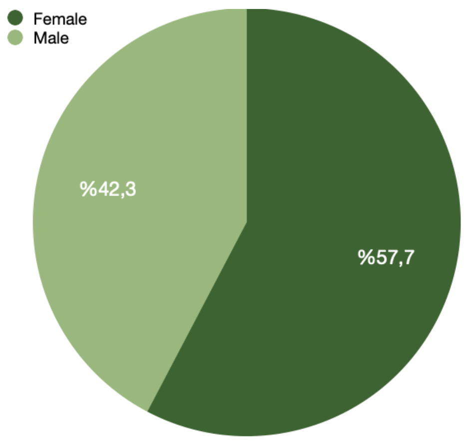


Figure 7. Gender graphic (Authors)

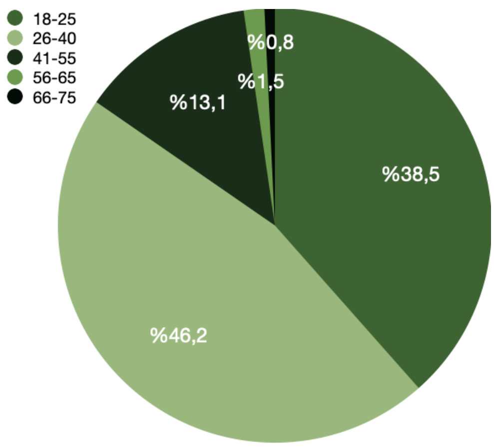


Figure 8. Age range graphic (Authors)

Nationality

Participation in the survey study is mostly from Turkey with 62.3%. Participation from the TRNC resulted in 37.7% (Figure 9).

Education Level

51% of the participants who participated in the study were university graduates, 32% higher education graduates, 14% high school graduates, and 1% primary and secondary school graduates (Figure 10).

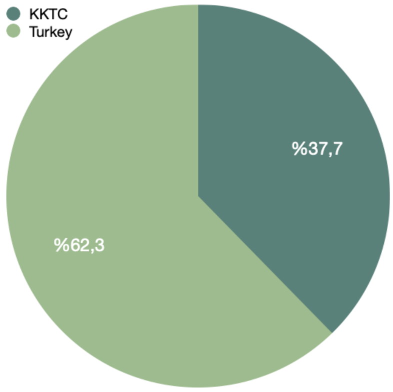


Figure 9. Nationality graphic (Authors)

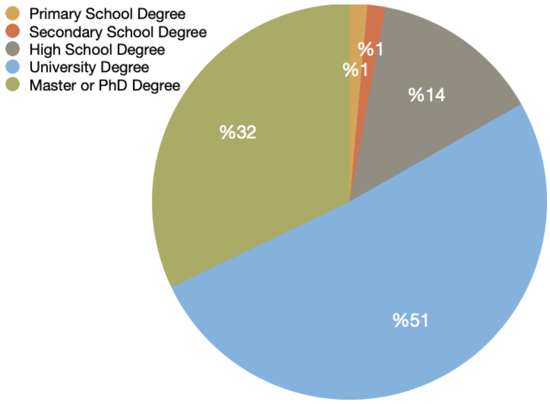


Figure 10. Education level graphic (Authors)

Occupation Status

37% of the participants are employed, 36% are students, 16% are unemployed and 11% are self-employed (Figure 11).

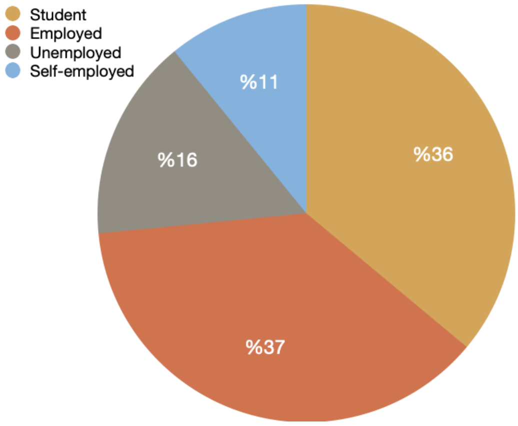


Figure 11. Occupation status (Authors)

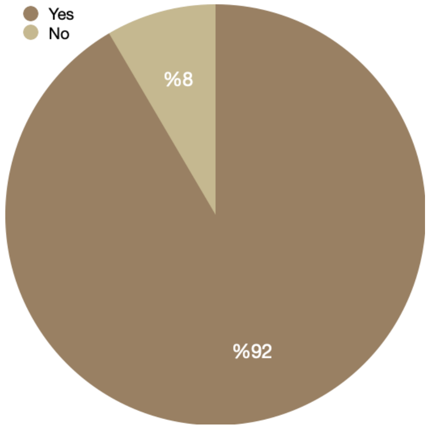


Figure 12. Whether or not the participant heard about sustainability (Authors)

Social Information

In this part of the survey study, seven questions were asked to the participants. In general, these questions consist of issues related to sustainability and green walls.

Have you ever heard about sustainability?

All 130 participants in the study answered yes or no whether they had heard of sustainability. The participants who answered yes resulted in 91.5% and 8.5% of the participants who answered no (Figure 12). From this analysis, it has been understood that the majority of the participating springs have an idea about what sustainability is.

Do you know Green Walls are one of the most important key elements of sustainability?

Participants were asked for their opinions on whether green walls are an important element of sustainability. All the participants answered the question that was answered as yes or no. 60.8% answered yes, 39.2% no (Figure 13).

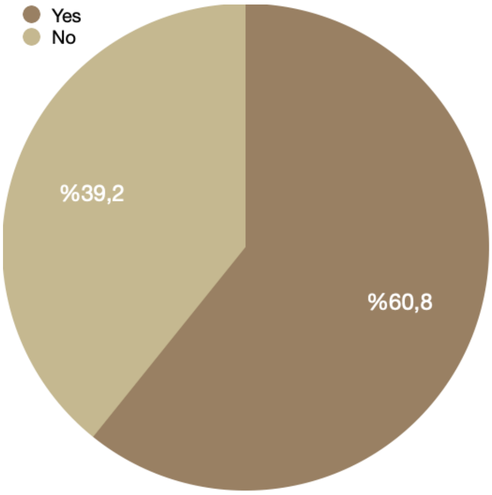


Figure 13. whether green walls are an important element of sustainability (Authors)

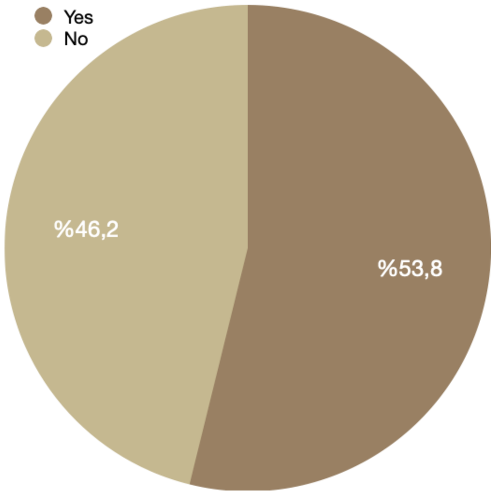


Figure 14. A living wall and green façade (Authors)

Do you know the difference between living walls and green façades?

Participants were asked whether they knew the difference between living walls and green facades, with yes or no answers. According to the answers of 130 people, 53.8% answered yes and 46.2% no, it was understood that most of the participants knew the difference between them (Figure 14).

Have you ever visited a place/space that has a green wall inside?

Participants were asked if they had ever been to a place with a green wall on the interior wall surface. While 68.2% said they had been when they answered yes, 31.8% said they had not been when they answered no. As a result, it was discovered that most of the participants were in a place with the green wall before (Figure 15).

If you visited a place/space that has a green wall, what was the place?

When the participants were asked where it was if they had previously visited a place with a green wall on the wall plane of the interior, 59.6% of them stated that they visited in a public place and 40.4% in private places (Figure 16).

What do you think about the use of the green wall in indoor spaces?

When asked whether the green walls used indoors are useful or not, 90.6% answered that they found it useful, and 9.4% answered that they did not find it useful (Figure 17).

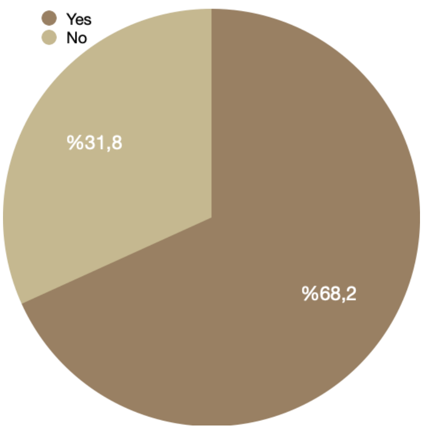


Figure 15. Whether they have been in a place with a green wall (Authors)

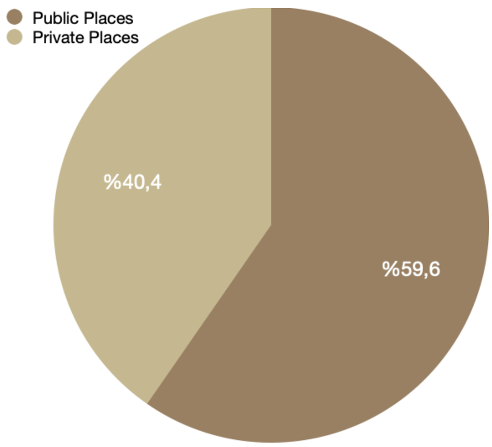


Figure 16. What was the place (Authors)

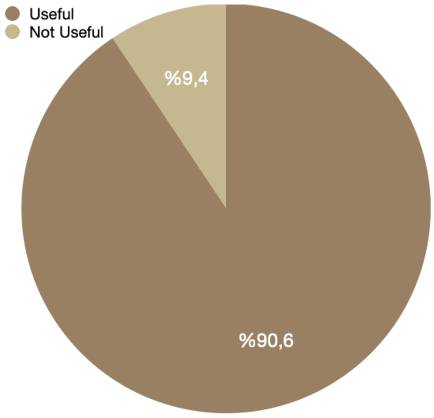


Figure 17. Useful or not (Authors)

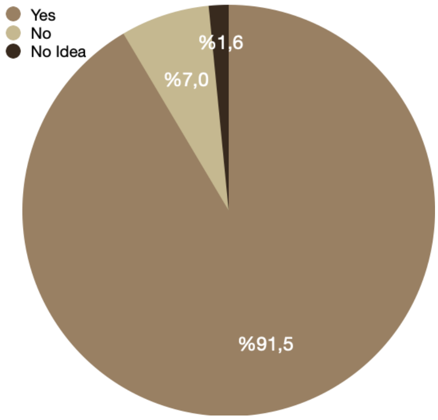


Figure 18. Different effects on the design of the spaces (Authors)

Do you think Green Walls have any different effects on the design of the spaces?

Participants were asked whether green walls have a different effect on interior design when used indoors. Of the responses received, 91.5% of the users thought that the use of green walls in the interior made a difference, 7% did not think that it made a difference, and 1.6% answered that they had no idea (Figure 18). At the same time, the interpretation of user opinions was also asked in this question, and some of the comments received are as follows:

- Helps to strengthen the indoor and outdoor connection.
- Visual beauty, psychological comfort.
- It offers a more friendly and spacious environment.
- Each space design is designed in line with human needs. Thus, I think that green walls have extremely positive and relaxing effects on human psychology.
- I think it is a more heart-warming design that reflects natural life.
- Green walls not only have very good visual effects in design but also have great effects on psychological and air cleanliness and temperature drops, depending on the areas in which they are used.
- By changing the general ambience of the place, they bring nature closer to us.
- If a live plant is used, I find it very useful because it provides oxygen regeneration in the space.

Green Wall

In this section, the participants were given certain green wall benefits based on the data obtained through the literature review, and they were asked to rate them as 1 strongly agree and 5 strongly disagree.

The Colour green gives relaxation.

The participants were asked to what extent they agreed with the relief of the green colour. According to the answers given, 50% of the participants strongly agree with the situation, 18% agree, 10.9% are not sure, 9.4% disagree, and finally 11.7% strongly disagree (Figure 19).

Green walls make the place more aesthetic.

The participants were asked their thoughts on how green walls could make a place more aesthetic, and to what extent they participated in the situation. According to the data obtained, 43.8% of the participants strongly agree, 20.8% agree, 14.6% are not sure, 8.5% disagree, and finally 12.3% strongly disagree (Figure 20).

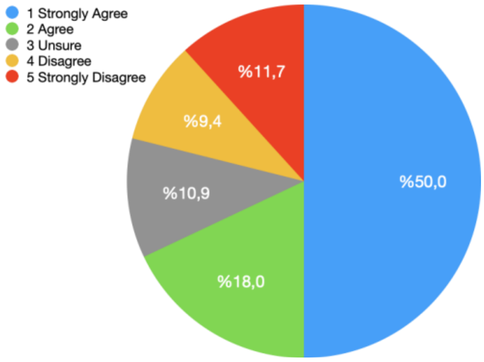


Figure 19. Giving relaxation (Authors)

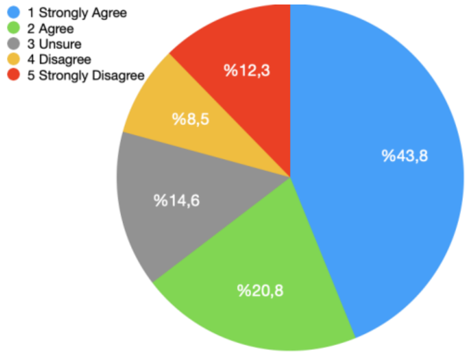


Figure 20. Making the place more aesthetic (Authors)

Green walls can reduce psychological and physiological stress.

Participants were asked to rate the situation where green walls prevent psychological and physiological stress. 50% of the responses strongly agree, 20% agree, 10.8% are not sure, 6.2% disagree and 13.1% strongly disagree are the other responses (Figure 21).

Green walls develop the ability to refocus attention.

Participants were asked to rate whether green walls helped refocus. While 30.8% of the participants strongly agree with the given situation, 21.5% agree, 28.5% are not sure, 10.8% do not agree, and finally, 8.5% strongly disagree (Figure 22).

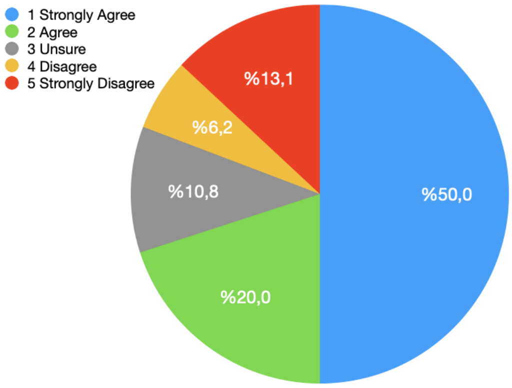


Figure 21. Reducing psychological and physiological stress (Authors)

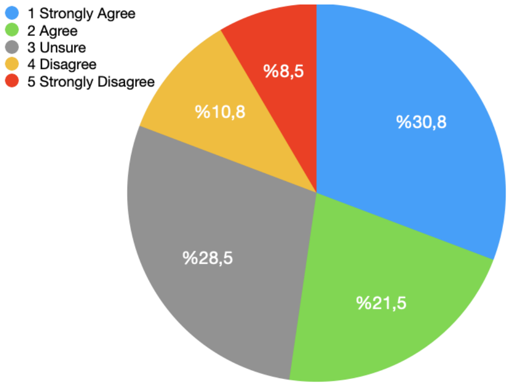


Figure 22. Ability to refocus attention (Authors)

Green walls can improve the air quality of the room.

It was requested to evaluate the situation where green walls renew and improve the air in the room. 42.6% of the participants strongly agree with the given situation, 17.8% agree, 17.1% are not sure, 7.8% disagree and 14.7% strongly disagree (Figure 23).

Green walls can make energy saving.

Participants were asked to rate whether they agree with the issue that green walls save energy. While 30% of the answers strongly agree with the given situation, 16.9% agree, 24.6% are not sure, 12.3% disagree and 16.2% strongly disagree (Figure 24).

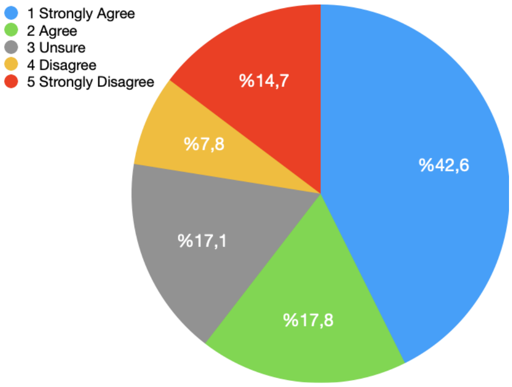


Figure 23. Improving air quality (Authors)

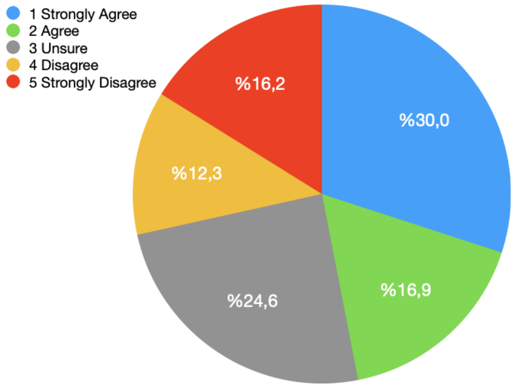


Figure 24. Making energy (Authors)

Green walls can reduce the sound therefore it can provide privacy.

The participants were asked whether they support the situation where green walls do not absorb sound and provide privacy, and they were asked to evaluate. According to the answers given by the participants, the rate of strongly agreeing with the given situation was 29.5%, the rate of agreement was 20.9%, the rate of being unsure was 20.2%, the rate of disagreement was 12.4%, and the rate of strongly disagreeing was 17.1% (Figure 25).

Green walls can arrange the room temperature.

Participants were asked to rate the green walls balancing the indoor room temperature. While 27.7% of the participants strongly agree with the given situation, 22.3% agree, 22.3% are not sure, 8.5% disagree and 19.2% strongly disagree (Figure 26).

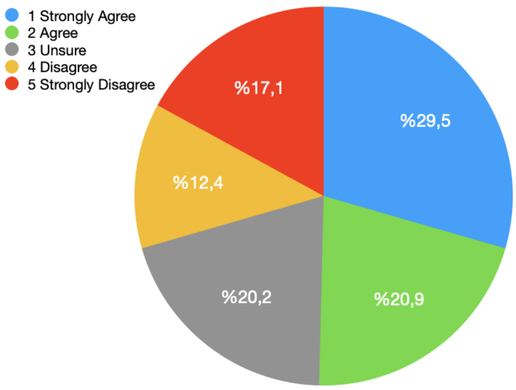


Figure 25. Providing privacy(Authors)

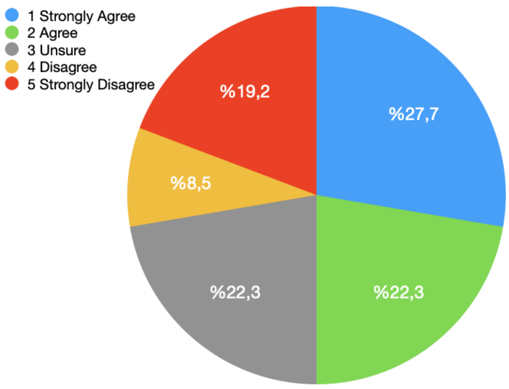


Figure 26. Arranging the rooms' temperature (Authors)

Green walls can arrange the room's humidity.

The participants were asked to evaluate the balancing of the indoor humidity of the green walls. According to the evaluation given, the participants strongly agree with the situation 32%, agree 16.4%, be unsure 23.4%, disagree 14.1% and strongly disagree 14.1% (Figure 27).

Green walls can improve human health.

The positive effects of green walls on human health were asked and the participants were asked to evaluate how much they participated in this situation. While 38.8% of the participants strongly agree with the given situation, 18.6% agree, 21.7% are not sure, 9.3% disagree and 11.6% strongly disagree (Figure 28).

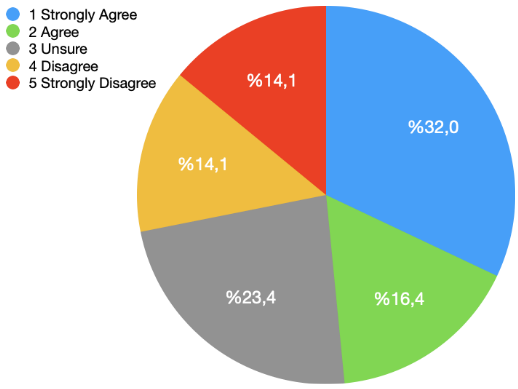


Figure 27. Arranging the rooms' humidity (Authors)

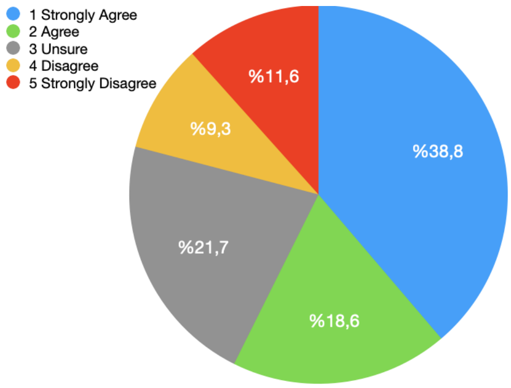


Figure 28. Improving human health (Authors)

Findings and Results

It was analysed that female user, 18-25 and 26-40 age groups, university graduate users and working users mostly responded to the survey study. It was learned that most of the participants had heard of the concept of sustainability before. It has been observed from the answers received that green walls are known to be an important element of sustainability. Most of the participants know the difference between a green facade and a living wall. According to the answers, more than half of the users who participated in the survey stated that they had been in a place with a green wall in their interior before. According to the answers to the question of whether the place they visited was a public place or a private place, it was learned that more than half of the users who participated in the survey visited a public place. At the same time, users think that the use of green walls in the interior is beneficial for the place and themselves. Accordingly, it has been analysed that they think that the use of green walls in the interior has different effects on interior design. According to user comments, green walls refresh a space, strengthen the connection between indoor and outdoor, add psychological relaxation and visual pleasure, bring the natural environment indoors, renew and strengthen the oxygen in the interior, and are therefore beneficial for human health.

According to half of the users participating in the survey, the green colour gives people peace of mind. While 43.8% of the participants strongly agree that the use of green walls makes a place look more aesthetic, 12.3% strongly disagree. According to the answers, half of the users who participated in the survey strongly agree that green walls reduce psychological and physiological stress, while 13.1% strongly disagree. While 30.8% of the participants think that green walls help them to focus again, 8.5% strongly disagree. 42.6% of respondents think that green walls improve indoor air quality. While 30% of the answers to the survey study strongly agree that green walls save energy, 16.2% strongly disagree. The green walls have many indentations and protrusions due to the plants it contains, so the sound does not hit these volumes and pass behind the plane, and its spread in the room is low. Depending on this situation, 29.5% of the users completely agree with the privacy that can be achieved due to the soundproofing of the green walls, while 17.1% strongly disagree. While 27.7% of users strongly agree with the green wall's ability to regulate indoor temperature, 19.2% strongly disagree. At the same time, 32% of users strongly agree with green walls' ability to regulate indoor humidity, while 14.1% of users strongly disagree. According to the answers to the survey, 38.8% of the participants think that green walls have positive effects on human health, while 11.6% of them do not.

Conclusion

This study was conducted to analyse the effects of green walls on users, to investigate and evaluate the benefits of using green walls in spaces, and to guide the widespread use of green walls in future projects. In this context, both quantitative and qualitative research methods were used in the research by making a literature review and a questionnaire study.

Green walls are one of the green infrastructure systems that help prevent environmental problems such as global warming and climate change. Green walls are constructed by planting an interior wall or a building's exterior wall plane. The green walls used in the interior are called living walls, and the green walls used in the exterior wall are called green facades. Living walls are modular if stacked using containers with fillers such as earth or minerals; by using permeable layers such as foam or felt, plants can be built in a continuous form if they are added to this system separately. Green facades are constructed by attaching plants directly to the wall plane or indirectly mounting them to the wall plane with modular guides such as traction cables, gratings, stainless steel ropes. At the same time, the use of special boxes positioned at intermediate heights or on the ground can be seen on green facades. According to the data analysed as a result of the literature review, the construction method of green walls was examined in four types, such as the tree-based type, the wall-climbing, the hanging type, and the module type in some studies, as well as the information mentioned in some studies. Plants used in the type based on the tree wall can cover the surface of the wall as it is. The wall-climbing type is the type that is used quite a lot in traditional architecture. In this system, which has a simple structure, cages can be used to lengthen the plants, and the surfaces of the wall facades can be covered with plants. When the hanging types are examined, they are long-stemmed plants that are used hanging on the balconies of the facades or the tops of the buildings. Plants used in modular type have the advantage as they can be changed quickly when deformed. In this system, colourful, showy, different varieties and easy growing plants are preferred. It is preferred to use long-lived plants that are easy to care for, such as succulent plants, vines, and moss on green walls.

Green walls, which have an important role in ensuring the continuity of sustainability, provide benefits to both the environment and people. When these benefits are examined, it is observed that green walls increase the air quality, regulate and clean the airflow in the space, and make positive contributions to the environment by keeping the humidity and heat balances under control. The plants selected according to the climatic characteristics of the region to be used and the green walls designed to meet the needs of the environment have effects such as carbon emission and energy saving. In addition to such environmental benefits, there are also benefits that it creates for humans. Green walls reduce both psychological and physiological stress. The visual perception created by the green colour and plants gives a feeling of comfort by leaving a calm and peaceful impression on people. It provides the opportunity to regain the ability to focus by reducing mental stress. While an increase in the performance of cognitive tasks can be observed, it can also create benefits in the field of health by affecting the rapid recovery of sick users.

According to the majority of male and female users between the ages of 18-75 living in Turkey and the TRNC who participated in the survey, they answered that the green walls used in the interior have a different touch in the interior design and are beneficial for the space and the user. More than half of the participants in the study have an idea about the concept of sustainability and have been in a place where a green wall is used indoors. In general, the green colour gives a sense of comfort to half of the users surveyed. At the same time, nearly half of the participating users think that green walls add aesthetic beauty to the interior. Half of the participants agree with the reduction of physiological and psychological stress, while 30.8% agree with the improvement of the ability to refocus. The participants stated that they agreed with the role of green walls in improving air quality with 42.6%. While 30% of users strongly agree with the energy-saving of green walls, 16.9% only agree. 29.5% of users think that green walls provide privacy as they are soundproof. 27.7% of users strongly agree that green walls can adjust the room temperature, while 22.3% only agree. And at the same time, 32% of users think about the contribution of green walls in regulating indoor humidity, while 16.4% only think about it. The rate of users who think about the positive effects of green walls on human health is 38.8%, and the rate of users who only think about it is 18.6%.

In this context, the answers to the survey study were analysed and the benefits of the use of green walls indoors on the user were interpreted according to the opinions of the users living in Turkey and the TRNC. The increase in the use of green walls indoors in Turkey and the TRNC and their use in future projects will create positive effects for users. This research, which was made as a result of the data obtained, is important in terms of being an example for the studies and designs to be made and being used as a source.

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Business alliances in the economy of EU countries

Бізнес-альянси в економіці країн ЄС

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Abstract

The activities of business alliances in the EU are being transformed by the aid of the policy implementation of industrial alliances development, which provides for a wide network formation of stakeholders in reducing the dependence of member states on raw materials of third countries. The purpose of the academic paper lies in assessing empirically the business alliances effectiveness in the EU based on the case studies analysis on creating strategic alliances. Methodology. The case method has been used in the course of the research in order to analyse the activities and effects of business alliances within the established network for cooperation of the European Raw Materials Alliance (ERMA). The results demonstrate the uncertainty in the strategic business alliances effectiveness in the EU; it is difficult to assess the potential quantitative effect from the company's resources synergy – alliance members in the short-term prospects. Despite the well-established principles, the choice of the alliance management form as joint venture, the company's market value has decreased. The

Анотація

Діяльність бізнес-альянсів в ЄС трансформується завдяки реалізації політики щодо розвитку промислових альянсів, яка передбачає формування широкої мережі зацікавлених сторін у скороченні залежності країн-членів від сировини третіх країн. Мета статті полягала в емпіричній оцінці ефективності бізнес-альянсів в ЄС на основі аналізу кейсів у створенні стратегічних альянсів. Методологія. У дослідженні використано метод кейсів для аналізу діяльності та ефектів функціонування бізнес-альянсів в рамках створеної мережі для співпраці The European Raw Materials Alliance (ERMA). Результати демонструють невизначеність в ефективності стратегічних бізнес-альянсів в ЄС, важко оцінити потенційний кількісний ефект від синергії ресурсів компаній-учасників в короткостроковій перспективі. Незважаючи на чітко сформовані принципи, вибір форми управління альянсом у вигляді спільного підприємництва вартість компанії на ринку скоротилася. Перевагами у бізнес-альянсі є

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advantages of the business alliance include the supply chain diversification of of raw materials from Third World countries to EU countries for industrial production. The theoretical and practical research value lies in supplementing the transaction costs theory and the theory of resources, explaining the business alliances creation. In practice, companies - members of business alliances combine the features of both theories in order to take into accounts both costs and synergies from resource integration.

Keywords: Business alliance, market integration, strategic alliances, competition strategies, partnership, innovative business alliances.

диверсифікація ланцюга постачання сировини з країн третього світу в країни ЄС для цілей промислового виробництва, створення екологічно чистої технології переробки сировини на основі ліцензованого патенту. Серед інших переваг у створенні альянсу: розробка продуктів з вищою доданою вартістю, ріст прибутків від їх продажу; інтеграція ресурсів та отримання синергії від їх об'єднання. Теоретико-практична цінність дослідження полягає у доповненні теорії трансакційних витрат та теорії ресурсів, які пояснюють створення бізнес-альянсів. На практиці компанії – учасники бізнес-альянсів поєднують характеристики теорії трансакційних витрат та теорії ресурсів для врахування як витрат, так і синергії від інтеграції ресурсів.

Ключові слова: бізнес-альянс, ринкова інтеграція, стратегічні альянси, стратегії конкуренції, партнерство, інноваційні бізнес-альянси.

Introduction

The activities of business alliances in EU countries are being transformed by the aid of the implementation of the policy on the development of industrial alliances, which provides for the formation of a wide network of stakeholders in reducing the dependence of member states on raw materials of third countries. The formation of the network of alliance members is conducted based on the strategy of diversification of primary raw materials regulated by European Commission.

The European Green Deal and the EU's new industrial strategy have identified access to resources for strategic security issues in order to ensure green and digital transformations. The strategy involves the optimization of supply chains, processing of raw materials to meet the needs of industrial production. The strategy includes the EU Recovery Plan with a focus on developing a green, sustainable, digital economy. The development of sustainable, diversified raw material supply chains is a component of a strategy that includes the functioning of the European Raw Materials Alliance (ERMA) since September 2020 as part of the Action Plan on Critical Raw Materials. Within the framework of the alliance, the network of key stakeholders has been established ("industrial actors along the value chain, Member States and regions, trade unions, civil society, research and technology organisations, investors and NGOs"). Accordingly, the ways of organizing business alliances in the EU are being transformed, which makes it relevant to study the features of their functioning.

The purpose of the academic paper lies in assessing empirically the effectiveness of business alliances in the EU based on the analysis of case studies on creating strategic alliances.

Literature Review

The role of alliances in business

A potential success factor is the company's ability to search for partners and establish business relationships with them, which are called alliances. The partnership ensures the commercialization of new innovative products, which are the ultimate goal of creating alliances (Valentine et al., 2003). Along with this, the partnership provides an opportunity for staff training, creation of new production methods and innovations, attraction of investments, exchanging technologies, knowledge, experience, in contrast to the autonomous hierarchical structure of the organization (Liebeskind et al., 1994). According to the theoretical concept of a resource-oriented management structure, consociated companies create new competitive advantages through the existing network, ecosystem (Lavie, 2006). Alliances also provide more effective collaboration policies in various industries with academic circles, financial markets and technology companies (Harada et al., 2021).

Advantages of business alliances

The scientific literature highlights a number of benefits in creating business alliances; the basic ones include as follows: the potential of financing at the expense of investors, development of pragmatic management skills, and evolution of management teams thanks to venture companies financing start-ups. Additionally, the other strengths should also be mentioned, namely: direct strategic guidance, obtaining pieces of advice on the implementation of projects from venture capital companies financing the activities of the business alliance (Hellmann & Puri, 2002; Faber, Castaldi & Muskens, 2016). All the advantages of business alliances can be systematized as follows:

1. Potential for funding, especially if there is a need to develop innovative products requiring research and development (Marin et al., 2015). In the case of financing business alliances that develop innovations, investors receive royalties, patents, and the right to marketing (Lazonick & Tulum, 2011).
2. Gaining new skills and knowledge in order to bring products to market of production, marketing, sales, etc., ensuring the success of research and development (Higgins, 2007).
3. Reduction of time to bringing products to market due to shortening the period of research and development (McCutchen Jr & Swamidass, 2004).
4. Increasing the level of corporate reputation of business alliances, and, consequently, a greater potential for attracting investments due to entering into the stock market (Nicholson, Danzon & McCullough, 2002).
5. Sustainability in business development due to the synergy of partners' resources, reduction of production costs (Kazakova et al., 2018).
6. Achieving stability in the market, competitive advantages through alliances, which are a strategy for companies implementing various forms of cooperation (Gomez, 2015; Hretcanu & Hretcanu, 2016).

Types and strategies of alliances

The investigation of Ortiz-de-Urbina-Criado, Montoro-Sánchez & Mora-Valentín (2014) considers the choice of alliance type (the joint venture based on shareholder agreement or contractual agreements) depending on business strategies (expansion (growth), diversification and internationalization). The type of alliance influences on the method of managing it (the way in which cooperation is organized). When entering into new international markets (internationalization), the joint venture is usually chosen, which involves the establishment of a company independent of the parent one. The conclusion of contractual agreements assumes the creation of an alliance based on long-term contracts, license agreements, and franchises. In the investigation conducted by Harada et al. (2021), the following strategies of business alliances for the successful implementation of strategic projects and stable business continuity have been identified, namely: "in-licensing and value up", "best-in-class", "platform leadership" and "first-in-class".

Forms of managing business alliances

In order to analyse the form of managing business alliances, the theory of transaction costs and the theory based on resources have been developed. The theory of transaction costs is the basis for evaluating the effectiveness of alternative forms of economic organization: equity or non-equity (Mamédio et al., 2019). The main type of alliance within the framework of cooperation based on investments in equity capital (equity) is the joint venture. This form involves signing a contract with a unified management structure, creating an independent enterprise separate from the parent companies (Bamel et al., 2021). Non-shareholder alliances include a wide range of contractual agreements, such as licensing agreements, franchises and long-term contracts (Sadegh et al., 2020). In addition to these traditional forms of organising alliances, other market transactions can be carried out between companies, forming relations between them based on a market and hierarchical form of management.

The transaction cost theory suggests that an alliance based on ownership and equity contributions implies management based on a hierarchical structure. Along with this, a contract-based alliance involves management based on the market structure, other hybrid forms of management depending on the type of alliance. Furthermore, the transaction cost theory also assumes that the chosen form of management depends on the desired degree of commitment, control and flexibility (Li et al., 2012). In this case, alliances gain two advantages: commitment and control. In the equity alliance, the partners accept formal commitments; they make large investments in the project, which complicates the emergence of opportunistic behaviour (Teng & Das, 2008). In the case of joint ventures, considering that a new company is established, the partners have more control over the activities they carry out jointly. Joint ventures also ensure the use of synergies of resources and costs (Chen & Chen, 2003). At the same time, such an alliance is characterized by shortcomings related to negotiations, the costs due to any changes in relationships or concluded agreements. This means less flexibility of joint ventures. Contractual alliances provide for faster and more flexible implementation of projects, but greater vulnerability of partners to the opportunistic behaviour of other parties, fewer opportunities for learning and using synergies (Chen & Chen, 2003).

In contrast to the transaction cost theory, the resource theory (Barney, 1991) analyzes a particular firm and its growth process, focusing on the value or benefits of transactions, rather than the cost of operations. The company should maximize the value of transactions through its own resources, capabilities and organizational processes. The resource theory involves the creation of business alliances in order to enable firms to gain access to valuable additional partners' resources. The theory also suggests a shift in focus to organizational learning and resource sharing (Osborn & Hagedoorn, 1998). From the point of view of the resource theory, the choice of how to manage an alliance is determined by its ability to receive valuable resources from another company without losing control over its own resources. Contractual agreements are characterized by providing access to fewer external resources and require less commitment of resources than equity alliances. They are also characterized by greater risk of appropriation of knowledge and less control over the situation. Thus, the comparison of joint ventures with contractual agreements suggests that the former offer more opportunities for the transfer of resources. Joint ventures are more common in companies, the main goal of which lies in gaining tacit knowledge from their partners and resources that are not easily assigned to others (Comino et al., 2007).

Methodology

The case method has been used in the course of the research in order to analyse the activities and effects of the functioning of the European Raw Materials Alliance (ERMA), which is one of the industrial alliances of the European Union (European Commission, 2022). Information and data on the alliance posted on the official website https://erma.eu have been used for the analysis. ERMA is created to achieve the goals of stakeholders within the framework of EU policy. The study of the functioning of ERMA involves identifying the features of the alliance (characteristics: participants, principles, funding, and way of organizing activities).

Results

ERMA is one of the EU's industrial alliances towards achieving the goals of sustainability, competitiveness of the European economy, digitalization and reduction of the negative impact on the environment. The EU forms industrial alliances in order to bring together public and private partners, civil society in different sectors or value chains. The main goal of ERMA is to create sustainability, ensure strategic autonomy of the EU for "Europe's rare earth and magnet value chains" (European Commission, 2022).

The alliances function in accordance with the EU's sustainable development policy and have the features as follows:

1) the common goal towards achieving the EU's goals;
2) involvement of partners at different levels of management to create a value chain: EU countries, regions, industrial companies, private investors, financial institutions, innovation companies, research organizations and research institutes, society, etc.);
3) basic principles of activity: transparency, openness, diversity, inclusiveness, compliance with competition rules;
4) the alliances are not involved in the EU policy, funding or regulatory decisions;
5) lack of direct mechanisms for financing alliances.

The ERMA network includes partners that are manufacturers of primary raw materials, advanced materials and intermediate products, final products and recycling companies (Figure 1). Each group of network members includes private companies from different EU countries, namely:

1) the companies producing primary raw materials include the Austrian company *3GSM GmbH* (it provides a reduction in the negative impact of raw material extraction on the environment), the French company *45–8 Energy* specializing in the ecological

production of helium, the Polish geological research and consulting company *ABC A HEAD*, the Spanish company *Acuvet Biotech SL* for veterinary diagnostics, the French company *Adionics* (the supplier of technologies in the supply chain of desalination systems), etc.;

2) the companies in the field of advanced materials and intermediate products include the Spanish company *ALS* (the world leader in laboratory testing, inspection, certification and verification services), the German company *AMG Lithium GmbH* (the leader in the supply of lithium to the EU for battery production, with extensive experience in research and development, production and marketing), the French company *Arelec* in the field of magnetic innovation and development, the Norwegian company *Bergen Carbon Solutions AS* specializing in the development of innovative technologies for the production of carbon nanofibers using CO2 and Norwegian Hydropower; the Ukrainian company *BGV Group Management* on the extraction of metals for the production of electric vehicles, etc.

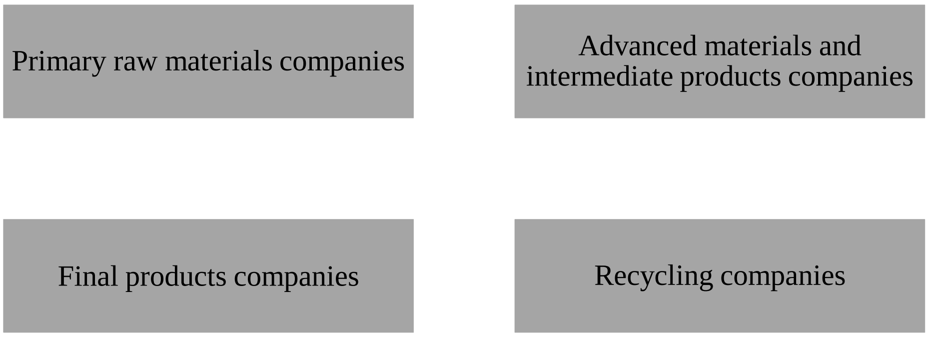

Figure 1. The ERMA partner network.
Source: The European Raw Materials Alliance (2022b).

Projects of business alliances within the framework of the ERMA partner network

One of the first projects within the ERMA partner network is *the Mkango – Puławy project (Mkango's Songwe Hill Rare Earths Projec*t, abbreviated *"Songwe"*) based on the cooperation of the Canadian company *Mkango Resources Ltd*., the Polish chemical company *Grupa Azoty Zakłady Azotowe "Pulawy" S. A.* on the extraction of raw materials in Africa (The European Raw Materials Alliance, 2022a). Within the framework of this business alliance, ERMA contributes to the diversification of the value chain of rare earth elements for Europe's green transition. Mkango – Puławy is a multinational international project based on the strategy of diversification of raw materials for industrial production in Europe through the involvement of the Canadian company *Mkango Resources Ltd.*, the Polish chemical company *Grupa Azoty Zakłady Azotowe "Pulawy" S. A. ("Grupa Azoty Pulawy"*) for the development of the Songwe Hill deposit in the Republic of Malawi (Africa). *Mkango Resources Ltd.* is the Canadian company on the exploration and development of minerals. *Grupa Azoty Pulawy (Warsaw Stock Exchange: ZAP)* is part of the *Grupa Azoty Group*, the second largest producer of nitrogen, complex fertilizers in the European Union, a manufacturer of chemicals, whose products are exported to more than 20 countries, including Europe, the USA and Asia. Figure 2 shows the creation of the business alliance in the form of the joint venture based on an agreement of shareholders to enter into new international markets (internationalization of business). This involves the creation of companies within the alliance, independent of the parent companies *(MKA Exploration Limited Malawi, Mkango Polska, HyProMag Limited)*. The alliance has chosen a diversification strategy, as well as the in-licensing and value up strategy for the successful implementation of strategic projects and stable business continuity, which will ensure the growth of added value and profit through the use of licensed patents for production technologies.

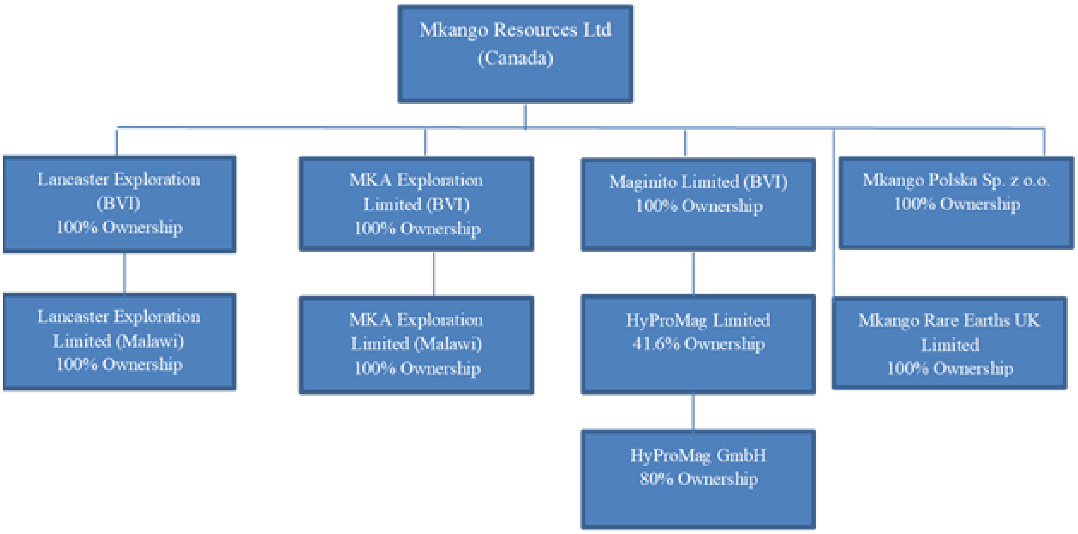

Figure 2. Mkango Resources Ltd. The Company's Structure.
Source: Mkango Resources Ltd. (2022).

The Mkango – Puławy project provides for the supply of raw materials to the plant in Poland, the creation of diversified supply chains, support for the EU industrial ecosystem, job creation (Figure 3). The aim of the Mkango – Puławy project lies in creating an environmentally friendly supply chain option for rare earth components (neodymium, praseodymium, dysprosium and terbium) for European Union, which are required in the production of electric vehicles, wind turbines and other forms of clean energy, the key ones to the EU's sustainability strategy.

The Mkango Mine Project, Songwe Hill, is characterized by a number of benefits provided by all stakeholders. Songwe Hill is located in a stable jurisdiction with established infrastructure (approximately 70 km from the former capital of Zomba and approximately 90 km from the commercial center of Blantyre). The infrastructure includes an international airport, a railway station, and asphalted roads running from urban centers 12 km from Songwe Hill. Secondary gravel and dirt roads provide transport access to the reconnaissance camp; upgraded bridges are capable of supporting 20-ton trucks. There is a deposit of rare earths on Songwe Hill: rare earth mineralization has occurred in carbonatites. As part of the project, the resource estimate was updated in February 2019: the new estimate indicates a 60 % increase in the resources of the deposit, which are available by open-pit mining and are located less than 160 meters from the surface

Figure 3. Songwe Hill Project Highlights.
Source: Mkango Resources Ltd. (2022).

The Mkango-Pulawa field development project envisages the creation of a separate jointly built plant by *Mkango and Grupa Azoty Zakłady Azotowe "Pulawy" S. A.* (Grupa Azoty Zakłady Azotowe "Pulawy" S. A., 2022) on the basis of cooperation involving the separation of rare earth elements in Poland. In order to implement the project, a new Polish subsidiary *Mkango, Mkango Polska*, was established; an experienced director from Poland was appointed; the experts specializing on the division of rare lands, a team of technical advisers and engineers were involved. The stakeholders of the project have signed an exclusive land lease agreement in relation to the site, which is part of the complex of fertilizers and chemicals of *Grupa Azoty Pulawy* in Poland. The Polish chemical company grants access to infrastructure, reagents and utilities in Poland, provides a working environment ensuring the alliance with a highly competitive position in terms of operating costs for the constructed plant. The cooperation allows reducing the operating costs of the plant due to the location of the plant in the Polish Special Economic Zone, providing access to European and international markets. The plant's production enhances the security of supply of rare earth elements in Europe, which are used in the production of electric vehicles, wind turbines and other green technologies in the framework of strategic programs. The alliance's activities are also in line with European initiatives towards creating more secure, diversified supply chains and environmentally friendly production.

As a result of establishing a business alliance, Mkango will receive a number of benefits, including as follows:

1. Development of higher value-added products, growth in sales revenue: the company plans to mine 2050 tons of raw materials annually (neodymium (Nd) / praseodymium (Pr) oxides, dysprosium (Dy) and terbium (Tb) oxides in the deposit.
2. Integration of resources and gaining synergies from their combining: the construction of the plant involves environmentally friendly production of mixed rare earth carbonate from the Mkango Songwe Hill deposit.
3. Increasing the level of marketing flexibility with the simultaneous potential to attract more customers, providing the opportunities to increase production and sales of separated heavy rare earth elements.
4. The business alliance is a catalyst for regional growth and "green" transformation of production, processing of raw materials and further production of final products. Furthermore, the business alliance provides potential for further development of related companies, including companies in the field of renewable energy sources.
5. Cooperation also contributes to the creation of additional jobs in the regions of Poland and Africa.

Feasibility studies in relation to the construction of the plant are being conducted in parallel with the Mkango Songwe Hill project in Malawi and other opportunities, including the development of the production of recycled rare earth magnets *Mkango at HyProMag Limited* with a short cycle in the UK. *HyProMag Limited Company (2022)* provides development of a complete supply chain for the processing of rare earth magnets based on neodymium iron boron (NdFeB). The company has received a patent licence for the HPMS (Hydrogen Processing of Magnet Scrap) technology developed by the *Magnetic Materials Group (MMG)* of the University of Birmingham. This patent and related intellectual property is a key core and resource of *HyProMag*.

Market capitalization of *Mkango Resources Ltd*. over the past five years (May 2017–May 2022) was characterized by multi-vector dynamics, amounting to 75,10 million USD as of May 2022. The current value of the issued shares of the company is 1050 Canadian dollars.

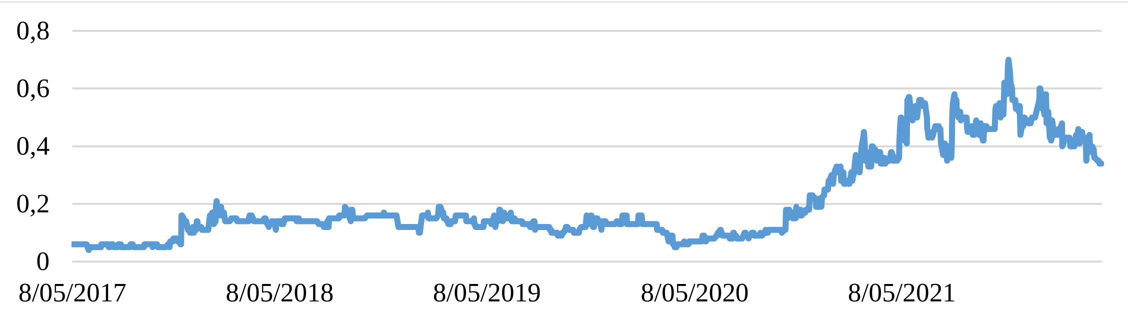

Figure 4. Dynamics of the share price of *Mkango Resources Ltd.* for the period May 2017–May 2022
Source: Yahoo Finance (2022).

The increase and decrease of capitalization indicates the insufficient effectiveness of the chosen management structure of the alliance. The value of the company is 69,4 million USD. The company's value has decreased by 7,31 million USD. The inefficiency of management is evidenced by the indicators of return on assets – 107, 87 % and return on equity – 204, 47 % as of May 2022.

Discussion

Within the framework of the EU industrial alliance ERMA partner network, new types of relations are being formed between participants in the business environment, characterized by a legally defined basis for the activities of business alliances. At first glance, the ERMA partner network should simplify the creation of alliances; however, the type of cooperation under consideration does not make it possible to assess the quantitative direct effects of joint ventures. At the same time, the establishment of the Mkango-Puławy alliance involves the diversification of supply chains, support for the EU's industrial ecosystem, and job creation. The project within the framework of the Canadian-Polish partnership is in line with the EU's sustainability and competitiveness strategy, which envisages the future growth of industry in member states due to the supply of raw materials from third world countries. In addition, the project is implemented on the basis of a growth strategy that also complies with EU policy. The growth strategy envisages the creation of a joint venture based on a shareholder agreement (Ortiz-de-Urbina-Criado, Montoro-Sánchez & Mora-Valentín, 2014; Bamel et al., 2021), in the framework of raw material diversification and internationalization. The established alliance has defined the method of managing it (the way of organizing cooperation): the creation of companies, independent of the parent ones, which have the relevant resources (technology, infrastructure, personnel and working environment). Along with this, within the alliance framework, the in-licensing and value up strategy is used for the successful implementation of strategic projects and stable business continuity (Harada et al., 2021). The establishment of a business alliance corresponds to the theory of transaction costs, according to which the form of management determines the type of alliance (Mamédio et al., 2019). However, it should be noted that the joint venture makes it impossible to determine the potential effects from the synergy of the resources of the participating companies, which does not correspond to the theory of transaction costs in the context of ensuring the use of synergy of resources and costs in the case of joint ventures (Chen & Chen, 2003). Consequently, there are no accurate synergy estimates on the project website: "Greater integration – plant development fully underpinned by sustainably sourced, purified mixed rare earth carbonate from Mkango's Songwe Hill operations, with other synergies being evaluated". It should be emphasised that the business alliance does not fully comply with the theory of transaction costs. In the course of studying the main advantag,es it has been determined that the company provides "development of products with higher added value, growth of profits from their sale". Actually, this means taking into account the benefits from transactions (costs), which corresponds to the theory of resources (Barney, 1991). The companies maximize the value of transactions through their own integration of resources, capabilities (technological, market) and organizational processes. In addition, the theory of resources suggests the formation of business alliances to gain access to firms to the valuable additional resources of partners. In the context of the project under consideration, the alliance provides access to the resources of the Republic of Malawi, access to the infrastructure and working environment in Poland, access to the EU markets. This means that in practice, business alliance members combine the features of the transaction cost theory and the resource theories in order to take into account both costs and synergies from resource integration.

Conclusion

In the course of the research, uncertainty in the effectiveness of strategic business alliances in the EU has been revealed; it is difficult to assess the potential quantitative effect from the synergy of the resources of companies – alliance members in the short term. Despite the well-established principles and the choice of the form of alliance management in the form of joint venture, the company's market value has decreased. The advantages of the business alliance include the diversification of the supply chain of raw materials from third world countries to EU countries for industrial production, the creation of environmentally friendly technology for processing raw materials on the basis of a licensed patent. Furthermore, the other benefits in creating an alliance are as follows: development of products with higher added value, growth of profits from their sale; integration of resources and obtaining energy from their integration; increasing the level of marketing flexibility with the simultaneous potential to attract a larger range of customers; regional growth in the EU countries and the "green" transformation of production, processing of raw materials and further production of finished products.

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Detection and proof of cybercrime

Виявлення та доказування кіберзлочинів

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Abstract

Analysis findings in the field of cybercrime in the world and Ukraine as well prove a steady trend towards its growth, which causes a systematic increase in the number of victims affected by illegal malpractice of cyber criminals. This negative phenomenon violates not only citizens' interests guaranteed by law, but also poses a threat to the national security in many countries. At the same time, international order is undermined and sustainable interstate relations are violated.

Rapid information system development, speedy progress of computer software and hardware prompt numerous crimes in this field. Cybercrimes are committed by trained persons with a high intelligence level and professional knowledge in the computer technology sphere. In accordance with foregoing the issue of law approximation and the procedure of identification and recording of the mentioned illegal activity is essential to eradicate cybercrime.

Considering the fact that the category of "proof" is fundamental in the theory of criminal procedure, we build in general-theoretical approaches in the basics of the analysis of the

Анотація

Результати аналізу ситуації у сфері кіберзлочинності у світі та Україні, свідчать про сталу тенденцію до її зростання, що зумовлює системне збільшення кількості потерпілих від протиправних дій кіберзлочинців. Вказане негативне явище порушує не лише охоронювані інтереси громадян, а й становить загрозу національній безпеці багатьох країн. При цьому дестабілізується міжнародний порядок і порушується стале функціонування міждержавних відносин.

У зв'язку із стрімкою інформатизацією людства, надшвидким розвитком комп'ютерних систем і технологій, злочини у вказаній сфері прогресують. Кіберзлочини вчиняються підготовленими особами, які мають високий інтелектуальний рівень та фахові знання з використання комп'ютерних технологій. З огляду на викладене, актуальним є питання оптимізації положень законодавства та вдосконалення механізму виявлення і документування зазначеного виду протиправної діяльності для її припинення.

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procedure of cybercrimes identification and recording to the mentioned activity in general.

Key words: proof, the process of proof, pretrial investigation, cyberspace, Internet network, cybercrime.

Зважаючи на те, що категорія «доказування» є фундаментальною в теорії кримінального процесу, в основу аналізу процедури виявлення та формування доказової бази в ході документування кіберзлочинів нами закладено саме загальнотеоретичні підходи до вказаної діяльності у цілому.

Ключові слова: доказування, досудове розслідування, кіберпростір, мережа Інтернет, кіберзлочин.

Introduction

It is impossible to imagine our modern world without digital gadgets, messengers, Internet banking, the Internet, databases, etc., which are used in everyday life and professional activities on a daily basis (Chernysh, Pogrebnaya, Montrin, Koval and Paramonova, 2020). The processes of informatization and digitalization have led to the formation of a global information space.

Criminal procedure has also fallen under the influence of digital progress – criminal offences are committed in cyberspace with ever increasing frequency (Komarova, Kaluhina, Pohoretskyi, Hribov & Cherniak, 2020).

The daily operation of banking and energy systems, air traffic control, transport network, ambulance, etc. are entirely dependent on the reliable and secure operation of automated electronic computer systems. Today it is possible to predict a further increase in the dependence of national infrastructure on the informatization processes and Ukraine's entry into a single information space, the spread of criminogenic processes related to the illegal use of computer technology (Kirbyatyev, 2010).

Cybercrime is an international phenomenon. The analysis of the spread of cybercrime in the world and in Ukraine attests to a consistent trend towards its growth, which leads to a systematic increase in the number of victims of illegal actions of cybercriminals (Kostenko, Strilchuk, Chernysh, Buchynska, & Fedoronchuk, 2021). In particular, according to official Interpol statistics, cybercrime is one of the fastest growing crime areas (ICED, 2018). The report of the European Police Office (Europol) "The Internet Organized Crime Assessment (IOCTA)" states that according to the European Union member states' statistics, the number of registered cybercrimes reaches or even exceeds the number of traditional crimes (IOCA, 2018).

We state that the statistics indicating the cybercrime growth are directly proportional to the level of development and implementation of modern computer technology, public networks and their availability.

This negative phenomenon not only violates the citizens' protected interests, but also poses a threat to the national security of many countries. Concurrently, the international order is destabilized and the sustainable functioning of interstate relations is disrupted (Svitlana, Onyshchuk, Petroye and Chernysh, 2020).

Cybercrime causes significant economic damage. In particular, according to experts, in 2020 the total amount of financial damage caused by the mentioned above illegal acts exceeded one trillion US dollars, which is more than 1% of world gross domestic product (Sviatun, Goncharuk, Chernysh, Kuzmenko and Kozych, 2021). As it has been noted by Wicki-Birchler, if cybercrime were compared to a country, it would be the 13th largest economy in the world in terms of gross domestic product, just ahead of Australia and Spain (Wicki-Birchler, 2020).

Due to the rapid informatization of mankind, extremely rapid development of computer systems and technology (Figure 1) crimes in this field are progressing.

In view of the above, the issue of optimizing the legislation provisions and improving the mechanism for detecting and documenting this type of illegal activity in order to stop it is highly relevant.

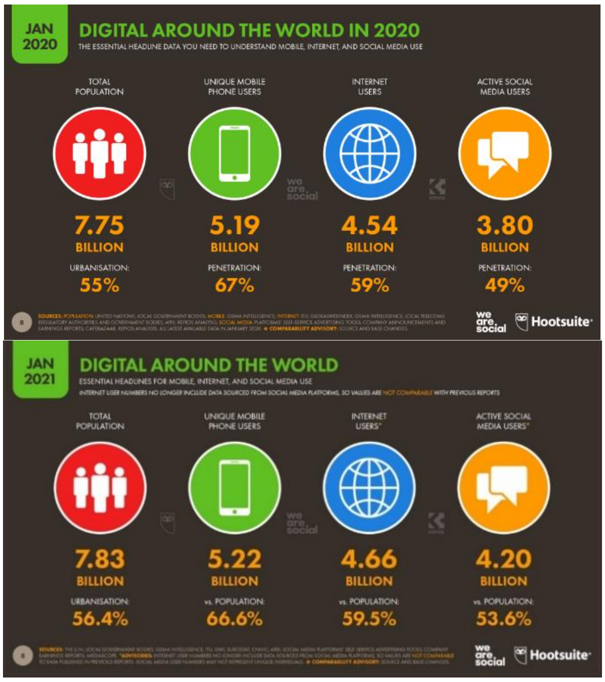

Fig. 1. Digital 2020/2021: global overview report (Datareportal, 2021)

One of the stages of domestic legislation adoption to international and European standards was the updating of criminal procedure legislation of Ukraine in 2012: the procedural form of prejudicial inquiry was changed, court functions were expanded to control human rights and freedoms. Besides, approaches to the evidentiary process in criminal proceedings have changed significantly (Ponomarenko, Havryliuk, Anheleniuk & Drozd, 2020).

The scientific category of "proof" is one of the most studied. Most scholars recognize it as an independent scientific category of the criminal procedure.

It is believed that the proof in criminal procedure is a complex objective-subjective activity consisting of a number of interdependent and interrelated elements based on the formation of the proof base (Pohoretskyi, 2007).

However, there is a lack of consensus among lawyers on certain elements of this theory. In particular, the following issues remain controversial: the methodological bases of proof, the correlation between proof and cognition, expediency of using the theory of reflection in the theory of proof, the purpose and the results of proof, the means and the subjects of proof, etc. The ambiguity of scientific approaches to most fundamental categories in the theory of proof leads to the fact that lawmakers and law enforcers face certain problematic issues in the process of their application. This, in general, has a negative impact on the effectiveness of legal provisions implementation.

The process of proof is a separate procedural mechanism that requires systematic improvement taking place in accordance with social relations development. Taking into account all the above, one of the main priorities for Ukraine is to develop effective national legislation that will ensure the implementation of citizens' constitutional rights and freedoms and will be aimed at preserving statehood by combating external and internal threats in the information space. Thus, the issue of cybercrime detection and investigation (including the formation of evidence base) requires further thorough theoretical development.

Theoretical framework

Bearing in mind that the category of evidence is fundamental in the theory of criminal procedure; we build in general theoretical approaches to this activity by and large as the basis of the analysis of this procedure for detecting and forming the evidence base for documenting cybercrime.

Problematic issues of "proof" as a theoretical category have been studied in scientific works by leading domestic and foreign experts in the field of criminal procedure, in particular: Gmirko, V., Loboyko, L., Pohoretskyi, M., Sibilova, N., Stakhivsky, S., Cherniak, A, Shumylo, M., etc.

However, given the dynamic change in public relations, it is necessary to improve procedural skills for relevant documentation of illegal activities and, accordingly, to sue perpetrators.

We share the views of those scholars who recognize the existence of the theory of criminal procedural proof as an independent theory of criminal procedure and, at the same time, they claim that the theory of proof is a part of it.

The results of the analysis of modern scientific works by Ukrainian authors on the theory of proof, as well as foreign experts who influence the development of domestic theory of proof, give grounds to highlight three main scientific concepts, which present currently the theory of criminal procedural evidence in the post-Soviet space.

The most common of these is the concept of considering proof as a criminal procedure for collecting, verifying and evaluating evidence (Loboyko, 2005; Stakhivsky, 2005; Sibilova, 1990).

This concept, in our opinion, does not fully correspond to the essence of criminal procedural proof of adversarial or mixed criminal proceedings.

Another one is the theoretical concept of criminal procedural proof, which is based on system-thinking methodology (STM) (Gmirko, 2011; Shumylo, 2013).

The main reason for the inconsistency of the theoretical concept of proof using STM in the modern model of the criminal process in Ukraine is that its supporters could not interpret properly the philosophical system-thinking methodology. Some provisions of the methodology are controversial in philosophy and theory of activity, in criminal procedural theory. Its implementation in developing the author's concept of criminal procedural proof taking into account the modern model (type, form) of the criminal process of Ukraine, procedural functions of the parties to criminal proceedings and the court in this model, as well as the needs of the modern domestic law enforcement practice remains problematic.

The scientific concept of criminal procedural proof is also worth mentioning, since its followers argue that the contemporary mixed criminal process is of investigative essence and therefore suggest a "competitive paradigm of proving the truth and its inherent information-communicative model of interaction of participants in preliminary (pre-trial) and judicial investigation" instead (Aleksandrov, 2010).

In our opinion, the relevance of introducing the concept of adversarial system of criminal procedural evidence into the Ukrainian current legal system is a controversial issue. Moreover, in recent decades in the United States, Great Britain and other countries which have a common law system, the powers of pre-trial agencies are expanded and strengthened due to significant changes in criminal activity (organization, professionalism, transnationality, increased public vulnerability, etc.) and the emergence of new crimes (including cybercrime). Such legal policies of Western democracies are in line with the concept of "Crime control", which in recent decades has dominated the concept of "Protection of human rights" (Pohoretskyi, 2004).

At the same time, regardless of our critical remarks on the above mentioned concepts of criminal procedural proof, we state that each of them is of a remarkable scientific and practical value, influences the development of any other concepts or constitutes their basis, and therefore requires more in-depth research.

Introducing our own concept of criminal procedural proof in the scientific article (due to the limited volume of publication) we assume that criminal procedural proof is a cognitive-practical and mental (logical-psychological) activity.

We believe that the concept of criminal procedural proof is based on the form (type, model) of the domestic criminal process, which is implemented by the current Criminal Procedure Code of Ukraine (hereinafter CPC of Ukraine), as well as three classic criminal procedural functions – prosecution, defense, trial and resolution (administration of justice). This is the basis of the criminal process and, in particular, the criminal holistic inseparable process, which consists of obtaining and using evidence (Pohoretskyi, 2015).

Methodology

According to the purpose of the article, a number of scientific methods of modern epistemology were used in the scientific research. The methodological basis of the study was the theory of cognition of legal provisions, which were developed by prominent experts in the field of criminal procedural law. Over and above special research methods were used, in particular:

comparative – to compare the rules of criminal substantive and procedural law; historical and legal – for retrospective analysis of the concept of the essence of criminal procedural proof and the process of establishing scientific views on the issue; special legal – for a thorough analysis of regulations governing the procedure of detection and proof; systematic approach, and logical-legal method – to analyze the impact of negative factors on the constituent elements of the formation of logical and specific theoretical and applied conclusions.

Results and discussion

Before proceeding to the consideration of problematic issues related to the detection and proof of cybercrime, it should be noted that the definition of the concept and the signs of cybercrime and cyber criminality in Ukrainian criminal law is still under discussion, because at the national level this concept has no legislative definition.

This is due to the fact that it is “relatively young” for the science of criminal law.

Among the first international regulations that enshrines the definition of “cybercrime” and forms the idea of crimes in cyberspace was The Convention on Cybercrime (adopted by the Council of Europe in 2001 and ratified by Ukraine in 2005; hereinafter referred to as the Budapest Convention). In this regulatory document, cybercrimes are divided into 5 groups: 1) crimes against the confidentiality, integrity and accessibility of computer data and systems (illegal access, illegal interception, data interference, interference with the system); 2) crimes related to the use of a computer as a means of committing crimes, namely, for the manipulation of information (computer fraud and computer forgery); 3) crimes related to the content (content of the data); 4) crimes related to the violation of copyright and related rights; 5) acts of racism and xenophobia committed via computer networks (CETS, 2005).

Today, the Budapest Convention is a fundamental document for the development of international and national legislation regulating issues related to the fight against cybercrime.

The provisions of the above-noted statutory regulation require from member states of the Council of Europe and other states that have ratified it to take measures to:

- criminalize attacks on computer data and systems (i.e. illegal access, illegal interception, data interference, system interference, device misuse), as well as offenses committed with the use of personal computers (forgery and fraud), offenses related to content (child pornography) and offenses in the field of copyright and related rights;
- enhance the competence of special entities in the field of cybercrime investigation;
- improve the procedure of storing electronic evidence (urgent storage of computer data; urgent storage and partial disclosure of data on the movement of information; search and arrest of computer data; collection of data on the movement of information in real time; interception of data on the content of information, etc.);
- develop international cooperation with other countries which are parties to the Convention through general (extradition, mutual assistance, sharing of information, etc.) and special measures (urgent saving and disclosure of stored data on the movement of information, mutual assistance in access to computer data, cross-border access to computer data, creation of round-the-clock networks, etc.) (Law No. 2824-IV, 2005).

Analyzing the concept of “cybercrime”, we note that among scientists there are no unified concepts regarding its content.

In particular, according to V. Butuzov, computer crimes and cybercrimes are different types of crimes in the field of information technology, the classification of which takes place on the following grounds:

1. The criterion of attribution of certain crimes to computer crimes is the instrument of committing a crime - computer equipment.
2. The object of encroachment is public relations in the field of automated information processing.
3. The criterion of attribution of crimes to cybercrimes is the specific environment for committing crimes, namely, cyberspace (environment of computer systems and networks) (Butuzov, 2010). In our opinion, the object of encroachment proposed by the scientist should be supplemented with public relations in the field of accumulation of information, and not only its processing.

The dictionary of cybersecurity terms contains the following definitions of the concept of "cybercrime":

1. Cybercrime is a crime related to the use of cybernetic computer systems, and a crime in cyberspace.
2. Cybercrime is the most dangerous cyber violation for which criminal liability is established by law (Glossary of cybersecurity terms, 2012).

According to V. Bolgov, cybercrime is a set of criminally punishable socially dangerous acts (actions or inactions) stipulated by the current legislation, which encroach on the right to protection against unauthorized dissemination and use of information, negative consequences of the influence of information, or the functioning of information technology, as well as other socially dangerous acts related to the violation of ownership of information and information technology, the rights of owners or users of information technology to receive or disseminate reliable and complete information in a timely manner (Bolgov, 2015).

A common feature of the unlawful acts stipulated in the Convention and its Additional Protocol is that their commission at different stages is directly related to the use of computer systems resources (commission using computer systems or through computer systems), which, in turn, are the environment for committing cybercrimes. Cybercrimes should be considered those which are committed with the use of or through computer systems, or connected with computer systems, that is, with a set of devices from which one or more, in accordance with a particular program, perform automatic data processing (Pohoretskyi, 2012).

Without going into a thorough analysis of the theory and views on the definition of "cybercrime" and taking into account that the term "cybercrime" is made up of the words "cyber" (implying "cyberspace", "virtual world", "information space") and "crime" (Vasylkovsky, 2018), "cybercrime" can be defined as a socially dangerous act provided by the law on criminal liability, which is committed in cyberspace using electronic computing machines (computers), telecommunications systems, computer and telecommunications networks. At the same time, it should be borne in mind that such an act is directed against the rights and legitimate interests of participants in cyberspace (individuals, legal entities, states), which are protected by criminal and international law.

The Budapest Convention, as a fundamental document in the field of combating cybercrime, provides a provisional classification of cybercrimes, which are divided into offenses:

– against the confidentiality, integrity and availability of computer data and systems;
– related to computers, including computer forgery and fraud;
– related to the content of information. In particular, child pornography, racism and xenophobia; infringements related to copyright and related rights, such as illegal reproduction and use of computer programs, audio / video and other digital products, as well as databases and books (Order № 157, 2013).

The results of empirical data analysis show that today the main types of cybercrime committed in Ukraine are:

– theft of information and personal data;
– fraud with plastic payment cards or bank accounts;
– fictitious Internet auctions, as well as scams that occur in the field of purchase and sale of goods and services through free bulletin boards in cyberspace (sale of non-existent goods);
– fraud by creating fictitious sites of lottery operators, online casinos and sending advertising letters, informational messages with winning the lottery or offering free participation in the game in order to obtain personal data (phishing);
– redemption and registration of domain names (cybersquatting);
– theft of services (phone-cracking);
– the spread of viruses and malware.

One of the ways of committing illegal acts in the field under study is the global Internet, which is used to commit a significant part of illegal acts. The responsibility for these acts is provided by the Criminal Code of Ukraine.

As pointed out above, there is no comprehensive definition of "cybercrime" in the national law, there is only a generalized concept of crimes and offenses committed with the use of computers, computer systems and telecommunications networks.

In particular, the Criminal Code of Ukraine contains Chapter XVI "Crimes in the field of using electronic computing machines (computers), systems and computer networks." It enshrines the so-called “classic cybercrimes” (Law № 2341-III, 2001).

At the same time, a distinction which helps us attribute certain types of crime in the field of high technology to computer ones in general is the instrument of crime – computer technology and a sign of cybercrime is a specific environment for committing crimes – cyberspace (computer systems and networks). Of course, if we consider the group of crimes united in a separate section of the Criminal Code of Ukraine – “crimes in the field of using electronic computing machines (computers), systems, computer and telecommunications networks” separate from other forms of criminal behavior using computer technology and high technology, while assuming that they are not (not included) in a single network, such a classification makes sense (Kravtsova, 2015).

At the same time, according to N. Akhtyrska, this list includes some articles of the Criminal Code of Ukraine, which point out the methods used for committing a crime using a computer or information (automated) systems. In particular, the corpus delicti provided for by: Part 3 of Art. 190 of the Criminal Code of Ukraine, – “Fraud committed on a large scale or through illegal transactions using electronic computer”; Part 4 of Art. 301 of the Criminal Code of Ukraine – “Forcing minors to participate in the creation of works, images or film and video products, computer programs of pornographic nature”; Art. 200 “Illegal actions with documents for transfer, payment cards and other means of access to bank accounts, electronic money, equipment for their production”, Art. 376-1 “Illegal interference in the work of the automated court document management system” (Akhtyrska, 2018). However, this list of illegal acts that contain signs of a crime is not comprehensive, as computer technology can be used while committing other crimes.

In the process of investigating “cybercrimes” the issue of conducting a comprehensive and expeditious pre-trial investigation of these criminal proceedings, collecting and consolidating the entire bulk of evidence, preserving the legal properties of evidence and further determining the person’s guilt or innocence remain actual.

Evidence in criminal proceedings is actual data obtained in the CPC of Ukraine, on the basis of which the investigator, prosecutor, investigating judge and court establish the presence or absence of facts and circumstances relevant to criminal proceedings and subject to proof (Article 84 Part 1). Proving involves collecting, verifying and evaluating evidence in order to establish the circumstances relevant to criminal proceedings (Article 91 Part 2). The purpose of proving in criminal proceedings is to obtain reliable knowledge about the event of a criminal offense and the guilt of the accused (Law № 2341-III, 2001).

Proof is of criminal and criminal procedural essence. Criminal essence implies that during the process of proof, the fact of criminal violation or its absence is established, it is typified, as well as the principle of inevitability of legal liability is implemented. Criminal procedural essence of the proof, in its turn, supposes that the rights and legitimate interests of all parties in the criminal process are observed; issues arisen in criminal proceedings are tackled grounding only on well-attested facts established during the process of proof; involvement of parties concerned guarantees the observance of criminal process principles (competition, right to protection etc.); evidence is the basis for all procedural decisions in criminal proceedings. The process of proof is the way to reenact the real events of a crime, to study out their essence and to make appropriate procedural decisions.

This process forms a set of legal proceedings and relations, which can be grouped into separate, comparatively independent elements, which are common for all criminal proceedings (Udalova et al, 2015).

As to implementing theoretical aspects of cybercrime proving into practice, it is worth mentioning that, according to the national legislation, the investigation of the mentioned above category of crimes starts after the information about establishing the fact of such offence has been enlisted in the Uniform Registry of Pretrial Investigation, and is completed after the bill of indictment with its further referring to the trial has been issued against a guilty person, or in case the criminal proceeding has been closed. In pretrial investigation, an investigator/public prosecutor is authorized to apply all proceeding means outlined in the current CPC of Ukraine to criminally prosecute people suspected in committing cybercrimes; as well as, while carrying out overt and secret investigating (crime detecting) actions by ordering relevant expertise etc.

In investigating cybercrimes, a special attention is paid to evidence collecting. A prosecuting party collects evidence by carrying out overt and secret investigating (crime detecting) actions; reclaiming and obtaining personal items, documents, data, expertise reports, inspection and audit reports from state bodies, local self-governments, entities, establishments and organizations, officials as well as individual persons; by cooperating with international partners during criminal proceedings; by carrying out other activities set out in the CPC of Ukraine (Mulyarand & Hovpun, 2019).

The primary objective of an investigating officer at the first stage of cybercrime investigation is to study the information environment of a crime, that is, to establish the type of a computing machine (host), where the information (data) accessed in an unauthorized way was stored and processed (Web-host, personal computer, cell phone, e-credit card), which will allow to define the direction of further investigative activities; to establish the kind of the operating system (Unix, Linux, Netware, Windows) accessed in an unauthorized way, as well as the kind of software used for committing a crime, which will help significantly narrow a possible suspect pool down; to determine the hardware and software impacted by unauthorized access, and find out the means and tools used for an unauthorized access, which will enable to create an objective view of the trials of crime (Burbelo, 2013).

Cybercrimes are generally committed by well-trained, highly-intelligent people, with excellent command in computer technologies. Thus, it is essential to engage in the investigation of such crimes experts and professionals of the field, who can conduct an expert examination. An expert conclusion is considered to be a detailed description of an examination with a conclusion by those who are authorized. An authorized person is an expert with special knowledge in the field, where the expertise is carried out. Expertise is a type of evidence, thus, it is of a particular essence in the process of cybercrimes proof.

Cybercrime investigation proves it necessary to carry out overt and secret investigating (crime detecting) actions to get evidence from different sources. Questioning of a complainant, victim (if available) and witnesses is an important process to get evidence through testimony. Testimony is facts provided verbally or in a written form during the interrogation of a suspect, charged person, witness, victim, expert about the known facts, which are essential for a certain criminal proceeding (MECP, 2019).

Temporary availability of items and documents is also essential in investigating cybercrimes, as it secures criminal proceeding (in case of document seizure). It means the person possessing such items and documents allows the criminal proceeding party to examine, copy and, in case of an investigating judge's rule or court, seize them (to perform seizure). Such measure provides an opportunity to obtain items and documents which can be used as evidence, provided that their implication in a cybercrime has been proven.

It is worth mentioning that such procedural actions as inspection or search of property are appropriate while documenting cybercrimes. Their main aim is to reveal tools and means of committing a cybercrime (in particular, computer hardware) or to identify a person having committed it.

Taking into account that cybercrimes are illegal actions with high latency, in practice there are problematic issues related to the documentation process. First of all, the above is conditioned by the fact that in the vast majority of cases negative consequences occur after a certain period of time.

At the same time cybercrimes are international by nature and generally do not fall under the jurisdiction of a particular state. It means that the offender may be abroad and the object of encroachment may be located in Ukraine. There is no consensus among lawyers regarding the scene of the crime in this case. At the same time, it is necessary to take into account the provisions of part 1 of article 218 of the Criminal Code of Ukraine, according to which the pre-trial investigation is carried out by the investigator under whose jurisdiction the scene of the criminal offence is (Law № 4651-VI, 2013).

A significant problem is the process of identifying and documenting evidence since the "virtual traces" of the evidence can be changed or destroyed. Despite the fact that any actions and keystrokes on the computer are recorded on the hard drive and can be deleted by certain software systems, the physical destruction of the computer hard drive will make it impossible to retrieve them.

In investigating cybercrimes the issue of collecting evidence remains challenging for the parties. The data presented by the prosecution or defense party is mostly "virtual" in its form. In case the information is found on the computer, it must be analyzed and documented according to the established procedural form. As a rule, in such a case the hard drive is recognized as material evidence. However, due to the virtual lack of access to the array of information, the only source of evidence is the expert's conclusion based on the results of the computer-technical examination. The issue of identifying the person who committed the unlawful act is also rather questionable, since it is necessary to exclude the risk of the remote access and usage of a technical device.

In the process of documenting a cybercrime, it is reasonable to enact the entire range of covert investigative actions enshrined in the Criminal Code of Ukraine. For example: removing information from electronic information systems (Article 264 of the Criminal Code of Ukraine), documenting and storing information (Article 265 of the Criminal Code of Ukraine), monitoring a person or location (Article 269 of the Criminal Code of Ukraine), etc. (Law № 4651-VI, 2013).

In our opinion, the most comprehensive use of the powers and means of national law enforcement agencies and special services will allow the detective to conduct a highly qualified pre-trial investigation therefore documenting the illegal activities of the perpetrators or criminals.

Conclusions

Considering the fact that cybercrimes are characterized by latency, their detection and investigation is an process for the phase programmatic actions to implement measures provided by the criminal procedural legislation.

Undoubtedly, due to the scientific and technological progress, not only new sources of electronic evidence will appear, but entirely new categories of evidence. The scientific theory of procedural laws of proof in general and its criminal procedural part in particular, as well as forensic doctrine on the gathering, investigating and use of evidence are to be flexible enough since the need for this is uttered by the practice.

Optimized mechanism for cybercrime investigation requires establishing effective countermeasures. Proof at the stage of collecting evidence is carried out by the means of: conducting investigative measures and covert investigative actions; reclaiming and obtaining personal items, documents, data, expertise reports, inspection and audit reports from state bodies, local self-governments, entities, establishments and organizations, officials as well as individual persons; by cooperating with international partners during criminal proceedings; by carrying out other activities set out in the CPC of Ukraine

Taking into account the transnational nature of high-tech cybercrime, it is necessary to strengthen international cooperation for developing mutual approaches to recognize the specific illegal act as a crime in national legislation including the development of the universal standards and the implementation guidelines for documenting cybercrime.

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Using quick response code (QR) to access the educational material at the Saudi's iEN (National education portal website)

استخدام ترميز الاستجابة السريعة للوصول للمادة التعليمية بموقع عين (بوابة التعليم الوطنية السعودية)

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Abstract

The study aimed to identify the use of Quick Response Code (QR) to access the educational for the "iEN" website, the national learning portal in Saudi Arabia. The research team applied the analytical survey method of the study using the primary tool (the questionnaire) to a sample of 911 students of both genders. The study found extensive and active use of secondary and middle school students in the Northern Border region in Saudi Arabia. The study came up with the following main recommendations: The need to periodically measure the quality of the iEN's website's electronic courses to identify and enhance their strengths, with the need to update the quality standards of electronic content provided through the E-learning "iEN" platform. It is also essential to gradually apply Quick Response Code in public education in Saudi Arabia, with the gradual dispensation of the traditional system in the educational process. There is a need to expand the dissemination of the culture of using Quick Response Code among all segments of society, including students and faculty, and directing them to benefit from the advantages of e-learning that respects quality standards.

Keywords: Quick Response Code, educational websites, "iEN" website, Mobile education, Mobile learning devices.

المستخلص:

هدفت الدراسة إلى التعرف على استخدام ترميز الاستجابة السريعة نحو الوصول للمادة التعليمية لطلاب التعليم المتوسط والثانوي لموقع "عين" بوابة التعلم الوطنية بالمملكة العربية السعودية، حيث طبق الفريق البحثي المنهج المسحي التحليلي للدراسة مستعينين بالأداة الرئيسة (الاستبانة) على عينة مكونة من 911 طالبا من النوعين، وقد توصلت الدراسة إلى أن هناك استخداما واسعا ونشطا من طلاب المرحلتين الثانوية والمتوسطة بمنطقة الحدود الشمالية بالمملكة العربية السعودية لترميز الاستجابة السريعة للدخول إلى موقع عين (بوابة التعليم الوطنية السعودية)، يشمل ذلك الأجهزة الخاصة بالطلاب أو المملوكة للآخرين أو استخدام أنواعا متعددة من الأجهزة النقالة التعليمية، كما توصلت الدراسة للتوصيات الرئيسة التالية: ضرورة الاهتمام بقياس جودة المقررات الإلكترونية المتوافرة على موقع عين دوريا من أجل تحديد نقاط القوة وتعزيزها، مع ضرورة تحديث معايير جودة المحتوى الإلكتروني المقدم عبر منصة التعليم الإلكتروني "عين"، إضافة إلى أهمية التدرج في تطبيق ترميز الاستجابة السريعة في التعليم العام في المملكة العربية السعودية، مع الاستغناء المتدرج عن النظام التقليدي في العملية التعليمية، والعمل على التوسع بنشر ثقافة استخدام ترميز الاستجابة السريعة بين جميع فئات المجتمع من طلاب وهيئة تدريسية، وتوجيههم نحو الاستفادة من مميزات التعليم الإلكتروني الذي يُراعي معايير الجودة، والعمل على التخطيط المستقبلي لملاحقة الصعوبات التي تُعيق استخدام ترميز الاستجابة السريعة في العملية التعليمية.

الكلمات المفتاحية: ترميز الاستجابة السريعة؛ المواقع التعليمية الإلكترونية؛ موقع "عين" بوابة التعليم الوطني؛ تكنولوجيا التعليم؛ التعليم النقال؛ أجهزة التعليم النقالة.

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Introduction

QR code technology has become one of the main axes in the educational process; the curricula are renewed with technology and facilitated upon correct activation. The term QR code is a registered trademark of Denso Wave, a subsidiary of Toyota. (Al Omari & Aal Mousad, 2020).

As young students are experienced technology users, Code technology in education is an interacting tool between students and technology by creating QR code in books and linking it to references, additional resources (Dabke et al, 2021). Accordingly, QR code technology has been expanded in the educational process with an increased focus on enriching traditional teaching and learning processes by including open educational resources (OER). (Yip et al, 2016).

It also provides additional references to explain grammar and allows students to exercise additional activities. Furthermore (Mogali et al, 2019), it allows unlimited access to YouTube channels, through which the student can develop particular skills or increase information and knowledge. Moreover, it helps to attach educational aids such as written texts, images, videos, or educational games in QR code and provide them to students as continuous enrichment materials, (Talan, 2020). In addition, students' handout sheets, which contains comprehensive summaries of their lessons, can be uploaded in QR code to save printing effort and time.

Added to that, QR code helps students to do homework. For example, students often face difficulties that require additional explanation to bypass them or other resources that cannot be included in the assignment such as educational videos (Al Dosaki & Al Mousawi, 2020), which can be converted into QR Code that allow access to those resources once the learners scan them. (Abd Alrahman, 2014).

In addition, QR code could be employed to remind students of exam dates while activating the immediate connection to the school's Wi-Fi network, with the possibility of employing QR code in the flipped classroom (Adkins, 2013), especially for teachers who use the flipped class method. They can benefit from the capabilities provided by the QR code technology (Abdul Rabu et al, 2019), or an educational video to prepare for the lesson to be discussed in the classroom, which enhances mobile learning methods.

Mobile learning is teaching and learning using laptops, tablets, or smartphones. Moreover, individuals can manipulate their learning using mobile devices, considering their places, times, needs, and differences (Talan, 2020). Given that young people are technology users, mobile technology supports teaching and learning through mobile learning, distance learning, and e-learning due to the increasing use of technology in all fields. Indeed (Ucak, 2019). Researchers on mobile learning relay reinforce their research with learning theories: behavioral learning, constructivist learning, situational learning, cooperative learning, and lifelong learning.

Mobile learning can be used in traditional learning and e-learning. Students can access subject contents and curricula as they contact their teachers and schools using the Internet because mobile learning provides a similar environment to their classroom (Al Oraini & Ghanna, 2017). Learners are the center of the learning process and can communicate with other learners and coaches and interact with the curriculum. Psychologically, young learners are prepared for mobile learning because they have sufficient knowledge, skill, and experience (Ali et al, 2017).

This prompted the Ministry of Education in Saudi Arabia to launch the National Education Portal (iEN) at the beginning of the 2015-2016 academic year. Textbooks were printed with lessons supported by a QR code.

Therefore, mobile learning has many advantages, including that it does not cost much, is easy for daily use in individual and social learning, (Durak et al, 2016), the learning process is affected when mobile devices suffer software and hardware failures, causing learners to lose information or be unable to continue with educational content due to difficulties in Internet infrastructure or mobile device problems such as the battery, keyboard (Ahmed & Zaneldin, 2019) and screen. To fix practical mobile problems, learners may need to pay a high cost. In fact (Abeywardena, 2017), learners need to pay monthly or annual internet renewal costs.

Objectives of the study

The study aimed to identify the impact of using QR code to access the "iEN" website, which is an integrated portal for national education in the Kingdom of Saudi Arabia, through the following:

- Introducing QR code and its use in the educational process, especially for middle and secondary education students.
- Providing a set of standards that will achieve the quality of e-learning for students in the middle and secondary education stages.
- Presenting a set of recommendations to the educational community to make the most of e-learning through the use of QR code.
- Identify the many obstacles preventing students from making the most of QR code in e-learning and provide suggestions and solutions.
- Spreading the culture of using QR code to achieve the quality of e-learning in public education in the Kingdom of Saudi Arabia

The importance of the study

The importance of the study stems from the topic's rarity and originality, which has not been addressed in many studies. Furthermore, the use of QR code is one of the modern possibilities that can be used in the educational process, and which the student can use it to quickly access the educational content of their courses and educational support sites and applications. Therefore, the impact of studying this topic has increased, especially in light of the current technological development in the educational process in the Kingdom of Saudi Arabia in light of the Kingdom's vision 2030.

Literature review

(Mogali et al, 2019) studied mobile learning platforms in medical museums using QR Code for museum specimens at Lee Kung Chin College of Medicine, Singapore, where QR Code was generated to be linked to PDF documents with annotations, pathology. Questionnaire responses were obtained from students to verify the effectiveness of QR as an educational tool. Most students agreed or strongly agreed that it was easy to access information about samples by using QR code 96%. The majority of students (78%) agreed that QR Code are helpful for their learning. In comparison, 75% of students felt that QR Code motivates them to visit the Anatomy Resource Center.

In this context, (Al Dosaki & Al Mousawi, 2020) aimed to identify the effect of the Round Robin strategy supported by QR code technology on the achievement of fifth-grade students in biology subject. The research sample was selected from the fifth scientific-grade students in the Dohuk governorate in Iraq, and it amounted to (41) students. The random selection took place in section (B), consisting of (21) students to represent the experimental group, and section (A), consisting of (20) female students to represent the control group, and a tool was designed for the achievement test.

(Al Omari & Aal Mousad, 2020) sought to identify how Arabic teachers use the response code The Quick Response Code in teaching the Arabic subject "My Beautiful Language" and identify the obstacles they face in using this technology. The questionnaire data contained two main axes: the extent to which Arabic teachers use the QR code to teach "My beautiful language" textbook and the obstacles to using the QR code in teaching "My beautiful language" by Arabic teachers. The study results showed positive attitudes toward the use of QR Code.

In this context, the study (Al Oraini & Ghanna, 2017) aimed to identify the effectiveness of using QR Code technology on enriching the academic achievement of abstract concepts in the computer and information technology course for middle school students in Riyadh. The study sample consisted of (44) female students of the second intermediate grade in Riyadh in the First Semester of 2016-2017, which consisted of (22) female students of the experimental group who learned using QR Code technology and (22) female students of the control group who learned using the prevailing method.

In this respect, the (Talan, 2020) meta-analysis aimed to identify the impact of mobile learning on learning performance, which included 104 studies on mobile learning published between 2009 and 2019 with 7568 participants. This study measured two variables: the dependent variable, there were significant differences in the effects of mobile learning according to subject/course and language instruction.

The theoretical framework of the research

QR code

QR code is a two-dimensional code first designed by Denso, a subsidiary of Toyota in Japan, to facilitate the tracking of cars during the manufacturing cycle (El Gabbass, 2015). It then was spread in all commercial and industrial fields due to the advantages provided by QR Code and the volume of data that it can store (Grande & Pontrello, 2016). The QR code consists of black units arranged in a specific shape on a white square-shaped background.

In this context, the QR code can be employed in all fields, whether in the automotive industry or the commercial tracking of goods, transport tickets (Cetner, 2015), and the definition of product prices. Companies also use it extensively as a practical and quick way to access their websites through the mobile tag feature (Mohammad, 2022).

Added to that, version 40 of the QR code can store 7089 numbers or 4296 between numbers and letters, which practically means the ability to contain relatively large data in a small area of no more than a few square centimeters. It is a feature that saves paper and ink, which makes QR Code technology-friendly. On the other hand, QR code technology provides instant access to links without retyping them on mobile browsers.

QR code in education

QR code can be used in many fields in education, where it can be used to teach how to pronounce difficult words in foreign languages. For this purpose, an audio file can be created showing the correct way to pronounce the word and uploaded it to the web.

QR code can also be used to enable absent students to catch up on the sessions that they were unable to attend. The (Ucak, 2019).

A pre-prepared study program can also be programmed by faculty members and uploaded through specialized educational websites so that students have adequate scientific information about each of those elements by simply scanning the QR code (Thorne, 2016).

While QR Code can be employed in completing homework, students often encounter difficulties that require additional explanation or other resources that cannot be included in homework. For example, educational videos can be converted into QR codes that allow access to those resources once the learners scan them (Dabke et al, 2021).

In another framework, QR code can also be employed in classroom activities that target self-learning, where a QR code containing the correct answer can be integrated next to each question to enable the learner to verify the correctness of his response (Traser et al, 2015).

As well as, it allows quick access to educational websites, especially if they are blocked from appearing when searching for available networks or if their encryption is complex. Furthermore (Al Omari & Aal Mousad, 2020), the access information can be transferred to a QR code that enables instant connection to the network by simply scanning it with the mobile phone's camera (Yip et al, 2016).

In flipped class method, teachers can also take advantage of the capabilities provided by the QR code technology by providing students with a QR code that carries a link to listen to an educational conversation on the subject of expression (Grande & Pontrello, 2016).

Methodology

The research Problem

Researchers have a sense of the problem of this research through the following points:

- The need to study the impact of using QR code among public education students to determine the extent of the development of the educational process.
- Measuring the impact of the contribution of QR code in increasing academic achievement and upgrading educational capabilities through rapid access to educational courses.
- Determining the strengths and weaknesses of QR code application in e-learning for middle and secondary school students.

The problem of the study is evident in studying the effect of using QR code in improving the educational process and quick access to electronic educational resources for students of intermediate and secondary education in the Kingdom of Saudi Arabia.

Research questions

The study problem can be formulated by answering the following main question:

- What is the impact of QR code on educational benefit and improving the quality of education outcomes for middle and secondary education students in Saudi Arabia?

The main question has many sub-questions are branched out from the study, which it was keen to answer within the scope of questions through follow-up axes, according to the following:

- Is there a relationship between the academic stage and using QR Code in accessing academic material on the iEN platform?
- Is there a relationship between mobile device ownership and the use of QR Code to access the academic material on the iEN platform?
- Is there a relationship between the type of mobile device used and the use of QR Code in accessing academic material on the iEN platform?
- Is there a relationship between the type of mobile device to read the QR code or its need to install a particular QR code reading program and the use of QR code to access the educational material on the iEN platform?
- Is there a relationship between the availability of technologies and devices needed to use QR Code in the textbook and the use of QR Code in accessing educational material on the iEN platform?
- Is there a relationship between the academic stage and the type of mobile device used to access the educational material on the iEN platform?
- Is there a relationship between teachers urging students to use Code to enter the IEN educational platform and the use of Code to access the QR code material on the iEN platform?
- Is there a relationship between the availability of techniques and mobile devices needed and the frequency of use of QR code while studying at home?
- Is there a relationship between the speed of opening the educational site without faltering and the frequency of using QR code while studying at home?
- Is there a relationship between access to the required educational material directly and the frequency of using QR code while studying at home?
- Is there a relationship between students' frequent use of QR Code at home and their technical skill?

The research procedures

The researchers followed the following procedures:

- Determining the theoretical framework of the research by reviewing the literature, research, and previous educational studies related to its subject.
- Building a questionnaire to measure the impact of QR code on the quality of education for middle and secondary education students in the Northern Border Region in Saudi Arabia.
- Prereviewing the questionnaire in its initial form by experts and specialized arbitrators.Preparing the questionnaire in its final form, in light of the suggestions and amendments of experts and arbitrators.
- Answring the questionnaire by the research sample.
- Statistical treatment of data, reaching and interpreting results, and making recommendations and proposals.

Research Approach

The study used the analytical survey method; The main data collection tool (the questionnaire) was also used to measure the impact of using QR Code to achieve e-learning and improve students' academic achievement through the (iEN) portal.

Research limitations

The study was implemented during the First Semester of 2021/2022, The study was applied to a large sample of middle and secondary education students in the Northern Border Region of Saudi Arabia.

The research sample

The study sample consisted of (911) male and female students in the Northern Border Region representing the intermediate and secondary education stages.

Research Terminology

QR code

A QR code is a machine-readable, graphic visual code that contains information about the item to which it is attached (Al Dosaki & Al Mousawi, 2020). Anything else, the pattern on the QR Code can be alphanumeric, numeric, or binary for more efficient data storage (Dabke et al, 2021).

E-learning websites

An educational website is a web page created over the Internet, affiliated with a government or private entity (Talan, 2020), and specialized in providing educational services and providing links specialized in upgrading educational content and services for faculty members and students (Babiker, 2016).

iEN portal

It is a safe and free portal that simulates the general education curricula in Saudi Arabia that supports digital empowerment in education and the improvement of teaching and learning processes. (iEN Portal, 2021).

iEN Toolkit

It is an electronic application for the iEN Portal to be downloaded to smartphones, containing course textbooks and digital learning materials for all stages of public education in the Kingdom of Saudi Arabia (Ien Portal, 2021).

Mobile learning

It is teaching and learning method using laptops, tablets, and smartphones (Talan, 2020).

Mobile learning devices:

Mobile learning devices: laptops, tablets, and smartphones (Dabke et al, 2021).

Results and Discussion

All Tables have been manifested by the authors and under they authorship

First Axis: Student data (study sample)

A: The gender

Table 1.
The gender distribution

Gender	Frequency	Percentage	Description
Male	229	%25	low post
Female	682	%75	high post
Total	911	%100	

Authorship: Own

It is clear that the high participation rate of females is due to the quick response from the female school administrations in general.

B. The Educational level

Table 2.
The educational level

Educational level	Female	Male	Total	Percentage	Description
Seconday	581	197	778	%85.4	High
Middle	109	24	133	%14.6	Low
Total	690	221	911	100%	

Authorship: Own

The high rate of participation for the secondary education level is due to the high rate of technology use by secondary education students, which is affected by age and experience in dealing with electronic devices.

C. Academic level for the academic year

Table 3.
The academic level for the academic year

Educational level	Frequency	Percentage	Description
Weak	1	0%	
Acceptable	8	1%	
Good	2 6	3%	
Very well	116	13%	
Excellent	760	83%	the largest percentage
Total	911	100%	

Authorship: Own

It is viewed that there is a high tendency of outstanding students to frequent use of QR code in their learning.

D. The school type

Table 4.
The school type distribution

School type	Frequency	Percentage	Description
Public	799	%88	The largest percentage of public education
Private	112	%12	Low participation rate for private education
Total	911	%100	

Authorship: Own

It is clear that public schools' students respond to the questionnaire more than private schools due to the significantly higher distribution of public schools than private schools in the Northern Border Region.

The second axis: the use of devices and their availability

1. **I use the QR code in the textbook to access the educational material.**

Table 5.
The using of QR code in the textbook

	Frequency	Percentage	Description
Use QR code	727	about 80%	The larges percentage use QR code to accesseducational material
Do not use QR code	184	about 20%	A small percentage do not use QR Code to accesseducational material
Total	911	%100	

Authorship: Own

Significantly, most students use QR Code in while learning at home.

2. **To access the educational material, I use the QR code found in the textbook using**

Table 6.
The using of QR code in the educational material

Devices	Frequency	Percentage	Description
My own device	582	64%	The largest percentage of those who use QR Code access educational material using their device
Father/mother'sdevice	92	10%	
Brother/Sister'sDevice	25	3%	
Someone else's device	28	3%	
	727	%100	

Authorship: Own

The high percentage of usage across personal devices is noticeably higher than other types of ownership.

3. **The type of device used**

Table 7.
The type of device used

Device type	Frequency	Percentage	Description
Smartphone	574	%63	The majority of students who use QR Code use a smartphone to access educational materials
Computer	205	%23	
Tablet (iPad) or other	42	%5	
Total users	821		

Authorship: Own

According to the elements of the multiple selections of the devices used, the previous table shows a remarkable rise in the use of smartphones to a higher degree than the rest of the devices. This is because smartphones support QR code scanning technology more than other devices.

4. **I have the necessary techniques and devices to use QR Code in the textbook (such as the Internet, a telephone):**

Table 8.
The techniques and device to use QR Code in the textbook

Responses analysis										Mean	Description
Always		Often		Sometimes		Rarely		Never		4.14	High
Frequency	percentage	Frequency	percentage	Frequency	percentage	Frequency	percentage	Frequency	percentage		
489	54%	192	21%	132	14%	62	7%	36	4%		

Authorship: Own

The majority of students have the necessary technologies from the Internet, as well as the availability of the devices required to complete the entry process through the use of QR code, where the positive percentage (always - often - sometimes) reached 89%, while the negative percentage (never - rarely) reached 11 %.

5. **The device I use needs to install a particular codec reader to use this technology**

Table 9.
Install a particular codec reader to use this technology

Yes		No		Mean	Description
Frequency	Percentage	Frequency	Percentage	3	High
456	50%	455	50%		

Authorship: Own

The previous table shows equal percentage of students' use of built-in codec-reading devices with students who use devices that need to install special software that enables them to read codes in the textbook.

6. **My level of experience and skill to use devices suitable for Code, such as smartphones - iPad - smart tablets.**

Table 10.
Experience and skill to use devices suitable for Code

Responses analysis										Mean	Description
Excellent		Very good		Good		Fair		Poor		4.22	Very high
Frequency	percentage	Frequency	percentage	Frequency	percentage	Frequency	percentage	Frequency	Percentage		
483	3%	253	28%	104	11%	38	4%	33	44%		

Authorship: Own

As it is clear from the previous table, a high percentage of students (92%) have sufficient skills to use Code to access educational material.

7. **I use the "iEN Tooklit" application of the "iEN" website, the national education portal**

Table 11.
iEN Tooklit application of the "iEN" website

Yes		No		Mean	Description
Frequency	Percentage	Frequency	Percentage	2.92	High
483	48%	473	52%		

Authorship: Own

The previous table also shows that a high percentage of students (52%) do not use the "iEN Tooklit" of the "iEN" website, the national education portal.

The third axis: the experience of using QR Code in the educational process

1. **I know about the use of QR Code in the textbook:**

Table 12.
The using of QR Code in the textbook

Items	Frequency	Percentage	Mean	Description
By myself	421	46%	2.35	High
By family (parents and brothers….)	102	11%		
By school teachers	388	43%		

Authorship: Own

2. **School teachers encourage me to use the QR code in the textbook:**

Table 13.
The School teachers encourage me the QR code in the textbook

Yes		No		Mean	Description
Frequency	Percentage	Frequency	Percentage	3.29	High
521	57%	390	43%		

Authorship: Own

The previous table shows that a high percentage of students (43%) reported that there is no role for teachers, either by introducing them to the method of using QR code in the textbook or urging them to use it.

3. **My use of QR code while studying at home is frequent:**

Table 14.
The using of QR code while studying at home is frequent

Items	Frequency	Percentage	Mean	Description
Daily	109	12%	2.71	High
Weekly	278	31%		
Monthly	96	11%		
By semester	92	10%		
Outside the house	152	17%		
Total usage	727	100%		

Authorship: Own

4. By using QR Code in textbook, the educational Portal "iEN" opens quickly (without faltering or slowing down).

Table 15.
The using of QR code for the quickly opening

Responses analysis										Mean	Description
Always		Often		Sometimes		Rarely		Never		3.41	High
Frequency	percentage	Frequency	percentage	Frequency	percentage	Frequency	percentage	Frequency	Percentage		
209	23%	307	34%	182	20%	72	8%	141	15%		

Authorship: Own

It is clear from the previous table that there is a none tiny percentage of students (43%) who reported that the opening of the educational website "iEN" was stuck or slow when using QR code, while (57%) of them said that they quickly accessed it without stumbling.

5. The site opened by the QR code "iEN the national education portal" is clear and easy to navigate between its activities

Table 16.
The using of QR code for the easy and clear opening

Responses analysis										Mean	Description
Always		Often		Sometimes		Rarely		Never		3.41	High
Frequency	percentage	Frequency	percentage	Frequency	percentage	Frequency	percentage	Frequency	Percentage		
290	32%	280	31%	141	15%	65	7%	135	15%		

Authorship: Own

Also, not a tiny percentage of students (37%) reported that it was not easy to move between iEN's activities, compared to (63%) of them who stated that the portal is clear and easy to move between its activities.

6. Using QR code, I access the required educational material directly

Table 17.
The using of QR code for the directly access

Responses analysis										Mean	Description
Always		Often		Sometimes		Rarely		Never		3.58	High
Frequency	percentage	Frequency	percentage	Frequency	percentage	Frequency	percentage	Frequency	Percentage		
364	40%	216	24%	148	16%	47	5%	136	15%		

Authorship: Own

The previous table showed that 64% of the students reported that QR code communicates the required educational material directly, while (36%) of them reported the opposite.

7. The school subjects in which I use QR code the most are (more than one subject can be specified):

Table 18.
The using of QR code for the different subjects

Items	Frequency	Percentage	Description
Mathematics	386	42%	The highest percentage
Arabic	238	26%	
Religious studies	228	25%	
Science (chemistry-physics-biology)	187	21%	
Computer science	187	21%	
English	120	13%	
Family and arts education	64	7%	
Social studies (geography and history)	59	6%	
Management skills	55	6%	

Authorship: Own

The previous table also shows that a high percentage of students (42%) use QR code in mathematics, then Arabic (26%), science (25%), and computers (21%) in close percentages.

8. I use QR code while studying at home with a purpose (more than one option can be selected):

Table 19.
The using of QR code for the different options

Items	Frequency	Percentage	Description
Comprehension	396	%43	The highest percentage
Doing school activities and homework	305	%33	
Mock exams	239	%26	
simplifyingmatters	199	%22	
Listening and memoriz ation	175	%19	

Authorship: Own

9. I enjoy learning (performing home activities and studying) using QR code technology.

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Table 20.
The using of QR code for the performing home activities and studying

Responses analysis										Mean	Description
Always		Often		Sometimes		Rarely		Never		3.23	Medium
Frequency	percentage	Frequency	percentage	Frequency	percentage	Frequency	percentage	Frequency	percentage		
203	22%	234	26%	220	24%	78	9%	176	19%		

Authorship: Own

Table 21.
The using of QR code for the school activities

Items (10-11-12-13)	Responses analysis										Mean	Description
	Strongly agree		Agree		Neutral		Disagree		Strongly disagree			
	Frequency	percentage	Frequency	percentage	Frequency	percentage	Frequency	percentage	Frequency	percentage		
Using the QR code technique found in the textbook while studying at home is beneficial.	211	23%	446	49%	150	16%	46	5%	58	6%	3.77	High
Learning on " iEN " website using QR Code is better than reading and doing homework through the textbook only.	199	22%	365	40%	210	23%	66	7%	71	8%	3.61	High
The educational material on the site which is opened by the QR code in the textbook is what I need to learn at home	198	22%	405	44%	202	22%	50	5%	56	6%	3.70	High
By using QR code and watching iEN my , desire for home learning and .homework is more	206	23%	392	43%	190	21%	50	5%	73	8%	3.67	High

Authorship: Own

The previous table also shows that (72%) of the students believe that learning and performing school activities at home through the iEN platform using QR code is useful. Indeed, (62%) of them say that it is better than learning with the textbook only. (66%) of them believe that the material that the QR code delivers on the iEN platform is what they need to learn at home and that it increases their desire for home learning and doing homework more than using the textbook alone.

Analytical discussion of the trends of relationships between variables and measuring stability

Question: Is there a relationship between the academic stage and QR code in accessing educational material on the iEN platform?

Cases * stage Cross tabulation

Table 22.
*The Cases * stage Cross tabulation Count*

		Stage				Total
		1.00	2.00	3.00	4.00	
Cases	1.00	7	6	20	96	129
	2.00	2	8	52	416	478
	33.00	10	3	35	256	304
Total		19	17	107	768	911

Chi-Square Tests

Table 23.
Chi-Square Tests

	Value	df	Asymp. Sig. (2-sided)
Pearson Chi-Square	25.890[a]	6	.000
Likelihood Ratio	25.180	6	.000
Linear-by-Linear Association	3.019	1	.082
N of Valid Cases	911		

Authorship: Own

It is viewed that the calculated value is 25.89 greater than the tabular value of 12.59, so the answer to this question is yes.

Symmetric Measures

Table 24.
Symmetric Measures

		Value	Asymp. Std. Error[a]	Approx. T[b]	Approx. Sig.
Interval by Interval	Pearson's R	.058	.041	1.739	.082[c]
Ordinal by Ordinal	Spearman Correlation	.049	.037	1.484	.138[c]
N of Valid Cases		911			

Authorship: Own

Question: Is there a relationship between the academic stage and the type of device used to access the educational material on the iEN platform?

Case Processing Summary

Table 25.
Case Processing Summary

	Cases					
	Valid		Missing		Total	
	N	Percent	N	Percent	N	Percent
Devices * stages	1054	100.0%	0	0.0%	1054	100.0%

Chi-Square Tests

Table 26.
Chi-Square Tests

	Value	Df	Asymp. Sig. (2-sided)
Pearson Chi-Square	41.059[a]	9	.000
Likelihood Ratio	52.932	9	.000
Linear-by-Linear Association	7.671	1	.006
N of Valid Cases	1054		

The calculated value is 41.059, greater than the tabulated value of 16.919, so the answer is yes.

There is a relationship between the school stage and the mobile devices used to access the educational material. It is clear that the "secondary" school stage is the largest percentage. This can be attributed to the fact that students at this age have their own smartphone devices, which can easily access the educational material on the iEN platform.

Symmetric Measures

Table 27.
Symmetric Measures

		Value	Asymp. Std. Error[a]	Approx. T[b]	Approx. Sig.
Interval by Interval	Pearson's R	.085	.028	2.778	.006[c]
Ordinal by Ordinal	Spearman Correlation	.137	.029	4.476	.000[c]
N of Valid Cases		1054			

Authorship: Own

Question: Is there a relationship between school teachers urging students to use Code to access the iEN educational platform?

Case Processing Summary

Table 28.
Case Processing Summary

	Cases					
	Valid		Missing		Total	
	N	Percent	N	Percent	N	Percent
YESNO * type	911	100.0%	0	0.0%	911	100.0%

Chi-Square Tests

Table 29.
Chi-Square Tests

	Value	Df	Asymp. Sig. (2-sided)	Exact Sig. (2-sided)	Exact Sig. (1-sided)
Pearson Chi-Square	.054[a]	1	.817		
Continuity Correction[b]	.016	1	.900		
Likelihood Ratio	.054	1	.817		
Fisher's Exact Test				.833	.452
Linear-by-Linear Association	.053	1	.817		
N of Valid Cases	911				

Authorship: Own

Symmetric Measures

Table 30.
Symmetric Measures

		Value	Asymp. Std. Error[a]	Approx. T[b]	Approx. Sig.
Interval by Interval	Pearson's R	.008	.033	.231	.817[c]
Ordinal by Ordinal	Spearman Correlation	.008	.033	.231	.817[c]
N of Valid Cases		911			

Authorship: Own

Question: Is there a relationship between the school stage and the availability of technologies and devices needed to use Code in the textbook?

Case Processing Summary

Table 31.
Case Processing Summary

	Cases					
	Valid		Missing		Total	
	N	Percent	N	Percent	N	Percent
TechAvability * stages	911	100.0%	0	0.0%	911	100.0%

Authorship: Own

Chi-Square Tests

Table 32.
Chi-Square Tests

	Value	Df	Asymp. Sig. (2-sided)
Pearson Chi-Square	26.224[a]	12	.010
Likelihood Ratio	25.485	12	.013
Linear-by-Linear Association	3.449	1	.063
N of Valid Cases	911		

Authorship: Own

The calculated value is 26.224, which is greater than the tabular value of 21.026, so the answer to this question is yes.

There is a relationship between the school stage and the availability of the techniques and devices necessary to use QR code in the textbook to access the scientific material. It is clear that the "secondary" school stage is the largest percentage. This can be attributed to the fact that students in this age stage can provide modern technologies, adjust the preparation of devices and download programs for reading QR Code, and also for secondary school students need extra help to understand their lessons compared to middle school.

Symmetric Measures

Table 33.
Symmetric Measures

		Value	Asymp. Std. Error[a]	Approx. T[b]	Approx. Sig.
Interval by Interval	Pearson's R	-.062	.032	-1.860	.063[c]
Ordinal by Ordinal	Spearman Correlation	-.043	.034	-1.306	.192[c]
N of Valid Cases		911			

Authorship: Own

Question: Is there a relationship between students' frequent use of QR code while studying at home and their technical skill?

Case Processing Summary

Table 34.
Case Processing Summary

	Cases					
	Valid		Missing		Total	
	N	Percent	N	Percent	N	Percent
Skills * FRe	577	100.0%	0	0.0%	577	100.0%

Authorship: Own

Chi-Square Tests

Table 35.
Chi-Square Tests

	Value	df	Asymp. Sig. (2-sided)
Pearson Chi-Square	34.405[a]	12	.001
Likelihood Ratio	30.662	12	.002
Linear-by-Linear Association	6.677	1	.010
N of Valid Cases	577		

Authorship: Own

The calculated value is 34.405, which is higher than the tabular value of 21.26, so the answer to this question is yes.

There is a relationship between students' use of QR Code while studying at home frequently (daily - weekly - monthly - semester) and how they possess technical skills.

Where it is clear that students use QR Code weekly to access the scientific material on the iEN platform more than any other time range (daily - monthly - semester), and this is because teaching these materials is not daily on that platform. Still, it can be weekly, especially in high school.

Symmetric Measures

Table 36.
Symmetric Measures

		Value	Asymp. Std. Error[a]	Approx. T[b]	Approx. Sig.
Interval by Interval	Pearson's R	-.108	.046	-2.597	.010[c]
Ordinal by Ordinal	Spearman Correlation	-.098	.044	-2.351	.019[c]
N of Valid Cases		577			

Authorship: Own

a. Not assuming the null hypothesis.
b. Using the asymptotic standard error assuming the null hypothesis.
c. Based on normal approximation.

Conclusions

The Ministry of Education in Saudi Arabia succeeds increasing the use of the QR code technology by secondary school students, which are technology skilled, to reach the "iEN" website in their learning. However, the ministry should put more effort to increase middle school students using it. It may encourage teachers to spread the culture of using QR code technology among public school. Indeed, most of students use their own smartphone devices to scan the QR code, however most of middle school students do not own a smartphone due to their age or other circumstances. Furthermore, the students are equipped with the required technologies as well as enough skills to benefit from the QR code technology.

iEN website needs to be updated and resolve technical problems that make it hard to be navigated or slow down opening its learning materials. Also, QR code on students' textbooks should direct them to the learning materials, which drew young students' attention and add value to the textbook contents. The majority of students believe that iEN platform is useful, better than learning with textbook only, and it increases their desire in their learning and doing homework at home.

Recommendations

- The necessity of periodically measuring the quality of electronic courses available on the iEN portal is necessary to identify and strengthen strengths and discover weaknesses and address them permanently.
- The necessity of updating the quality standards of e-content provided through the e-learning "iEN" platform.
- The necessity of gradual application of QR Code in public education in the Kingdom of Saudi Arabia and dispensing with the traditional system in education for the educational process.
- The necessity of spreading the culture of using QR Code among all segments of society, including students and faculty, and directing them towards benefiting from the advantages of e-learning that respects quality standards.
- The necessity of future planning to pursue the difficulties that impede the use of QR code in the educational process.

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Research of content parameters of the professional self-realization of future fire safety specialists

Дослідження змістових параметрів професійної самореалізації майбутніх фахівців з пожежної безпеки

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Abstract

The research purpose is a theoretical analysis and empirical study of content parameters of professional self-realization of future fire safety specialists. The author implemented a retrospective analysis and identified key parameters of the professional self-realization of a future rescuer. A summative assessment with the construction of a correlation matrix of significant relationships between key parameters was applied, and graphical visualization of the obtained data was presented. The psychophysiological state was analyzed at the training facility “Psychological training ground”. Significant relationships were established within the parameters: “Propensity for risk” and “Need for recognition” ($rs = .291$; $p \leq .01$) and “Need to set complex goals and achieve them” ($rs = .208$; $p \leq .01$); “Will, Openness and Democracy” with “Need for recognition” ($rs = .219$; $p \leq .01$). It was found that the vital goal-value of “Will, Openness and Democracy” has a high operational capacity and is a key value orientation in respondents’ professional self-realization. It is generalized that obtained scientific facts of the empirical research should be

Анотація

Метою статті є теоретичне аналізування і емпіричне дослідження змістових параметрів професійної самореалізації майбутніх фахівців з пожежної безпеки. Реалізовано ретроспективне аналізування і виокремлено ключові параметри професійної самореалізації майбутнього рятівника. Застосовано констатувальний експеримент з побудовою кореляційної матриці значущих взаємозв’язків між ключовими параметрами і подано графічну візуалізацію отриманих даних. Здійснено заміри психофізіологічного стану з застосуванням навчально-тренувального комплексу “Психолого-тренувальний полігон”. Встановлено значущі зв’язки у параметрах: “Схильність до ризику” з “Потребою у визнанні з боку інших людей” ($rs=.291$; $p\leq.01$) та “Потребою ставити складні цілі і досягати їх” ($rs=.208$; $p\leq.01$); “Воля, Відкритість та Демократія” з “Потребою у визнанні з боку інших людей” ($rs=.219$; $p\leq.01$). З’ясовано, що життєва ціль-цінність “Воля, Відкритість та Демократія” має високу операційну здатність і є ключовою ціннісною орієнтацією у професійній самореалізації

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operationalized in academic and professional training of fire safety specialists.

Key words: professionalization, cadets, fire safety specialists, risk propensity, neuropsychological resilience.

респондентів. Узагальнено, що отримані наукові факти емпіричного дослідження доцільно операціоналізувати у навчально-професійну підготовку фахівців з пожежної безпеки.

Ключові слова: професіоналізація, курсанти, фахівці служби пожежної безпеки, готовність до ризику, нервово-психічна стійкість.

Introduction

Scientists from many countries and those involved in the relevant field constantly draw attention to the professional development of an individual, his/her professionalization and professional self-realization. A competent specialist with developed competencies that meet the current needs is the basis of strong public policy of any country. The issue of professional self-realization is organically related to personal development. The maturity of Self-concept, Self-image, reflection and the level of social expectations of a person influences his/her professional self-realization. Global instability and transience, permanent military conflicts, and turbulent socio-economic policy dictate terms and requirements for the training of a future specialist. These terms and requirements affect the qualitative and quantitative parameters of academic and professional training and determine the temporal and spatial components of the educational system. The processes of social democratization and humanization taking place Ukraine directly affect the professional self-determination of the young personality and content parameters of self-realization of future specialists.

Hypothesis. It is assumed that the study of content parameters of the professional self-realization of future fire safety specialists will allow obtaining important scientific facts associated with respondents' motivational and affective-voluntary dimensions, which should be implemented in academic and professional training.

Purpose. To conduct theoretical analysis and empirical study of content parameters of the professional self-realization of future fire safety specialists.

Literature review

The phenomenon of professional self-realization was elucidated in psychological literature through foundational works by K. Horney (1993), A. Rean (2008), C. Rogers (1959). The issue of human self-realization and self-actualization was considered in terms of humanistic psychology. At the same time, the phenomenon of self-realization needs to be studied in the context of psychological practice. The phenomenon of self-realization is characterized by both philosophical and psychological aspects. The concept of self-realization is partly identical to self-actualization. It was found that an essential component of self-realization is a person's demonstrative goal setting of his activity. Self-realization begins with social self-determination and continues until the end of a person's life (Rean, 2008).

Factors determining the process of self-realization are human needs, interests, goals, and ideals. The need for personal self-realization can be considered fundamental. Its main essential feature is polyvalence, namely, the possibility of satisfying it in almost all spheres of life. Other determinants of the self-realization phenomenon are internal aspirations, motives of an individual, his/her internal need, and external drivers that act breaking through internal causes. The individual can be forced into particular activity, but one cannot be forced to realize oneself. Thus, internal activity is an essential prerequisite for a future specialist's self-realization. The study of gender aspects of self-realization, motivational factors of self-realization, in particular, self-realization as a factor of mental health, sparks academic interest (Malimon, 2018).

A person can fully realize and implement all of his/her aspirations and opportunities only if one oversteps the aforementioned personal boundaries. However, ensuring conditions for going beyond own "Self" can be challenging for some individuals. Sometimes a person should, on the contrary, become part of something major and global. An individual often has no resources to confront reality, hence merges into it. S Rubynshtein (2003) justified that a person does not resist reality but is the center of his being, and his whole life flows in this reality. Complete detection (internalization) is a determinant of intrapersonal transformation, and this aspect describes human life as a unique and phenomenological event (Rubynshtein, 2003).

In addition to the above, A. Kovaleva (2005) believes that self-realization is the process of personality becoming, which results in the emergence of values – goals, directions, and ways of activity adequate for individual abilities, and the ability to independently and authentically realize own mission through goal setting (Kovaleva, 2005). Summing up, professional self-realization is a person's inner desire to exert the most influence on himself and keep as much reflected subjectivity in professional activity as possible.

Professional self-realization as a way of personal functioning and development is reduced to three main classes of mental phenomena, that is, it can act as a process, state (review at a certain stage), and property of the subject. This fact is highlighted and substantiated in the studies of psychological phenomena (Blynova et al., 2020b; Popovych et al., 2021b). Self-realization as a process is a predominant class of mental phenomena and allows a comprehensive and systemic study of human life. Therefore, the subject's self-realization combines the awareness, choice, and implementation of those aspects of individuality that contribute to his self-expression, the realization of potential, the formation of a personal system of narratives, values, motives, ideas about himself, setting goals, and determining ways to achieve them and creating himself (Maksymenko & Osyodlo, 2019). Researchers of professional self-realization attribute the following to the main formal dynamic characteristics: maturity degree, i.e., awareness, integrity, availability and development level of the life and professional program and self-determination; breadth, i.e., a variety of ways to achieve professional goals and decision-making; heterogeneity/homogeneity of the system of principles, values, ideals, goals, motives, expectations; situational variability/stability – susceptibility to random external influences, changes in the individual state, mood; intensity of the self-realization process, i.e., speed and productivity; the nature of dynamics, i. e., progressive, abrupt, cyclic; success, effectiveness, efficiency, adequacy of professional self-realization – direct indicators, in particular, the degree of satisfaction with various spheres of professional activity and life as a whole, subjective quality of life, well-being and happiness; indirect indicators, i.e., rate of job burnout (Maksymenko & Osymenko, 2019).

Content parameters of the professional self-realization of future fire safety specialists are considered components and mental formations that belong to the rescuer's motivational, behavioral, regulatory, and operational spheres. The level and maturity of the mentioned parameters influence competence and the implementation of emergency rescue operations.

Materials and methods

Methodology. The methodological output data of the empirical study of content parameters of the professional self-realization of future fire safety specialists have rendered professional self-realization as an integrated complex of needs, interests, ideals, and purpose of professional activity. The listed complex of mental formations in the content dimension is a set of motivational, behavioral, regulatory, and operational components in the context of professional training (Blynova & Kruglov, 2019). Popovych et al., 2020b; Vavryniv, 2020). Fourth-year cadets are at the final stage of forming professional self-realization and have a high operational readiness to perform professional duties. In constructing a summative research strategy, the author has used the experience of experimental studies of the professional sphere of an individual (Halian, 2019), adaptation (Blynova et al., 2020a; Popovych et al., 2020a; 2021c) and self-regulation of specialists in the modified operational climate (Hudimova, 2021; Hudimova et al., 2021; Kharytonov et al., 2021; Kuzikova et al., 2020; Popovych et al., 2020c; Shevchenko et al., 2020), a predictive component of professional activity (Plokhikh, 2021; Plokhikh et al., 2021; Popovych et al., 2021a) in the influence of the corporate culture of the educational system on the formation of professional self-realization (Blynova et al., 2020c). Since rescue work is associated with extreme conditions of work performance, studies covering extreme conditions and excessive physical and psycho-emotional loads of respondents were taken into account (Nosov et al., 2020a; 2020b; Zinchenko et al., 2019; 2022). All the analyzed studies made it possible to formulate a summative strategy for clarifying content parameters of the professional self-realization of future fire safety specialists.

Participants. In 2021, from February to December, an empirical study was organized following the summative strategy. The study involved eight groups of fourth and fifth-year cadets (n=198) who were in training, specialty 261 "Fire Safety", at Lviv State University of Life Safety (Lviv, Ukraine). The predominant part of the respondents was male (n=183; 92.42%), and the rest was female (n=15; 7.58). The sample group's average age was 20.87 years (SD=1.75, range 20-23 years). The sample was randomized and comprised all groups obtaining the relevant degree.

Organization of Research. Throughout the second term of 2020 – 2021 and the first term of the 2021 – 2022 academic years, a summative assessment of empirical data was carried out. The questionnaire collected respondents' biographical data. The following methods facilitated the assessment of content parameters of the study of the professional self-realization of future fire safety specialists: "Definition of life goals and values of the personality" ("LGVP") (Ivanov & Kolobova, 2002); "The *study of the motivational profile of personality*" ("MPP") (*Richie* & *Martin,* 2004)" ("MPP") (Richie & *Martin,* 2004); methodology "Diagnostics of personal risk propensity" ("PSK") (Schubert, 2002); training facility "Psychological and training ground" (Lviv State University of Life Safety, 2022).

The methodology "Definition of life goals and values of the personality" ("LGVP") (Ivanov & Kolobova, 2002) was applied to establish the life values of the respondents. It is a kind of verbal projective test. The methodology relies on humanistic initial provisions, which state that personality is a product of socialization and develops through the assimilation of social norms approved in a particular society. The psychodiagnostic test defines fifteen life goals-values of the cadets: Will, Openness and Democracy ("WOD"); Safety and Security ("SS"); Health ("H"); Financial Security ("FS"); Power and Influence ("PI"); Personal Growth ("PG"); Service to People ("SL"); Popularity ("P"); Attachment and Love ("AL"); Attractiveness ("A"); Sense of Satisfaction ("SS"); Interpersonal Relationships ("IR"); Spiritual Culture ("SC"); Autonomy ("A"); Spiritual-Religious Life ("SRL"). The homogeneity of the responses was recorded: α-Cronbach=.854

"The *study of the motivational profile of personality*" ("MPP") (*Richie* & *Martin,* 2004) determines the needs, which are organically combined in the phenomenon of professional self-realization and make up its core. The MPP questionnaire consists of twelve scales: Need for high wages ("HW"); Need for good working conditions ("GWC); Need for work structuring ("WS"); Need for social contacts ("SC"); Need for stable relationships ("SR"); Need for recognition ("R"); Need to set and achieve challenging goals ("CACG"); Need to manage others ("MO"); Need for the diversity of feelings ("DF"); Need to be creative ("C"); Need for self-improvement ("SI"); Need to be in demand ("D"). The homogeneity of the empirical data was observed: α-Cronbach = .867

The next technique is "Diagnostics of personal risk propensity" ("PSK") (Schubert, 2002). "PSK" identifies the risk appetite of the respondents and establishes the extent to which risk is necessary and appropriate. The respondents answered twenty-five questions using a bipolar five-point Stapel scale. The respondents were grouped by levels: low risk propensity – too cautious; average risk propensity; risk appetite. The homogeneity coefficient was α-Cronbach = .912

Undergoing the training complex "Psychological training ground" was a critical stage of the psychodiagnostic test (Lviv State University of Life Safety, 2022). The complex is a time-tested training ground developed by the academic staff of Lviv State University of Life Safety (Lviv, Ukraine). "Psychological training ground" contributed to analyzing the respondents' psychophysiological state under realistic conditions. The respondents passed through the following elements of the training ground: a gym for additional physical activity; a training path that combined a thermal zone (checking a person's endurance under elevated temperature in the room. The maximum temperature is – +60°C), a maze (to improve orientation in different structures and narrow manholes of different configurations); an apartment layout and production area (to simulate actual fire conditions, non-standard situations, and effective search for victims).

Procedures. The study of content parameters of the professional self-realization of future fire safety specialists rested on a summative assessment with the establishment of reliable correlational relationships. All respondents filled in the questionnaires, "LGVP", "MPP", "PSK", and passed through the complex "Psychological training ground". The research adheres to the principles of awareness, voluntariness, and confidentiality. These principles have ensured the reliability of answers, discipline, and responsibility of the respondents during the study. A causal relationship was established between the goals-values which took three top positions and the scales of the motivational profile and the respondents' risk propensity.

Statistical Analysis. To conduct statistical and mathematical data processing, "SPSS" v. 23.0 was applied. The following operations were carried out: typical frequency descriptive characteristics were determined; reliable relationships were identified using the Spearman coefficient (r_s); differences between the ranks of the studied parameters were established according to the Mann−Whitney U-test; differences in the levels of p≤.05 and p≤.01were analyzed.

Results and discussion

Tabl. 1 provides empirical data according to the method "Definition of life goals and values of the personality" ("LGVP") (Ivanov & Kolobova, 2002). Fifteen life goals-values were ranked, and frequency descriptive characteristics were presented: M – arithmetic mean; Sx – sample standard error; SD – standard deviation.

Table 1.
Ranking and frequency descriptive characteristics of respondents' life goals-values according to "LGVP" (n=198)

Scale	R	M	Sx	SD
Will, Openness and Democracy ("WOD")	I	21.12	.11	4.82
Safety and Security ("SS")	II	19.20	.11	4.31
Health ("H")	III	17.15	.11	3.96
Financial Security ("FS")	IV	15.67	.11	3.32
Power and Influence ("PI")	V	12.22	.10	3.01
Personal Growth ("PG")	VI	11.56	.10	2.96
Service to People ("SP")	VII	10.09	.10	2.32
Popularity ("P")	VIII	9.45	.04	2.21
Attachment and Love ("AL")	IX	7.34	.04	2.06
Attractiveness ("A")	X	6.57	.03	1.92
Sense of Satisfaction ("SE")	XI	5.98	.03	1.81
Interpersonal Relationships ("IR")	XII	4.23	.02	1.36
Spiritual and Religious Life ("SRL")	XIII	4.05	.02	1.02
Spiritual Culture ("SC")	XIV	2.80	.01	.41
Autonomy ("A")	XV	1.23	.01	.26

Source: Personal elaboration, 2022.
Note: R – rank; M – arithmetic mean; Sx – sample standard error; SD – standard deviation.

We state that vital goals-values have the highest rating: "WOD" – I rank; "SS" – II rank; "H" – III rank. According to the Mann−Whitney U-test, differences were found between the three ranks. In particular, the statistical validity of differences is observed between the first and second ranks (U=14.81; p≤.01); second and third ranks (U=18.22; p≤.01); first and third ranks (U=78.81; p≤.01).

Tabl. 2 provides empirical results of frequency descriptive characteristics of other content parameters of cadets' professional self-realization under "MPP" and "PSK".

Table 2.
Frequency descriptive characteristics under "MPP" and "PSK" (n=198)

Scale	M	Sx	SD
"MPP"			
Need for high wages ("HW")	51.31	.15	1.65
Need for good working conditions ("GWC")	43.32	.14	1.55
Need for work structuring ("WS")	61.23	.18	2.12
Need for social contacts ("SC")	49.34	1.16	1.74
Need to form stable relationships ("SR")	48.22	.16	1.69
Need for recognition ("R")	62.41	.20	2.21.
Need to set and achieve challenging goals ("SACG")	56.22	17.	1.81
Need to manage others ("MO")	40.41	.15	1.75
Need for the diversity of feelings ("DF")	43.61	.15	1.79
Need to be creative ("C")	47.62	.16	1.64
Need for self-improvement ("SI")	55.61	.18	2.10
Need to be in demand ("D")	50.81	19.	2.02
"PSK"			
Propensity for Risk (PR)	22.01		3.95%

Source: Personal elaboration, 2022.
Note: M – arithmetic mean; Sx – sample standard error; SD – standard deviation.

The obtained parameters of frequency descriptive characteristics under "MPP" and "PSK" are generally within the approbation norms, as proposed by the authors of the methods, and within the results received by the researchers using the relevant tools in similar studies (Bedan et al., 2021). It is established that the "PSK" method (Schubert, 2002) states that (n=136; 68.69%) of the subjects are ready for risk, (n=36; 18.18%) show average indicators, which means that such respondents will risk when the risk is paid, and (n=26; 13.13%) of future fire safety specialists are too cautious.

The study of changes in the psychophysiological state took place at the academic and training complex "Psychological training field". As a result, 36.92% of the participants remained calm and focused, with a confident facial expression, even breathing, unchanged face color, and their movements were well-coordinated, accurate, and gentle. 22.34% had a slight excitement, a frowned forehead, clenched lips, and their breathing was somewhat hurried but rhythmic. In 20.55% there was a slight redness (pallor) of the skin, quite coordinated movements, but with some effort, and a small tremor of the fingers. 14.19% felt moderate excitement; they had stained jaws, hurried and irregular breathing, expressively red or pale faces, moderately strained movements, clumsiness, and tremor of the fingers. 3.00% of the respondents had intense excitement, gritted teeth, noticeable asymmetry of facial expressions, a sharp increase in breathing, the face covered with spots and significant sweating, pronounced stiffness, and movements not proportional to the effort. Note that the average score of respondents' successes in passing through the training complex was: 5.0-4.1 – 29.44%; 4.0-3.1 – 38.32%; 3.0 and below – 32.24%.

Correlational relationships between content parameters of professional self-realization and motivational profile of the respondents were determined. Tabl. 3 presents the values of the relationships in the form of a correlation matrix.

Table 3.
Correlation matrix of the study of professional self-realization (n = 198)

Motivational profile parameters	**Content parameters of professional self-realization**			
	WOD	**SS**	**H**	**PR**
Need for high wages ("HW")	.133*	.092*	.031	.086*
Need for good working conditions ("GWC")	.038	.086*	.093*	.041
Need for work structuring ("WS")	-.059	.014	.086*	.032
Need for social contacts ("SC")	.102*	.063	.027	.052
Need for stable relationships ("SR")	.101*	.083*	.032	.096*
Need for recognition ("R")	.219**	.042	.083*	.291**
Need to set and achieve challenging goals ("SACG")	.044	-.035	-.069	.208**
Need to manage others ("MO")	-.089*	-.038	.049	-.086*
Need for the diversity of feelings ("DF")	.028	-.025	.071	.084*
Need to be creative ("C")	.097*	-.042	.031	.018
Need for self-improvement ("SI")	.089*	.065	.049	.071
Need to be in demand ("D")	.049	.085*	.089*	-.023

Source: Personal elaboration, 2022.
Note: WOD – Will, Openness and Democracy; SS – Safety and Security; H – Health; PR – Propensity for Risk; * – p<.05; ** – p<.01.

Correlation pleiades in the study of professional self-realization of future fire safety specialists were represented graphically. It allowed the author to visually outline reliable positive and negative correlations of the dimensions concerned (Fig. I).

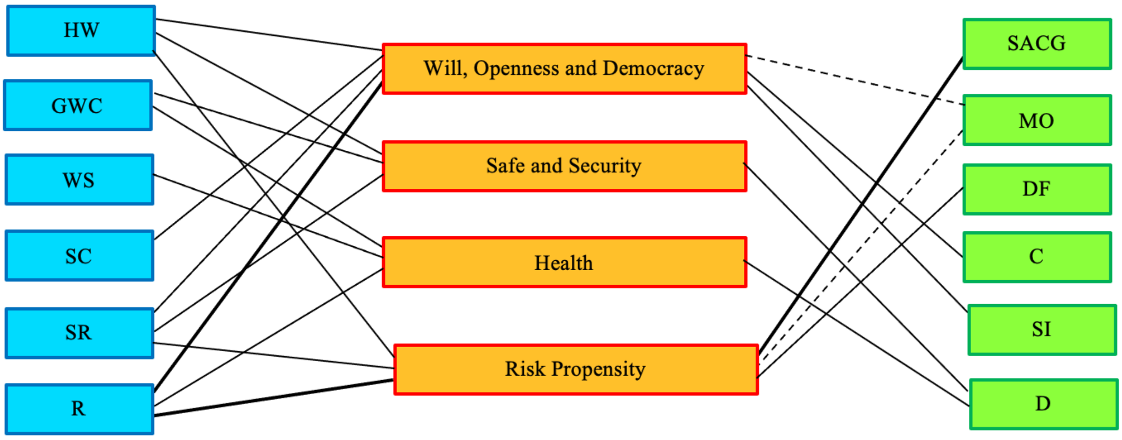

Figura 2. Correlation pleiades of parameters of the professional self-realization of future fire safety specialists (n=198)
Source: Personal elaboration, 2022.
Note: ▬ ▬ ▬ negative correlations under p≤.01; ‐ ‐ ‐ ‐ ‐ ‐ negative correlations under p≤.05; ——— positive correlations under p≤ .05; ━━━ positive correlations under p≤.01; HW – Need for high wages; GWC – Need for good working conditions; WS – Need for work structuring; SC – Need for social contacts; SR – Need to form stable relationships; R – Need for recognition; SACG – Need to set and achieve challenging goals; MO – Need to manage others; DF – Need for the diversity of feelings; C – Need to be creative; SI – Need for self-improvement; PR – Propensity for Risk.

It was found that the following parameters have the most reliable correlations: "WOD" – seven; "PR" – six (p≤.05; p≤01). Note that "Propensity for risk" has two strongest ties: "Need for recognition" (r_s=.291; p≤.01) and "Need to set complex goals and achieve them" (r_s=.208; p≤.01). Another tie of the same level was also fixed in a pair of parameters "Will, Openness and Democracy" and "Need for recognition" (r_s=.219; p≤.01). Established relationships (p≤ 0.05).01) are explained by the fact that "Propensity for risk" and "Will, Openness and Democracy" are stimulated by a powerful social need for recognition. In addition, "PR" has another stimulus – "SACG", which is the strongest one and indicates that the need to perform complex tasks and achieve the goal is participants' life orientation. This plexus of ties shows that a formed need to set complex goals and achieve them, together with the social need for recognition, is a powerful incentive in developing professional self-realization of future fire safety specialists. Other reliable ties at p≤.05 were established, among which fifteen were positive: WOD&HW (r_s=.133; p≤.05); WOD&SC (r_s=.102; p≤.05); WOD&SR (r_s=.101; p≤.05); WOD&C (r_s=.097; p≤.05); WOD&SI (r_s=.089; p≤.05); SS&HW (r_s=.092; p≤.05); SS&GWC (r_s=.086; p≤.05); SS&SR (r_s=.083; p≤.05); SS&D (r_s=.085; p≤.05); H&GWC (r_s=.093; p≤.05); H&WS (r_s=.086; p≤.05); H&R (r_s=.083; p≤.05); H&D (r_s=.089; p≤.05); PR&HW (r_s=.086; p≤.05); PR&SR (r_s=.096; p≤.05); PR&DF (r_s=.084; p≤.05), and two were negative: WOD&MO (r_s=-.089; p≤.05); PR&MO (r_s=-.086; p≤.05). Obtained correlations result from the fact that professional self-realization depends on the maturity of many content parameters that shape an integrated set of values, needs, motives, and competencies of future fire safety specialists. It was found that the vital purpose-value "Will, Openness and Democracy" has a high operational capacity and is a key value orientation in respondents' professional self-realization. It is essential to pay attention to significant negative correlations (p≤.05), which in both cases are related to the "Need to manage others". The beforementioned indicates that graduate cadets predominantly orient towards mastering professional content components rather than formal subordination and desire to manage.

However, despite best practices in studying professional self-realization, scientists of various branches of science have poorly covered the issue of professional self-realization of future fire safety specialists. We consider the analysis of content parameters of the professional self-realization of future fire safety specialists timely and promising since the competence of rescuers and, accordingly, the quality of emergency rescue operations will partly depend on professional success.

The attempt of V. Bedan et al., (2021) to establish motivational factors of the professional self-realization of the individual is relevant to this paper. It was found that two groups, one with a high and the other with a low level of professional self-realization, showed radically different motivational profiles. Persons with a high level of professional self-realization have a dominant motive for constant self-improvement and recognition, and persons with a low level – for good working conditions and high wages. The indicators of the former group confirm the fact that a "need for recognition" (r_s=.291; p≤.01) is a content parameter of professional self-realization with the maximum value. The modern study of gender characteristics of professional self-realization of the individual singled out four factors represented by dichotomous pairs: adaptation – rejection, self-reflection – dissatisfaction, personal maturity – immaturity, volitional regulation – emotional weakness (Tsekhmister et al., 2021). These factors empirically confirm theoretical constructs of professional self-realization, which have been analyzed and summarized at the initial stage of the present research. We recognize that this research, to a large extent, also refers to gender one with a pronounced male differentiation.

Studies of professional self-realization in other areas of human activity, in particular pedagogical, established that a relationship between social status, recognition, and individual motivation is fundamental (Yağan et al., 2022). Such scientific facts are considered consistent with those ascertained in the present contribution towards the dominant need for recognition.

Obtained scientific facts of the study of content parameters of the professional self-realization should be operationalized in academic and professional training of fire safety specialists.

Conclusions

1. The article analyzed and justified that the factors determining the process of self-realization are human needs, interests, goals, and ideals. The author states that the need for personal self-realization is fundamental. It was found that content parameters of the professional self-realization of future fire safety specialists comprise such components and mental formations that belong to the motivational, behavioral, regulatory, and operational spheres of the rescuer.
2. It was noted that according to the ranking of life goals-values, the following have the highest rating: "Will, Openness and Democracy" – I rank; "Safety and Security"– II rank; "Health" – III rank.
3. It was established that the strongest ties are found in "Risk propensity", "Need for recognition" (r_s=.291; p≤.01) and "Need to set complex goals and achieve them" (r_s=.208; p≤.01). Such a tie was also fixed in the vital goal-value "Will, Openness and Democracy" and "Need for recognition" (r_s=.219; p≤.01). The study explaines that a strong social need for recognition stimulates "Risk propensity" and "Will, Openness and Democracy". This plexus of ties shows that a formed need to set complex goals and achieve them, together with the social need for recognition, is a powerful incentive in shaping the professional self-realization of future fire safety specialists.
   It was found that the vital goal-value "Will, Openness and Democracy" has a high operational capacity and is a key value orientation in respondents' professional self-realization.
   The author proved the hypothesis, achieved the goal; obtained scientific facts should be implemented in academic and professional training of fire safety specialists.

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Innovation-digital direction of the development in the context of the regional asymmetry

Інноваційно-цифровий напрям розвитку в контексті регіональної асиметрії

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Abstract

The purpose of the article is to substantiate the directions of state regulation of the processes of information and digital development, which will contribute to the reduction of the processes of differentiation of the development of regional economic systems. The study used an institutional approach that allows with a high degree of subordination, logic and consistency to study the diverse phenomena and processes associated with innovation and digital development, to take into account not only changes in formal and informal institutions, but also changes in global economic processes. self-identification of regions. The tools of state regulation of innovation and digital development of the regions should be singled out. The role and importance of informal institutions of innovation and digital development of regions are outlined. Direct and indirect methods of supporting scientific, technical and innovative activities are identified. The necessity of formation of strategic directions of innovation and digital development of regions is proved.

Анотація

Метою статті виступає обґрунтування напрямів державного регулювання процесів інформаційно-цифрового розвитку, що сприятимуть зменшенню процесів диференціації розвитку регіональних економічних систем. У дослідженні було застосовано інституціональний підхід, що дає можливість з високим ступенем підпорядкованості, логічності та послідовності досліджувати різнохарактерні явища та процеси, що пов’язані із інноваційно-цифровим розвитком, враховувати не тільки зміни формальних та неформальних інститутів, а також зміни глобалізаційних економічних процесів, процеси самоідентифікації регіонів. Виокремлено інструментарій державного регулювання інноваційно-цифрового розвитку регіонів. Окреслено роль та значення неформальних інститутів інноваційно-цифрового розвитку регіонів. Визначено прямі та непрямі методи підтримки науково-технічної та інноваційної діяльності. Доведена необхідність формування стратегічних

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Keywords: state regulation, regional development, region, asymmetry of regional development, innovation and digital development, digitalization.

напрямів інноваційно-цифрового розвитку регіонів.

Ключові слова: державне регулювання, регіональний розвиток, регіон, асиметричність регіонального розвитку, інноваційно-цифровий розвиток, цифровізація.

Introduction

Current trends in socio-economic development of regions at different levels demonstrate the deepening asymmetry of their development. The asymmetry of socio-economic development is seen as an urgent issue of regulating the development of regions and modernizing their structural adjustment. One of the ways to overcome the asymmetry of regional development is innovation and digital development aimed at providing more efficient conditions for economic activity in all areas, including depressed, rational use of production and resource potential and non-renewable resources, achieving sustainable development goals, improving living standards and quality of life. regions, cities and towns. Globalization trends in the world economy show that today the future of the country and its development depends on two main factors: the direct development of high technology, and secondly, the implementation of high technology in all other areas of economic activity.

Also, it should be noted that despite the available scientific, innovative and intellectual potential of Ukraine in the country there is a slow formation of modern and large-scale market of innovative products and infrastructure of innovative activities. There is an inefficiency of the administrative and organizational structure of innovation and digital development management and the lack of a clear strategy for the country's transition to post-industrial development based on the innovation and digital platform.

This and other reasons determine the relevance of the study of state regulation of innovation and digital development as a way to overcome the asymmetry of regional development.

The purpose of the article is to substantiate the areas of state regulation of information and digital development processes that will help reduce the processes of differentiation of regional economic systems. To achieve this goal, the following tasks were solved: the relevance of this study and the work of scientists in this area of research; the application of the institutional approach to the object of research is substantiated; identification of tools for state regulation of innovation and digital development of regions; the role and importance of informal institutions of innovation and digital development of regions are outlined; identified direct and indirect methods of supporting scientific, technical and innovative activities; the necessity of formation of strategic directions of innovation and digital development of regions is proved.

The methodological basis for studying the regulatory aspects of innovation and digital development as a way to overcome the asymmetry of regional development is the institutional approach, which allows with a high degree of subordination, logic and consistency to explore diverse phenomena and processes related to innovation and digital development. Its application makes it possible not only to clarify the current state of regulatory support for innovation and digital processes as a determinant of development and reduce the asymmetry of regions, but also to identify areas for optimization and direction of regulatory changes in this area.

Literature Review

Many leading research projects are devoted to regional development issues, including innovation and digital aspects. Among domestic and foreign authors should be noted: Alraja, M.N., et al, (2020); Andriushchenko, K., et al, (2022); da Rocha Teixeira, F., et al, (2022); De Silva, I. (2019); Deineko, L., et al, (2022); Djakona, A., et al, (2020); Garafonova, O., et al, (2021); Khadzhynov, I., et al, (2022); Khanin, S., et al, (2022); Khodakivska, O., et al, (2022); Kholiavko, N., et al, (2021); Kholiavko, N., et al, (2022); Klymenko, E.Y. & Alpeissova, S.E (2021); Krasnonosova, O., et al, (2022); Popadynets, N., et al, (2021); Popelo, O., et al, (2021); Samiilenko, H., et al, (2021); Samoilovych, A., et al, (2021); Tulchinskiy, R., et al, (2021); Tulchynska, S., et al, (2022); Vakhovych, I., et al, (2021); Wang, P., & Cen, C. (2022) and other.

The aim of the article (Khadzhynov et al., 2022) is to study the impact of digitalization on the potential-creating space of regions in the context of sustainable development. The study (Samiilenko et al., 2021) analyzes the innovative development of regions in the digital economy. Scientists (Tulchinskiy et al., 2021) reveal the strategic guidelines for the intensification of regional development under the influence of potential determinants in the context of digitalization. Within the limits of article (Khanin et al., 2022) the organizational and economic mechanism of maintenance of sustainability of development of region on the basis of influence of potential-creating space in the conditions of formation of creative economy is offered.

Scientists (Krasnonosova et al., 2022) have developed an organizational and economic mechanism for attracting investment resources in the innovative development of regions in sustainable development teams. Article (da Rocha Teixeira et al., 2022) considers the impact of higher education institutions on the digital development of regions. The authors (Kholiavko et al., 2021, 2022) analyze the role of higher education and ways to increase the adaptability of universities to the digital economy.

Article (Djakona et al., 2020) demonstrates the adaptability of higher education to the digital economy. Scientists (De Silva, 2019) consider the problems caused by the digitalization of the economy based on the experience of the French antitrust authority. Article (Klymenko & Alpeissova, 2021) considers the experience of Ukraine and Kazakhstan in digitizing education in quarantine. Article (Myovella et al., 2020) is devoted to the comparative analysis of digitalization and economic growth. A study by scientists (Alraja et al., 2020) analyzes the process of digitization in developing countries.

The authors of the study (Khodakivska et al., 2022) developed a methodological approach to assessing the level of economic security of innovative enterprises based on the use of taxonomic analysis of key indicators of their institutional support for optimal management and forecasting of economic development of regions. Researchers claim that the proposed evaluation indicator is universal and its interpretation makes it possible to identify the relationship between the main integrated indicators for the regions, taking into account the unevenness of their economic development.

Researchers (Popadynets et al., 2021) analyzed the main trends in the development and management of eco-innovation in the EU and the role of environmentally friendly innovation for business and society. Taking into account the experience of the European Union, the authors outline the main trends and prospects for strengthening the competitiveness of the regional economy.

The authors (Wang & Cen, 2022) argue that digital technologies play a key role in improving the efficiency of innovation. Researchers have investigated that innovation efficiency has significant positive spatial externalities, and the digital economy has significant positive direct effects and spatial side effects on innovation efficiency, but the above effects are heterogeneous across regions and innovation actors.

The article (Deineko et al., 2022) examines that digital inequality of regions is considered one of the urgent problems of sustainable development in less developed countries. The authors analyze the relationship between the regional digital divide and the level of economic development in Ukraine and the generalization of international practices to promote digitalization in lagging regions.

The authors of the article (Samoilovych et al., 2021) outline the components of digital transformation of the regions of Ukraine, among which the emphasis is on creating an effective digital infrastructure; introduction of Industry 4.0 technologies in industry; e-government and training of the workforce according to the requirements of the digital economy. Scholars argue that the digitization process should be systemic at both the national and regional levels.

The aim of the research (Popelo et al., 2021) is to develop a methodological approach to modeling and forecasting the innovative activities of regional economic systems, as well as its testing on the example of Polish provinces. The authors argue that the developed methodological approach to forecasting the innovation activity of regions will help focus the efforts of regional authorities on the most influential factors of innovation of specific regional economic systems.

Within the framework of scientific work (Garafonova et al., 2021), a methodological approach to determining the impact of public administration on regional development in the context of digital transformation is proposed. The authors have developed a methodological approach based on the model of a system of differential equations to determine the social, reproductive and mobilization functions of public administration of regional development in the context of digital transformation.

Scientists (Tulchynska et al., 2022) have developed a methodological approach to the qualimetric calculation of innovation activities of regional economic systems, taking into account the processes of digitization. The authors performed a cartographic analysis and identified the leading regions, outsider regions and regions with the average value of the integrated index of innovation activity.

The authors' article (Andriushchenko et al., 2022) is based on the development of tools for managing the innovation potential of the region based on the use of the mapping process. Scientists have proposed a scheme for forming a roadmap for the development of innovation potential of the region, which includes a SWOT-analysis of the development of innovation potential of the region, as well as an algorithm for assessing regional innovation potential.

The aim of the article (Vakhovych et al., 2021) is to analyze the European unity policy and EU regional policy and substantiate the feasibility of implementing a model of smart specialization of regions to ensure sustainable regional development on an innovative basis and improve the living conditions of households. The authors offer recommendations for improving the processes of forming innovative regional strategies taking into account the principles of the concept of "smart specialization", substantiated the need to form a map of unique, innovative competencies of regions and clusters of the country.

Despite the significant number of publications on innovation and digital regional development, the issues of regulatory aspects of innovation and digital development and the problem of overcoming the asymmetry of regional development need further research and analysis.

Methodology

The methodology of the institutional approach to the regulatory aspects of innovation and digital development makes it possible to highlight the functioning of institutions and their role in reducing the asymmetry of regional development through innovation and digital development. Such institutions include both formal rules enshrined in official regulations and regulations, and informal institutions in the form of certain mechanisms of coercion, restrictions, traditions, mentality, rules, and so on. In addition to formal and informal institutions, the methodology of this approach makes it possible to take into account regional multifunctional institutions, which under the policy of decentralization act as a platform for innovation and digital development, forming a certain institutional set. The validity of the institutional approach to the regulatory aspects of innovation and digital development to overcome the asymmetry of regional development is due to the fact that driving changes in socio-economic development to overcome asymmetry and innovation and digital progress is impossible without institutional change. and the most effective use of local potential to achieve the goals of improving the quality of life, socio-economic and environmental development, gaining competitive advantage in the world market, improving economic security, etc.

The importance of institutions is to reduce uncertainty in the innovation and digital direction of regional economic systems by establishing a stable structure of interaction between regional actors, which contributes to sustainable economic growth and reduce the asymmetry of development between regions. The methodology of using the institutional approach makes it possible to take into account not only changes in formal and informal institutions, but also changes in globalization economic processes, processes of self-identification of regions and so on.

Results and Discussion

The current stage of social development involves the formation of the digital economy and the implementation of digitalization in all spheres of life, it raises the issue of not only state but also regional regulation of digitalization processes. Digital "inequality" between regions is one of the reasons for the deepening asymmetry of regional development. Some regions are actively involved in the processes of formation and implementation of tasks of digitalization of the economic space, which helps them to use resources more efficiently, to provide competitive advantages. Other regions that are more inertly involved in digitalization processes are losing some opportunities to boost economic growth and increase social development. This requires state regional management of the processes of digitalization of regional economies and their inclusion in the priorities of state regional policy.

To date, taking into account the implementation of world best practices in Ukraine, the basic principles of digitalization of economic processes and social development in general have been established, which includes the development of information and communication technologies and economics, education, science, health care, public administration, etc.

The tools of state regulation of innovation and digital development of the regions should include (Fig. 1):

Firstly, the institutional and legal tools that provide for the adoption of a number of laws on digital innovation, strategies and targeted programs aimed at digitalization and innovation development of regions, implementation of concepts for transformation and formation of a single digital space with the European Union, intellectual property rights and stimulation of scientific and innovative activity;

Secondly, economic tools that provide for the improvement of tax, customs, investment, innovation policy in the direction of intensifying innovation development and digitization of the economy. Introduction of concession models for financing innovation projects in the regions, development of innovation infrastructure and information and communication technology systems, state support for digitalization development projects. Intensifying the use of public-private partnership models by establishing close cooperation between government and business;

Thirdly, the administrative and organizational tools provide for the transition to e-government; providing access to broadband Internet; licensing of technologies and digital services, standardization and certification of technologies in accordance with international standards; development of innovation-industrial and digital infrastructure; cyber security; implementation of regulations for the transition to electronic document management and digitization of technical and other documentation, etc.;

Fourthly, information tools, providing wide access to broadband Internet connections, intensifying the use of digital platforms, means and devices of communication and information transfer, spreading awareness of the population of the regions about the possibilities of digitalization;

Fifthly, socio-psychological tools, the formation of new educational programs and competencies of higher education in the direction of innovation and digital development; advanced training and ensuring the acquisition of new competencies of employees in all spheres of economic activity; development of digital culture and digital skills of ordinary citizens; introduction of digitalization processes in the social sphere and public administration;

Sixthly, technical and technological tools, stimulating the introduction of devices of mobile technology for control and operational management of business processes; introduction of cloud technologies; digitalization of the real sector of the economy and public administration; development of e-commerce technologies and e-business processes.

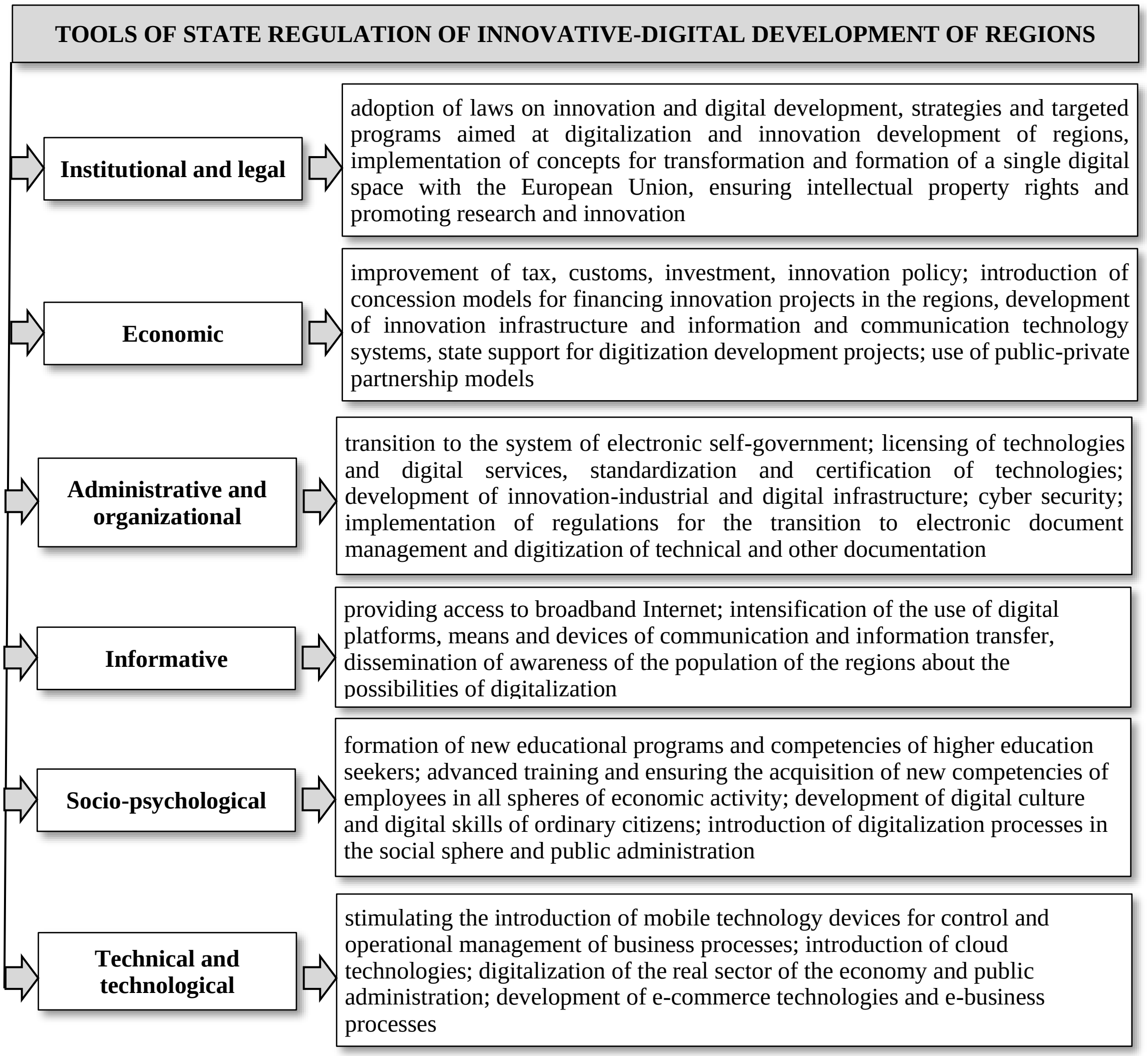

Figure 1. Tools for state regulation of innovation and digital development of regions.
Source: suggested by the authors

The use of the tools of state regulation will help to intensify the development of the regions, taking into account the existing potential opportunities in the innovation and digital direction, which will reduce the asymmetry of regional development.

The creation of an institutional and legal field will help ensure favorable conditions for the development of digital networks and the introduction of innovations through the adoption of legislative changes and the development of the necessary public institutions that will promote innovation and digital development of the regions. The use of economic methods to improve tax and other policies, as evidenced by world practice, promotes innovation, for example, through the operation of industrial parks and other types of innovation infrastructure, which allows to intensify economic processes in backward regions. This is facilitated by the processes of digitalization of the economy using a wide range of economic tools aimed at maximizing the growth potential of digitalization of economic processes in accordance with the principles of creating a single digital space. Of great importance for economic development is the introduction of digital technologies in production processes in accordance with the principles of the program "Industry 4.0". Administrative methods make it possible to provide better conditions for all economic entities to digital goods and services, which stimulates consumption and has a positive effect on stimulating production processes. Forecasting and diagnosing problems and needs in knowledge and skills of digitalization makes it possible to focus on the formation of skills, knowledge and competencies in this area and provide the necessary changes in education and training to provide certain necessary knowledge of employees, which improves staff quality capacity and reducing the backlog of demand in the labor market and the supply of specialists with relevant digital competencies.

In addition to formal institutions that provide innovation and digital development, which include various legislative acts, regional, departmental, instructional, administrative and other documents important for overcoming the asymmetry of regional development using innovation and digital base are informal institutions of social development. Such informal institutions of innovation and digital development of regional economic systems should include customs, values, traditions, rules of conduct of economic entities, etc. Directing informal institutions towards the need and promoting innovation and digital principles of economic development is very important because they form values and mentality, create an internal component of the scientist and innovator, form an attitude to the environment and promote digitalization and information. Thus, in addition to the development of formal institutions in the direction of innovation and digital development of regions to reduce their asymmetry in development, it is important to develop informal institutions that will promote the mental acceptance of innovation and digital development.

In turn, to obtain a positive effect from digitalization requires intensifying the innovative development of regions. Traditionally, state regulation of innovation development involves direct and indirect methods. Direct regulation is designed to directly influence the processes of scientific and technological development and innovation, which provides (Fig. 2):

– determination in accordance with world trends of scientific and technical development of priorities for the development of science and technology, as well as the direction of state scientific and technical programs;
– direct state order in the field of science and technology and innovation;
– formation of measures to encourage scientific and technical personnel and young scientists;
– conducting state scientific and scientific-technical examination, and state policy in the field of patents and licenses;
– budget funding of research and scientific works in accordance with the priorities of scientific and innovative activities.

Indirect methods of regulation have a significant impact on the innovative development of regions. These include:

– tax benefits and other preferences for innovative projects and innovative enterprises and their associations;
stimulating financial and credit and depreciation policy in relation to the subjects of innovation activity;
stimulating international scientific and technical cooperation;
legal protection of intellectual property, etc.

REGULATORY ASPECTS OF INNOVATIVE-DIGITAL DEVELOPMENT AS A DIRECTION OF OVERCOMING THE ASYMMETRICITY OF REGIONAL DEVELOPMENT

Tools for state regulation of innovation and digital development

- Institutional and legal
- Economic
- Administrative and organizational
- Informative
- Socio-psychological
- Technical and technological

Institutions for innovation and digital development of regions

Formal institutions	Informal institutions
legislative acts, regional, departmental, instructive-methodical, administrative and other documents important for overcoming the asymmetry of regional development using the innovation-digital base	customs, values, traditions, rules of conduct of economic entities, form values and mentality, create an internal component of the scientist and innovator, attitude to the environment and promote the digitalization of the population

Methods of regulating scientific, technical and innovative activities

Direct	Indirect
determination of priorities for the development of science and technology; direct state order, budget financing; encouragement of scientific and technical personnel and young scientists; conducting state scientific and scientific-technical expertise, and state policy in the field of patents and licenses	tax benefits and other preferences for innovative projects and innovative enterprises; stimulating financial and credit and depreciation policy; stimulating international scientific and technical cooperation; legal protection of intellectual property

Strategic directions of innovation and digital development of regions

- increasing the rational use of resources on an innovative basis;
- creating conditions for closer cooperation between authorities, institutions, business structures;
- intensifying the development of enterprises that meet the internal needs of the regions;
- preservation of existing and creation of new jobs;
- intensification of knowledge generation and implementation of research and production potential;
- minimization of social negative consequences of modernization and restructuring of the economy of the regions;
- development of informal institutions in the direction of perception of innovation and digital development;
- development of infrastructure of regions; attracting investment resources;
- ensuring economic security of the region's development;
- organization of regional markets and their promotion of products and services at the international level

Figure 2. Regulatory aspects of innovation and digital development as a direction of overcoming the asymmetry of regional development
Source: developed by the authors

Comprehensive use of direct and indirect methods of state regulation stimulates innovation in the regions. State regulation of the innovation sphere is conditioned by the need to direct scientific research from the raw material type of development to innovation, taking into account the digitalization of economic processes. Inclusion of the intellectual and innovative component in the production potential, which makes it possible to increase resource efficiency and competitiveness of production and regions in general, both in domestic and foreign markets.

In turn, the innovation and digital development of the regions requires the formation of strategic directions for the development of the regions in relation to:

– increasing the rational use of resources on an innovative basis;

- creating conditions for closer cooperation between regional and local authorities, institutions, business structures using digital technologies, which allows more timely receipt of necessary information and use it to ensure economic development;
- intensifying the development of enterprises that meet the internal needs of the regions, which will increase employment;
- preservation of existing and creation of new jobs using digital technologies, especially in relation to the population in rural areas and depressed areas;
- intensification of knowledge generation and implementation of research and production potential of the region;
- minimization of social negative consequences of modernization and restructuring of the economy of the regions;
- development of informal institutions in the direction of perception of innovation and digital development;
- development of infrastructure of regions;
- attracting investment resources, including through public-private partnerships to ensure socio-economic development of the region;
- ensuring economic security of the region's development;
- organization of regional markets and their promotion of products and services at the international level, etc.

Conclusions

The study provided an opportunity to substantiate the tools of state regulation of innovation and digital development of regions as a way to overcome the asymmetry of regional development, which includes institutional, legal, economic, administrative, organizational, informational and socio-psychological tools. innovation and digital direction, which will reduce the asymmetry of regional development.

The scientific novelty of the study is the substantiation of regulatory aspects of innovation and circular development as a way to overcome the asymmetry of regional development, which involves the use of an institutional approach to identify tools for state regulation of innovation and digital development of regions; outlining the role and importance of informal institutions, defining direct and indirect methods of supporting scientific, technical and innovative activities; as well as the formation of strategic directions of innovation and digital development of the regions.

Further research is required on the development of informal institutions for the development of innovation and digital space, which will help overcome the growing trends of asymmetry of regional development.

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Consumers of financial services: features of the legal status in the conditions of financial inclusion

Споживачі фінансових послуг: особливості правового статусу в умовах фінансової інклюзії

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Abstract

The urgency of the study is due to the reform of the national legislation in the context of institutional transformation of the financial services market. The purpose of the study is to develop a scientific basis for legislative changes aimed at optimizing the legal status of individuals as consumers of financial services. The methodological basis of the study consists of general scientific and special legal methods, in particular, dialectical, statistical, comparative law, formal law, methods of sociological research, analysis and synthesis. The general principles of realization of such strategic direction of development of the market of financial services as financial inclusion and its influence on formation of legal requirements to the person of the consumer of such service are investigated in the article. The particular interest are scientific positions, legislative novelties on the definition of the scope of persons who have the status of consumers of financial services. The peculiarities of the acquisition of such status by minors and young persons, as well as the second spouse or a third party in the obligation are clarified. On the basis of the conducted research the corresponding conclusions are formulated.

Key words: consumer, financial service, banking service, financial inclusion, bank, consumer information.

Анотація

Актуальність дослідження обумовлена реформуванням національного законодавства в умовах інституційної трансформації ринку фінансових послуг. Метою дослідження є розробка наукового підґрунтя законодавчих змін, спрямованих на оптимізацію правового статусу фізичної особи як споживача фінансових послуг. Методологічну основу дослідження складають загальнонаукові та спеціально-юридичні методи, зокрема, діалектичний, статистичний, порівняльно-правовий, формально-юридичний, методи соціологічного дослідження, аналізу та синтезу. В статті досліджено загальні засади реалізації такого стратегічного напряму розвитку ринку фінансових послуг як фінансова інклюзія і його вплив на формування законодавчих вимог до особи споживача такої послуги. Особливий інтерес становлять наукові позиції, законодавчі новели щодо окреслення кола осіб, які мають статус споживачів фінансових послуг. З’ясовано особливості набуття такого статусу малолітніми та неповнолітніми особами, а також другим із подружжя або третьою особою в зобов’язанні. На підставі проведеного дослідження сформульовані відповідні висновки.

Ключові слова: споживач, фінансова послуга, банківська послуга, фінансова інклюзія, банк, інформування споживача.

Introduction

The renewal of the civil legislation is taking place during the institutional transformation of financial services market, legislative changes aimed at eliminating gaps and shortcomings in

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regulating contractual relations in this area, optimizing the legal status of individuals as consumers of financial services. The Strategy for the Development of the Financial Sector of Ukraine until 2025, presented by the National Bank of Ukraine, by the Ministry of Finance of Ukraine and by the Individual Deposit Guarantee Fund, highlights financial inclusion, which aims to 1) increase the availability and use of financial services; 2) strengthening the protection of the rights of consumers of financial services; 3) increasing the level of financial literacy of the population (National Bank of Ukraine, 2021). Exact this direction of the Strategy is aimed at improving the mechanisms of participation of individuals in contractual obligations for the provision of consumer financial services.

It is proposed to consider financial inclusion as a set of means and methods aimed at achieving a high level of use of financial services and financial products among the population (Marushchak & Latkovskyi, 2020).

In terms of consumer financial services in Europe, Denmark and Finland have achieved 100% financial inclusion, which means that all members of the population are fully integrated into the financial system. Along with Sweden, the Netherlands and Germany, financial inclusion is being achieved, while Romania, Bulgaria, Slovakia, Hungary and Poland have high levels of financial exclusion (Ozili, 2021a). Financial inclusion in the United States is greatly improved and contributes to poverty eradication and prosperity. Public-private partnerships are needed to achieve full affordability for low-income Americans (Ozili, 2021b).

The level of effectiveness of the implementation of such a strategic direction in Ukraine as financial inclusion is evidenced by statistics on violations of the rights of individuals as consumers of financial services market and their protection. In the third quarter of 2021, the National Bank of Ukraine received and processed almost 29,000 applications from consumers of financial services. Where, 11,344 were written appeals and 17,462 were calls to the contact center. Debt settlement and unethical behavior of collectors and credit institutions is the most common topic of both written appeals (47% of the total) and calls to the contact center (19%). Among the problematic issues in the work of non-bank financial institutions - the accrual of interest over the term of the loan, fraud using lost consumer documents, problematic issues with insurance companies, strict methods of collecting bad debts. Among the identified problematic issues in the work of banks - cases of fraud with customer accounts, the imposition of additional services, tough actions to recover bad debts (National Bank of Ukraine, 2021).

According to the analytical review of the state of civil proceedings by the Civil Court of Cassation in the first half of 2021, among the considered cassation appeals by category of civil cases, the majority are still lawsuits, including disputes arising from contracts (4.1 thousand cases, or 35.1% of the number of lawsuits), where 1.8 thousand - cases arising from loan, credit, bank deposit agreements (44.7% of all reviewed disputes arising from contracts). A significant percentage of revoked court decisions is observed in cases arising from loan, credit, bank deposit agreements (375 court decisions out of 912 reviewed, or 41.1%) (Supreme Court, 2021).

The above statistics on the prevalence of violations of the rights of individuals as participants in the financial services market indicate the relevance of research on the legal status of consumers of financial services as a basis for improving relevant legislation to restore consumer confidence in banks and non-bank financial institutions.

Literature review

Issues of general legal status of an individual as a consumer have been studied by such scholars as I.I. Banasevych, G.A. Osetynska, O.Y. Cherniak, G.B. Yanovytska, and features of the legal status of the consumer of services in some aspects are covered in the works of I.M. Stankova, V.Y. Gorblianskyi, N.B. Patsuriia, V.P. Yanishena.

G.A. Osetynska (2006), having analyzed the peculiarities of the legal status of the consumer in general, she came to the conclusion that it is necessary to improve the definition of consumer, which, in her opinion, should be considered a natural person who buys, orders, uses or intends to purchase or order goods (works, services), but also when it is done to meet family, household, cultural, financial and other personal needs. It is proposed to understand the legal status of the consumer as a system of norms, which provides a comprehensive legal institution that combines legally established and guaranteed by the state rights and responsibilities of individuals, regardless of citizenship, age and gender, to implement relationships in the field of consumption (Yanovytska, 2018). There are also proposals in the scientific literature on the feasibility of expanding the content of the category of “consumer of financial services” and include in such consumers of micro and small businesses (Rudenko, Plotnikova, & Schwager, 2021).

According to I.M. Stankova (2021), “consumer right” should be considered as a specific subjective right of the consumer or a set of such rights as, for example, the consumer’s right to safety of goods (services); the consumer right to information about the manufacturer (performer / seller) and about goods (services). Peculiarities of consumer rights realization under service agreements were studied by V.Y. Gorblianskyi (2019), who considers it appropriate to classify them as follows: 1) consumer rights arising during the exercise of the right to receive the service (the right to necessary, accessible, reliable and timely information about the service and its performer, the right on fair terms of the contract, the right to proper quality of service, the right to security of service); 2) rights arising in connection with the violation of consumer rights to receive services, the right to protection by the state, the right to go to court and other authorized state bodies to protect violated rights, the right to compensation for property and moral damage caused by lack of service the right to unite in public organizations (associations).

Given the general characteristics of the legal status of consumers, it is appropriate to highlight the specifics of participation of individuals in contractual obligations to provide financial services and to implement the principles of financial inclusion to propose mechanisms to improve legal regulation of consumer contractual relations in financial services.

Methodology

The methodological basis of the study are general scientific and special legal methods. The dialectical method accompanied the whole research process and allowed us to consider the trends in the formation of legal requirements for the consumer as a participant in civil relations. Methods of analysis and synthesis, as well as the logical-semantic method were used in connection with the formulation of the definition of the consumer of financial services. The comparative law method was used in the analysis of consumer legislation of Ukraine and foreign countries (Germany, France, Italy, the Czech Republic).

The statistical method of research revealed the most problematic aspects of the implementation and protection of the rights of consumers of financial services. The method of sociological research was used to characterize ways to ensure proper protection of consumer rights, the establishment of legislative guarantees of such protection. In the process of preparing the study, the formal-legal method was used (for the analysis of legal regulations governing consumer participation in contractual obligations for financial services), and thus to formulate basic theoretical provisions and conclusions on issues of legal status of consumers in the financial services market.

Results and discussion

Pursuant to Art. 1 of the Law of Ukraine “On Protection Consumer Rights” (Law No. 1023-XII, 1991) a consumer is a person who intends to order, orders, or uses purchased goods, products, or services primarily for personal, social, family, household and similar needs, not directly related to entrepreneurial or business activities. Such a definition cannot be considered successful, as it does not reflect all areas of civil circulation with the participation of the consumer, although it is of general importance. Similar approaches to the essence of the legal status of these participants in civil relations are supported by O.Y. Cherniak (2011), who suggests that a consumer is a person who, in order to meet personal needs not directly related to business activities or performance of duties of an employee, purchases, orders, uses products (goods, works, services). However, the author does not include consumers who only intend to enter into a consumer contract.

In the practice of legislation of different countries there is no unified approach to determining the place of consumer law in the legal system. Thus, there are examples of the inclusion of provisions on the general characteristics of the legal status of consumers and the legal regulation of consumer obligations in individual codified acts, for example, the Consumer Code of France (Legifrance, 1993), which contains in addition to characteristics of the general legal status of consumers, and certain instructions for the provision of financial, including banking, services. The Consumer Code of France was amended by Decree No. 2021-1247 of September 29, 2021 to introduce the introductory part and these provisions will apply to contracts concluded on or after January 01, 2022 (Article 21). According to these changes «consommateur : toute personne physique qui agit à des fins qui n'entrent pas dans le cadre de son activité commerciale, industrielle, artisanale, libérale ou agricole» (Consumer is the natural person who acts for personal and non-professional purposes, unrelated to entrepreneurial, commercial, craft or professional activity carried out). Article 3 of the Italian Consumer Code of 2005 (as amended on July 16, 2020 No. 76) for the purposes of this Code, unless otherwise specified, defines «consumatore o utente: la persona fisica che agisce per scopi estranei all'attività imprenditoriale, commerciale, artigianale o professionale eventualmente svolta» (consumer or user: the natural person acting for purposes unrelated to carried out business, commercial, craft or professional activity) (Altalex, 2005).

Consumer pursuant to Sec 419 (2012) of the Czech Civil Code means any individual who, outside his/her trade, business or profession, enters into a contract or otherwise deals with an entrepreneur (Justice.cz, 2012). Among other general provisions on obligations arising from consumer contracts

Among other general provisions on obligations arising from consumer contracts, section 1796 of the Czech Civil Code "Usurious interest", according to which *"A contract shall be deemed invalid if, in its conclusion, somebody takes advantage of distress, inexperience, intellectual weakness, agitation or recklessness of the other party and extracts a promise to provide performance to himself or somebody else the value of which is in stark contrast to the mutual performance"*. However, section 1797 provides that an entrepreneur who has entered into a contract in the course of his business may not invoke its invalidity under section 1796. This ground of invalidity of the consumer contract is especially relevant in the field of financial services, where consumers due to low financial literacy, ignorance, the need for financial services often due to financial difficulties agree to extremely unfavorable conditions, significant disparities in rights and obligations under contracts for the provision of financial services. Also, in general, it is advisable to adopt a foreign legislative approach to distinguish among the provisions of the Civil Code of Ukraine provisions on consumer legal status, consumer obligations and on the basis of such general rules to define the specifics of their functioning in certain areas by special legislation.

Directive 2011/83 / EC of October 25, 2011 on the consumer rights, amending Council Directive 93/13 / EEC and Directive 1999/44 / EC of the European Parliament and of the Council and repealing Council Directive 85/577 / EEC and Directive 97/7 / EC of the European Parliament and of the Council, "consumer" means any natural person who, in contracts covered by this Directive, is acting for purposes which are outside his trade, business, craft or profession (European Union, 2011).

The legislative approach to limiting the number of consumers to individuals has provoked discussions in the scientific literature. I.I. Banasevych (2018) suggests that the consumer is understood not only as a natural person, but also as a natural person - an entrepreneur who acquires (otherwise acquires ownership or use) or orders goods (works, services) or intends to purchase (otherwise acquire ownership) or use) or order goods (works, services) for personal or other needs not related to business activities. N.B. Patsuriia (2014a) substantiates the need to extend the legislation on consumer protection to business entities, in particular, in insurance, as well as together with V.V. Reznikova (2020b) proposes to consider such participants as a natural person, a natural person - an entrepreneur, a legal entity as a consumer of financial services. At the same time, according to G.O. Ilchenko (2016), the consumer of insurance services is always an individual, because the insured - a legal entity cannot be recognized as a consumer in the civil law sense of the term. However, it is predominant in science to support the legislative approach to limiting the range of consumers, including in the field of financial services, only to individuals.

Regarding the legal status of consumers of the researched services, the attention of scientists is focused on the analysis of already outlined by the legislator features of the implementation of consumer rights of certain types of financial services (Yanishen, 2017). At the same time, sometimes attempts to single out certain specifics of the legal status of the consumer of certain types of financial services are not entirely correct. For example, V.I. Kondratiuk (2021) among the characteristics of the consumer of banking services calls its consumer nature.

The requirements for participation as a consumer counterparty is a professional participant in a certain market of goods, works or services, as well as the purpose of participation in these relations of the consumer are generally accepted for consumer contracts. Regarding the characteristics of the needs for which an individual receives, orders or intends to order a financial service, the consumer effect is achieved by using the benefits received by the customer to meet his personal needs of final consumption, not related to entrepreneurial or independent professional activities. As a result, the specifics of the needs of individuals in the field of financial services does not allow the full application of guarantees provided by the Law of Ukraine "On Consumer Protection", because only some of its provisions can be used to eliminate contractual imbalances, hedge against financial and economic risks crises, etc.

In accordance with Art. 1 of the Law of Ukraine *"On Financial Services and Financial Companies"* (Law No. 1953-IX, 2021). A consumer of financial services is a natural person who applies for financial services to a financial service provider and / or intermediary or uses the services of a financial service provider and / or intermediary to meet personal needs not related to entrepreneurial or independent professional activity. The proposed definition is slightly different from the above general concept of consumer. It seems that the definition of the sphere of personal needs, for the satisfaction of which an individual enters into consumer contracts, should be agreed in general and special regulations. In this case, any person who receives or intends to receive a financial service, including a consumer of financial services, is called a client.

The Grand Chamber of the Supreme Court in the decision of 03.07.2019 (Resolution No. 342/180/17-c, 2019) uses the concept of "average consumer of banking services", which, given the usual level of education and legal awareness, does not can effectively exercise its rights to be informed about the terms of lending under a specific loan agreement, which is concluded in the context of the case in the form of a loan application and the Terms and Conditions of banking services. Thus, for the characterization of all consumers of banking services there are at least such requirements as the usual level of education / it is not specified whether it is only a full school education or another level / and a certain level of legal awareness.

The Constitutional Court of Ukraine in the case of the constitutional appeal of a citizen on the official interpretation of the second sentence of the preamble to the Law of Ukraine of November 22, 1996 No. 543/96-B "On liability for late performance of monetary obligations" of July 11, 2013 noted that in view of the provisions of the fourth part of Article 42 of the Constitution of Ukraine participation in the consumer contract as a weaker party subject to special legal protection in relevant legal relations, narrows the principle of equality of civil law and freedom of contract, in particular in consumer credit agreements (Decision No. v007p710-13, 2013).

Emphasis is placed on the general features of the legal status of the parties to consumer contracts in DCFR I.-1:105: "Consumer" and "entrepreneur". The term "consumer" means an individual acting primarily for a purpose which is not relevant to his trade, business or profession. The term "entrepreneur" means a natural or legal person, irrespective of the form of ownership of the latter (public or private), acting for a purpose relating to non-employment commercial, industrial or professional activities, even if the person does not intend to do so, make a profit.

Legislation in the field of financial services has borrowed much of the European experience, in particular embodied in the EU Directives, and consumers mean individuals who receive financial services for the purpose outlined above. It should be noted that currently the special legal status of an individual as a consumer is outlined in the field of consumer lending, taking into account international experience, including the principles of Directive 2008/48/EC of the European Parliament and of the Council of 23.04.2008 on credit agreements with consumers. Directive 87/102 / EEC. Thus, according to section 9 of part 1 of Article 1 of the Law of Ukraine of 15.11.2016 "On consumer lending" a consumer is a *natural person* who has entered into or intends to enter into a consumer loan agreement, which in accordance with section 11 of part 1 of this article (borrower) to purchase goods (works, services) to meet needs not related to entrepreneurial, independent professional activity or performance of duties of an employee.

Part 4 of Article 13 of the Law of Ukraine of 04.02.2021 "On Financial Leasing" provides that for the conclusion of the contract with lessee – a natural person, who is married, the lessor must obtain from such a person the written consent of his spouse.

An agreement concluded by one of the spouses in the interests of the family entails obligations for the other of spouses if the property received under such an agreement is used for the benefit of the family (part 4 of article 65, Code No. 2947-III), and in case of failure of the lessee to fulfill its obligations under the contract of recovery may be imposed on property that is the joint property of the spouses (part 2 of Article 73 of the FC of Ukraine), such spouses will be jointly and severally liable. In this case, the consumer of financial services should be considered not only the lessee, but also the second spouse. A similar rule should be applied to some other consumer financial services, primarily credit.

According to O. Yegorycheva (2012), based on the analysis of the legislative definition of the consumer, given in the Law of Ukraine “On Consumer Protection”, it can be concluded that the consumer may also be a citizen who did not directly purchase goods or order work (service), but uses them. Consumers sometimes include not only an individual as a party to a consumer contract, but also third parties in whose favor such a contract is concluded. Thus, in accordance with section 47 of part 1 of Article 1 of the Law of Ukraine of 18.11.2021 “On Insurance” – A consumer is a natural person who has applied for or receives insurance services to meet personal needs not related to entrepreneurial or independent professional activity, as well as other persons defined by the insurance contract as insured persons and / or beneficiaries who are natural persons , or other individuals who are entitled to receive insurance benefits. At the same time, the issue of distinguishing features in their legal statuses as consumers is unresolved in the legislation, in addition to the well-known differences in the rights of both parties and third parties.

A natural person may acquire the legal status of a consumer of financial services before reaching the age of majority in terms of concluding consumer contracts within the scope of his civil capacity. With regard to the receipt of certain consumer financial services, such a possibility is provided by law when a child reaches 14 years of age. The scientific literature examines the possibility of using certain banking services before reaching this age. Also, N.O. Tyshchuk (2021) proposes in part 1 of Article 31 of the Civil Code of Ukraine to provide for the right of natural persons under 14 years of age (minors) from six to ten years to enter into transactions using a personal bank card under parental control. Indeed, some banks in Ukraine allow the issuance of children’s bank cards, however, a separate account in the name of the child is not opened, the card is issued as an additional and the child is limited to a limited amount from his account, which issued the main card and additional – children’s card. However, the payment of the child with the help of such a card for purchased goods, services or works does not go beyond its legal capacity, because it must relate to small household transactions. Although such a card is issued in the child’s name, it does not provide for a minor to enter into a bank account agreement on their own.

With regard to natural persons aged from fourteen up to eighteen year (minors), in accordance with Part 1 of Art. 32 of the Civil Code of Ukraine a minor has the right to independently enter into a bank deposit agreement (account) and dispose of the deposit made by it in his own name (cash on the account), and Part 3 of the same article of the Civil Code of Ukraine provides the right of the minor to dispose of the money deposited fully or partially by other persons in financial institution on his name with the consent of guardianship and custody body and parents (adoptive parents) or the custodian. Therefore, a minor may acquire the rights of a depositor in the case of concluding a bank deposit agreement directly by him or in his favor by another person. In addition to concluding a bank deposit agreement in writing, to confirm this fact and deposit money into the deposit account, the bank issues a savings book or other document to the natural person, which replaces it and is issued in accordance with the internal regulations of the bank. It should be noted that the mechanism of committing this transaction by a minor defined by law is quite clear. It is also logical to give such a person the authority to dispose of the contribution made in his own name. However, if the terms of the contract provide for the right to replenish the deposit and further funds were paid not only by the depositor but also by other persons in accordance with Art. 1062 of the Civil Code of Ukraine, the question arises as to the need to apply Part 3 of Art. 32 of the Civil Code of Ukraine in the context of their disposal, because this rule contains a general rule for all funds deposited in the name of a minor, regardless of whether an account is opened in the name of the child or funds are deposited in an account already opened. Requiring the consent of not only parents (adoptive parents, guardians), but also the guardianship authority significantly complicates the procedure of early termination of this agreement as a whole and in part, as well as closing the account in case of expiration. The mechanism of acquisition of the depositor’s rights by a minor in case of concluding a bank deposit agreement in his favor is unregulated. In accordance with Part 1 of Art. 1063 of the Civil Code of Ukraine, a third party shall acquire the rights of a depositor since the moment of the first claim producing resulted from the depositor’s rights or otherwise expressing its intention to exercise such rights. If the method of expressing the intention to acquire the rights of the depositor is at the same time an act of disposition of the deposit, then to perform such an action a minor requires the consent of parents (adoptive parents,

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guardians) and the body of guardianship and custody.

Thus, in a significant number of cases, the exercise of the depositor's rights by a minor is complicated by control not only by the parents (adoptive parents, guardians), but also by the guardianship authority and guardian. Given the various factors in the functioning of such a mechanism (for example, the lack of a clear list of cases where the guardianship authority may refuse to give consent, uncertainty of requirements, and sometimes delays in considering this issue), control of property management of a child who is not deprived of parental care and is not an orphan, it should be recognized that it is necessary to conceptually partially change the legal regulation of deposit relations with the participation of a minor depositor. For example, the German Civil Code (BGB) (Federal Ministry of Justice, n/d) contains different approaches to the disposal of a minor's contribution depending on whether the child is cared for by a parent or guardian (if the child is deprived of parental care or is an orphan). Thus, according to section 1666, if the child's physical, mental or spiritual health or property is exposed to a risk of improper parental care, neglect of the child, the conduct of a third party or the fact that the parents are not to blame cope with their responsibilities, the family court must take the necessary measures to eliminate this risk, as parents are unwilling or unable to eliminate it. According to section 1667, the family court may decide that the child's money must be invested in a certain way and his permission is required to withdraw it from the accounts. Therefore, such measures are taken by the court only in case of threat to the goods (in particular, property) of the child. Section 1809 is also provided, that the guardian should invest money held in trust for a ward under section 1807 (1) no. 5 only subject to the provision that the approval of the supervisory guardian or of the family court is required for the collection of the money. Such restrictions do not apply in the case of exemption from guardianship provided for in section 1852. It seems appropriate to borrow foreign experience and, given the peculiarities of the contractual regulation of deposit relations, to optimize the conditions of participation of minors. In particular, Part 3 of Art. 32 of the Civil Code of Ukraine to read as follows: "3. A minor may dispose of cash means deposited by other persons to the financial institution to his/her favor by the consent of parents (adoptive parents) or guardians. The guardianship authority may decide that the child's permission is required to withdraw money from the child's accounts." Also Art. 1063 of the Civil Code of Ukraine should be supplemented by part 3 of the following content: "A minor in whose favor the bank deposit agreement is concluded has the right to acquire the rights of the depositor independently. The contract may stipulate that the withdrawal of money from the account in full or in part before the expiration of the contract by such a minor requires the permission of a guardianship and trusteeship body." Credit services are also of interest to minors as consumers. In the Law of Ukraine of 15.11.2016 "On consumer lending" the consumer is understood as an individual who has entered into or intends to enter into a consumer credit agreement. As the special legislation does not contain additional requirements for such a natural person, the general provisions on the scope of legal capacity of a minor apply. This is confirmed by litigation practice. Thus, the mother of a minor applied to the "Consumer Center" LLC with a claim to invalidate the loan agreement (Case No. 161/7810/19, 2019). She substantiated her claims by the fact that on January 10, 2019, a loan agreement No.10.01.2019-100005143 in the amount of UAH 3,000 was concluded between her daughter and Consumer Center LLC with a maturity date to January 23, 2019, including the payment of interest on the loan in the amount of UAH 840, which is 28% for 14 days of the loan. She considers that this agreement is invalid on the grounds that at the time of concluding the agreement her daughter was a minor and lived with her, was dependent on her. She also stated that she did not approve her daughter committing the transaction. The court decided to satisfy the claim, arguing that the commission of other minors, not provided for in Articles 31, 32 of the Civil Code of Ukraine, requires the consent of parents or guardians. At the same time, the mother did not give her consent to the conclusion of the loan agreement dated January 10, 2019. At the same time, the case file does not contain any evidence that she would have given such consent or subsequent approval of the transaction.

At the same time, the reference of the Consumer Center LLC to the fact that the conclusion between the parties to the disputed loan agreement does not go beyond a small household transaction was critically assessed by the court. According to the case file and the defendant points out, the minor received a loan in the amount of UAH 3,000. Also, taking into account the interest rate for the use of credit funds, as well as the complexity of the content of credit relations, including the consequences of default or improper performance by the borrower of its obligations under the contract, the loan agreement in any case cannot be attributed to small household transaction. The above circumstances of this case as one of a number of similar ones suggest that consumer credit agreements, as a rule, go beyond small household transactions. Taking into account the specifics of such agreements, it seems appropriate to establish the right of an individual to enter into a consumer loan agreement only with the acquisition of full civil capacity.

In education, young people need to gain knowledge about individual financial behavior - the pension system, the financial banking system and taxes (Koćwin J., 2021). Financial awareness and prudence are not only to have a broad knowledge of financial matters, plan your budget and rationally manage your money and other assets, but also to know your rights and responsibilities (USAID, 2020).

According to the USAID "Financial Sector Transformation Project" for September 2021, "Financial Literacy, Financial Inclusion and Financial Welfare in Ukraine in 2021", it is noted that the awareness of financial institutions of their responsibility for unfair behavior towards consumers of financial services, in particular, in terms of disclosure of financial services, will be a solid basis for increasing confidence in financial institutions (USAID, 2021). The importance of informing customers about the advantages and disadvantages of consumer financial services in order to assess potential risks has become obvious to their providers as a result of the financial and economic crisis. According to Part 3 of Article 12 of the Law of Ukraine of 12.07.2001 "On Financial Services and State Regulation of Financial Services Markets", the information provided to the client must provide a correct understanding of the essence of financial services without imposing its acquisition.

A positive step is the detail of the legal regulation of the scope and procedure of information. Thus, the procedure for posting information on the websites of non-banking financial institutions, as well as in places of providing services to customers is regulated by the Regulation on non-banking financial institutions, approved by the Resolution of the Board of the National Bank of Ukraine dated 05.11.2021 No. 114. Such information in accordance with paragraph 4 of part 1 of Article 24 of the Law of Ukraine of 03.07.1996 "On Advertising" is not considered advertising. Peculiarities of disclosure of information about certain financial services are regulated by certain legislative acts that specify such information. For instance, according to the Regulation on information provision of consumer financial institutions for consumer lending services, approved by Resolution of the Board of the National Bank of Ukraine dated 05.10.2021 No.100, consumer information is the provision (disclosure) of information by financial institutions to consumers in accordance with Ukrainian legislation on consumer services credit, providing a minimum amount of information about the conditions and essential characteristics of this service, defined by this Regulation, by placing such information on the financial institution's own website, in advertising, providing information when using the consumer credit service, and providing other information provided by internal documents of the financial institution. Thus, the consumer exercises the right to information at the stages of concluding and executing the contract, as well as after its termination. It is the responsibility of the intermediary and the financial service provider to disclose such information.

The implementation of important principles of financial inclusion in practice is possible only if the legislative mechanisms for informing potential customers about the choice of financial services among those offered by banks and non-bank financial institutions are improved. Law of Ukraine of 14.12.2021 "On Financial Services and Financial Companies" Articles 6 and 7 provide for the right of the consumer to receive necessary, complete, accessible and reliable information about the financial and / or intermediary service and its provider sufficient for acceptance a conscious decision to receive such a service or to refuse to receive it. Acquaintance with such information should create conditions for the consumer to assess their own ability to fulfill obligations and responsibly choose a financial service. According to a USAID survey in 2018, only 2.4% of consumers received written information about a loan that complies with the law (USAID, 2018). In 2021, during 76% of visits, information on important issues provided orally by the consultant differed from information in the consumer loan passport or contract (in 2019, 66% of visits provided oral information different from the passport and / or contract) (USAID, 2021).

The information provided to the potential consumer is divided into two groups: 1) on the provider and the intermediary; 2) on consumer financial service. The above-mentioned draft law proposes to specify which types of up-to-date and reliable information about the provider or intermediary should be posted by them at the place of customer service and / or on their own website, including its mobile version, and in mobile applications (if available). An intermediary discloses such information about the provider and about itself (additionally specifying the list of services it may provide as an intermediary) in similar ways as the provider or by posting a hyperlink on its own website to redirect (link) to the financial service provider's website.

The second group includes information on consumer financial services disclosed by the provider, intermediary, in particular: 1) a list of services and products, the procedure and conditions for their provision; 2) cost, price / tariffs, amount of payment (interest, remuneration) for products depending on the type of financial service; 4) mechanisms for consumer protection. Financial service providers and intermediaries shall ensure the availability of information posted on their own websites (web pages) for at least the last three years. Article 8 of the same law prohibits the dissemination of misleading information on financial and / or related services in the financial services market. Such information includes, but is not limited to, incomplete or inaccurate information about financial or related services, features of such services, costs and discounts, and / or material terms of the contract for those services, incomplete or inaccurate information about financial performance of activities of the provider of financial and / or related services and / or its financial condition, inaccurate data on the activities of the provider of financial and / or related services, falsely reflect the scope and content of powers and rights of financial and / or related services providers relationships in which they are not. However, this article does not contain civil consequences of such actions. As you can see, the legislator is trying to maximize the amount of information available to potential customers, however, there are issues that are not taken into account, for example, potential financial risks of the consumer in case of exchange rate fluctuations, in case of replacement of the party in the obligation, establishment of a moratorium, etc.

Upon termination of the financial service agreement, including due to the expiration or performance of such agreement, the client has the right to receive written request from the financial service provider regarding the parties' performance of their contractual obligations. In fact, sending such information to the consumer should be an imperative of the financial service provider, because sometimes the client does not make such a request, because he does not know about this possibility or believes that he has fulfilled the obligation in full, but finds out about the debt only as of expiration of a certain time.

Conclusions

The statistics provided by the National Bank of Ukraine on the prevalence of violations of the rights of natural persons as participants in the financial services market and obstacles to the implementation of financial inclusion strategy in our country as opposed to positive foreign experience indicate the relevance of research on the legal status of in order to restore consumer confidence in banks and non-bank financial institutions, to provide favorable conditions for them to exercise their rights.

Legislation regulations to determine the legal requirements for the categories of persons who may acquire the status of a consumer of financial services, the procedure for informing such consumers about the legal and economic nature of financial services still need to be discussed and further refined. Thus, attention is paid to the peculiarities of the acquisition of such status by minors, whose interest is primarily credit, deposit services. It is proposed to improve the mechanism of realization of the depositor's rights by a minor in whose favor the bank deposit agreement has been concluded, in particular, to limit the need to obtain a permit from the guardianship authority to dispose of the deposit amount. Taking into account the specifics of such agreements, it seems appropriate to establish the right of the natural person to enter into a consumer loan agreement only with the acquisition of full civil capacity. The issue of concluding agreements on the provision of consumer financial services by one of the spouses in the interests of the family is considered and emphasis is placed on the need to obtain the written consent of the other of them.

The article analyzes the legal norms and scientific positions on the characteristics of the legal status of consumers in general and in the field of financial services. It is proposed to consider a consumer of financial services as the natural person who personally or through a representative applies for financial services to a financial service provider and / or intermediary and / or in favor of his or another person receives the services of a financial service provider and / or intermediary to meet personal, family needs not related to entrepreneurial or independent professional activity.

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Students' healthy lifestyle formation in english classes (using materials of Polish and Ukrainian authors)

Формування здорового способу життя студентів на заняттях англійської мови (із використанням матеріалів польських та українських авторів)

Kształtowanie zdrowego trybu życia studentów na lekcjach języka angielskiego (z wykorzystaniem materiałów autorów polskich i ukraińskich)

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Abstract

The article aims to present the comparative results of a study of the formation of a healthy lifestyle among students of some pedagogical specialties; to analyze the content of the students' healthy lifestyle formation in English lessons, and to present materials on health issues from the works of Ukrainian and Polish authors which could be integrated into the content of English lessons. The following research methods were used: analysis of scientific literature, surveys, quantitative and qualitative analysis of the obtained results. Motivational-value, cognitive and behavioral-activity criteria for the formation of a healthy lifestyle for students are determined. The participants of the study were first-year students majoring in "Biology" (n=34, the experimental group – EG) and "Primary Education" (n=86, control group – CG) at Vasyl Stefanyk Precarpathian National University (Ukraine). The pedagogical possibilities for solving the outlined tasks through teaching English are proved. It was found that "health improvement" is possible under the following

Анотація

Мета статті – представити порівняльні результати дослідження сформованості здорового способу життя студентів деяких педагогічних спеціальностей; проаналізувати зміст формування здорового способу життя студентів на заняттях з англійської мови; репрезентувати матеріали здоров'язбережувальної тематики з творчості українських і польських авторів, які доцільно інтегруються у зміст занять з англійської мови.
Застосовано такі методи дослідження: аналіз наукової літератури, опитування, кількісний та якісний аналіз отриманих результатів. Визначено мотиваційно-ціннісний, когнітивно-пізнавальний і поведінково-діяльнісний критерії сформованості здорового способу життя студентів. До експерименту були залучені першокурсники спеціальностей "Біологія" (n = 34; експериментальна група – ЕГ) і "Початкова освіта" (n = 86; контрольна група – КГ) Прикарпатського національного університету імені Василя Стефаника (Україна). Доведено педагогічні можливості щодо вирішення окреслених завдань при викладанні англійської мови. З'ясовано, що "здоров'язбережувальне

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pedagogical conditions: systematic and purposeful inclusion of healthy lifestyle issues in the content of education, use of additional literary works, especially by Ukrainian and Polish authors, and writing effective teaching aids on techniques for the use of additional literature in the process of healthy lifestyle formation in both classroom and extracurricular work.

Keywords: Healthy lifestyle (HLS) formation, English lessons, Polish and Ukrainian authors.

наповнення" цієї дисципліни можливе за таких педагогічних умов: систематичне і цілеспрямоване включення тематики про здоровий спосіб життя у зміст навчання; доцільне використання при цьому додаткової літератури, зокрема, матеріалів українських і польських авторів; створення навчально-методичних посібників щодо технологій використання додаткової літератури у формуванні здорового способу життя під час навчального процесу і в позааудиторній роботі.

Ключові слова: формування здорового способу життя (ЗСЖ), заняття англійської мови, польські та українські автори.

Streszczenie

Cel artykułu – przedstawić porównawcze wyniki badań kształtowania się zdrowego trybu życia studentów niektórych specjalności pedagogicznych; zanalizować treści kształtowania zdrowego trybu życia studentów na lekcjach języka angielskiego; zreprezentować materiały prozdrowotne z dzieł autorów ukraińskich i polskich, które docelowo można wkomponować do treści zajęć z języka angielskiego. Zastosowano następujące metody badawcze: analiza literatury naukowej, ankietowanie, analiza ilościowa i jakościowa uzyskanych wyników. Zdefiniowane są kryteria ukształtowania zdrowego trybu życia studentów: motywacyjne, wartościowe, poznawcze, behawioralne i czynnościowe. W eksperymencie brali udział studenci pierwszego roku kierunku "Biologia" (n=34; grupa eksperymentalna – GE) i "Oświata podstawowa" (n=86; grupa kontrolna – GK) Prykarpatśkiego Uniwersytetu Narodowego imenia Wasyla Stefanyka (Ukraina). Udowodniono możliwości pedagogiczne w rozwiązywaniu określonych zadań pod czas prowadzenia lekcji języka angielskiego. Stwierdzono, że wypełnenie tej dyscypliny treścią prozdrowotną jest możliwe w następujących warunkach pedagogicznych: systematyczne i celowe dołączanie tematów, dotyczących zdrowego trybu życia, do treści kształcenia; właściwe wykorzystanie dodatkowej literatury, w szczególności materiałów autorów ukraińskich i polskich; tworzenie podręczników edukacyjnych i metodycznych dotyczących technologii korzystania z dodatkowej literatury w kształtowaniu zdrowego trybu życia w procesie edukacji i pracy pozalekcyjnej.

Słowa kluczowe: kształtowanie zdrowego tryb życia (ZTŻ), zajęcia z języka angielskiego, autorzy polscy i ukraińscy.

Introduction

The health of the younger generation has been and should remain a priority investment in the welfare of every nation (Al-Shehri, 2002). Due to the influence of bad ecological and social situations in many countries of the world, there is a deterioration in health, an increasing number of chronic diseases, and declining indicators of physiological and mental development of modern youth. At the same time, the effectiveness of students' education is determined by their ability to work, and their health in general. Experiences of loneliness, frustration and so-called stress diseases (cardiovascular diseases, hypertension, stomach diseases, visual impairment) can be observed in students' environments. Hyper dynamic due to the priority of "digital life" and excessive use of gadgets caused an informational impact on the minds of the young by means of the media, which often impose bad habits, promote the consumption of fast food, etc.

In the context of the study, we will consider another aspect of the problem, namely, Russia's large-scale military invasion of Ukraine in February 2022, which has led to a significant deterioration in the physical, mental, social, and spiritual health of most citizens. Periodic (and in some regions of the country systematic) shelling of civilian objects as well as the sounds of air alerts have a negative impact on the moral and emotional being of people. Ukrainians feel great support from all over the world, including Poles, who are close neighbors. Therefore, the study focuses on the works of scientists from Ukraine and Poland, dealing with the problems of forming healthy lifestyle habits.

It is extremely important to determine the main directions of the university's work on updating the content of education in the context of the introduction of healthy lifestyle technologies (St Leger, 1997). As we are convinced that the life and health of children and youth are the highest values and indicators of a civilized society (Budnyk & Mazur, 2017). Therefore, students' healthy lifestyle (HLS) formation is an important component of the educational process at any institution of higher education. This allows students to preserve and strengthen their own health and prepares them for health promotion in their forthcoming professional activity (Smolinska et al., 2020).

The authors identify some aspects of applying the potential of the content of the humanities (in particular, English) for the development of healthy lifestyle habits in university students (on the example of an educational institution in Ukraine).

The purpose of the article is to present the comparative results of the study of the formation of a healthy lifestyle among students majoring in "Biology" and "Primary Education", to analyze the technologies of students' HLF formation in English lessons and to present health-preserving works of Ukrainian and Polish authors which could be integrated into the content of English language classes.

Literature Review

The issue of HLS formation of children and young people is within the scope of many scientists' research. In our paper, we address some of the most influential ideas. Thus the works of O. Svyrydenko (2010), who analyzed the pedagogical conditions for healthy lifestyle education of teenagers at sports centers for children and youth, are of great value. O. Danysko (2015) summarizes the latest scientific approaches to the problem of healthy lifestyle formation among the young generation and specifies methodological and theoretical approaches to the formation of a healthy lifestyle among schoolchildren by means of physical education and sports. P. Mazur et al. (2018) devoted their work to promoting a healthy lifestyle among schoolchildren (comparative study between Poland and Ukraine).

Some papers are dedicated to various aspects of teaching the students of higher education institutions (HEIs) the fundamentals of a healthy lifestyle. V. Blanchard (2006) studied the health knowledge of student teachers. V. Bobrytska devoted her doctoral dissertation to theoretical and methodological basics of pre-service teachers' healthy lifestyle formation in the course of learning Natural Sciences. The author noted that the process of HLF involves the implementation by every student of their professionally motivated, conscious, long-term activities aimed at improving their inherited health reserves and correcting their individual lifestyle (Bobrytska, 2006, p. 11–12). The same ideas are presented by O. Bondarenko (2008), who researched the formation of valeological competencies of pedagogical university students in the process of their professional training, and L. Bezluga (2009) who considered the issue of self-directed work organization in the field of health culture formation among HEI students. W. El Ansari et al. (2011) assessed health promoting behaviours and lifestyle characteristics of students at seven universities in the UK, and compared differences in these parameters between males and females.

O. Sokolenko (2008) highlighted the role of HEIs in the formation of the students' healthy lifestyle. The scholar notes that good health and a high-level health culture are prerequisites for the effective performance of future professional health-promoting educational activities (Sokolenko, 2008, p. 3–4). L. Dudorova (2009) characterized the educational conditions for the formation of pre-service teachers' need in HLS in the process of Physical Education. T. Ivanenko (2011) studied the semantic-methodical aspects of the formation of female university students' positive evaluative attitude to health-improving activities. V. Yefimova (2013) analyzed the content of pre-service Natural Science teacher training as regards the performance of health-promoting techniques.

O. Martyniv (2015) defines the essence of the content and structure of health care culture, theoretically substantiates and experimentally verifies the effectiveness of the implementation of a set of pedagogical conditions and models of students' health care culture on the basis of interdisciplinary integration. V. Llorent-Bedmar & V. Cobano-Delgado (2019) studied the health education training of university students taking a degree in early childhood education. Many scholars have found out that keeping a healthy lifestyle and a responsible attitude toward their own health positively affect students' behaviour and actions. The research of N. Kravchuk (2017) is in line with I. Mardarova (2019) who emphasized the importance of efficient educational strategies and application of techniques in the formation of students' HLS.
Therefore, the problem of the formation of students' HLS is of great scientific interest. At the same time, there are few works presenting the comparative analysis of the techniques of forming students' health-preserving competencies. And this area of the research is, in

our opinion, quite promising. Among the surveys of this format, the article by M. Oliiar et al. (2020) takes a special place, as it highlights the comparative results of a study of the readiness of pre-service primary school teachers' and physical education teachers' for health promotion in educational institutions. H. Sivkovich et al. (2020) devoted their work to the comparative results of the study of the readiness of students majoring in "Primary Education" and "Preschool Education" to carry out health work in professional activities.

Despite the significant contribution of modern scholars to the development of study of the problem of students' HLS formation, we should admit a lack of works presenting a comparative analysis of the relevant pedagogical process and suggest constructive ways of improving it. In addition, the potential contribution of the so-called "unhealthy" subjects to students' HLF is poorly understood.

Methods

Research Design

Choosing between quantitative and qualitative methods, which are very popular in designing research and data analysis (Eyisi, 2016), we focused in our study on a mixed approach. The quantitative data (developed questions), enabled us to determine students' attitude to the issue of a healthy lifestyle and to assess the amount of their knowledge. We also employed qualitative methods to interpret students' opinions on the problem and summarise their experience. Descriptive statistics were used to summarise and systematise the survey data, to transform their qualitative characteristics into quantitative (numerical) ones. Visual methods (tables) were used in the process of data description. Traditional quantitative methodology (Shyroka, 2011) was applied to obtain reliable and valid results of the analysis of students' answers which were passed through the developed scaling procedure and given numerical values, after which the results were processed in the same way as quantitative ones, statistically.

Sample

The study involved randomly selected first-year students majoring in "Biology" (n=34, experimental group – EG) and "Primary Education" (n=86, control group – CG) at Vasyl Stefanyk Precarpathian National University. The initial survey was conducted in September-October 2020. We developed questionnaires for the students and performed statistical analysis of survey data. The study traced the motivational-value, intellectual-cognitive and behavioral criteria for the formation of a healthy lifestyle among students. To achieve the aims, the authors of the paper used a set of research methods: theoretical (summarisation; analysis and synthesis), empirical (observation, questionnaire, and interview), and visual (tables, diagrams).

Instruments and Procedure

The data collection included the use of a questionnaire that contained closed-ended and open-ended questions.

Data Analysis

The data analysis process was divided into several stages. At the first one, the students completed questionnaires and we conducted conversations and observation. After that, the authors of this research discussed the results of students' responses to open-ended questions. They collected quantitative data from the questionnaire surveys in the form of an excel sheet and analysed them statistically, providing percentages. At the final stage, all qualitative data obtained from the respondents (in the process of observation and conversation) were interpreted using a comparative method of analysis and coding techniques.

Ethical issue

In accordance with the ethical principles of scientific research, we informed the students majoring in "Biology" and "Primary Education" about the purpose of our survey, moreover we stressed that they had the right to refuse to participate in the experiment at any time. The questionnaire, to which the consent form was attached, did not contain any identifying information.

Results

Ukrainian scientists V. Bobrytska (2006), L. Dudorova (2009), N. Kravchuk (2017), V. Yefimova (2013), L. Slyvka (2014) identified the following criteria for the formation of students' HLS: motivational-value, cognitive and behavioral. The motivational-value indicator reflected students' awareness of their needs, interests, values regarding health and a HLS. In other words, it determined the students' views on the value of health, their desire to get social-hygienic knowledge and master healthy lifestyle skills, to succeed in life and professional activity, as well as their ability to abandon pernicious habits. The cognitive component highlighted the accumulated intellectual potential of students in the field of healthy lifestyle organization, that is, a combination of psychological, pedagogical and special knowledge necessary for strengthening and preserving one's own and other people's health. The behavioral criterion combined students' gnostic, prognostic, evaluative, design, communicative etc. skills and abilities, focused on a healthy lifestyle. It monitored the students' capacity for the implementation of a healthy lifestyle, their awareness of educational and preventive techniques, participation in health initiatives in their social environments, and their desire to fill their own leisure time with physical activities, useful things, work, creativity etc. This criterion showed the level of students' involvement in the holistic system of HLS or its elements, as well as their readiness for the preservation and promotion of health.

The initial survey was conducted in September-October 2020. Its results showed that the level of HLS formation among the first year students of both majors was almost the same by all criteria. Thus, the majority of students in both groups (92% in EG and 94% in CG) recognized the importance of keeping a healthy lifestyle in maintaining and strengthening their health (Table 1). The respondents' opinions on the close connection between a person's quality of life and a healthy or unhealthy lifestyle were also unanimous. 86% of the students in EG and 82% of the students in CG gave positive responses to this question. Almost all respondents gave negative answers to the questions "Would you like your children's future teacher to smoke (92% in EG, 94% in CG) or drink alcohol (100% in EG, 100% in CG)?" Only 8% of the students majoring in "Biology" and 6% of "Primary Education" students wrote that smoking was not a problem for them. These results show that their future children's health is a value for the students, they are prejudiced against a potential mentor of their own children who has bad habits and would be a "negative example" for them.

Table 1.
The results of the survey according to the motivational-value criterion.

Question option	*EG, %*	*CG, %*
Do you think that keeping a healthy lifestyle is important for maintaining and strengthening one's health?	92	94
Do you believe that a healthy (unhealthy) lifestyle affects a person's quality of life?	86	82
Would you like your own children's future teacher to smoke?		
– yes, I would	0	0
– no, I wouldn't	92	94
– the teacher's smoking is not a problem for me	8	6
Would you like your own children's future teacher to drink alcohol?		
– yes, I would	0	0
– no, I wouldn't	100	100
– the teacher's drinking alcohol is not a problem for me	0	0

Source: The survey was conducted by the authors of the article

The "cognitive" dimension of the formation of students' healthy lifestyle was determined by their responses to the questions presented in Table 2. 100% of the students from both groups proved the necessity of knowledge about a healthy lifestyle. 42% of the respondents from EG and 38% from CG understood the concept of a "healthy lifestyle" and knew its components. 36% of the participants from EG and 34% from CG were able to name the important forms of sport and healthy behaviour. When discussing the arguments against smoking and alcohol use, we received the following answers: "smoking causes disrespect to tobacco users" (12% from EG and 10% from CG), "smokers and alcohol drinkers often suffer from headaches" (14% from EG and 8% from CG), "smokers and alcoholics do not form strong families" (6% from EG and 8% from CG). Less than a third of the students from both groups were able to describe such concepts as "adequate nutrition" (24% from EG and 18% from CG), "health reserves" (12% from EG and 14% from CG), "risky behavior" (16% from EG and 18% from CG), "responsive behaviour" (20% from EG and 14% from CG), "ways of resisting social pressure" (12% from EG and 10% of CG). The students named the following negative effects of smoking: high blood pressure (20% from EG and 16% from CG), laryngeal tissue irritation ((22% from EG and 12% from CG), eye irritation (16% from EG and 18% from CG), vascular disease (28% from EG and 30% from CG), and respiratory disorders (16% from EG and 14% from CG).

Table 2.
The results of the survey according to the cognitive criterion.

Question option	*EG %*	*CG %*
Do we need knowledge about a healthy lifestyle?	100	100
How do you understand the concept of a "healthy lifestyle?" Name its components.	42	38
What are the important forms of sport and healthy behaviour?	36	34
Name harmful factors affecting human health:		
– smoking causes disrespect to tobacco users	12	10
– smokers and alcohol drinkers often suffer from headaches	14	8
– smokers and alcoholics do not form strong families	6	8
Describe the concepts:		
– adequate nutrition	24	18
– health reserves	12	14
– risky behavior	16	18
– responsible behaviour	20	14
– ways of social pressure resistance	12	10
What negative effects of smoking do you know?		
– high blood pressure	20	16
– laryngeal tissue irritation	22	12
– eye irritation	16	18
– vascular disease	28	30
– respiratory disorders	16	14

Source: The survey was conducted by the authors of the article

The next set of questions met the behavioral criterion (Table 3). The students had to choose between the healthy lifestyle components they performed in everyday life. The results of our study show that personal hygiene skills (skin-, teeth-, hair care, etc.) received high and medium levels of formation (76% from EG and 82% from CG), while only half of the students (52% from EG and 51% from CG) kept work and rest regimes – they altered their mental and work activities, ate regularly, and had sufficient rest. 34% of the students from EG and 36% of the teachers from CG mastered nutrition skills – healthy eating, the ability to determine and maintain the quality of food etc. 36% and 32% of the "Biology" students and 40% and 32% of the "Primary Education" students did their morning exercises regularly and were engaged in physical culture and health activities.

Table 3.
The comparative data on the formation of students' healthy lifestyle skills.

Healthy lifestyle skills	*Percentage of students according to the levels (%)*					
	EG			*CG*		
	High	Sufficient	Low	High	Sufficient	Low
– I do my morning exercises	14	22	64	20	20	60
– I regularly go in for sports, play games, do physical work	12	20	68	14	18	60
– I alter my mental and work activities, eat regularly and have sufficient rest	16	36	48	17	34	49
– I'm aware of healthy eating, can determine and maintain the quality of food	14	20	66	14	22	64
– I understand the basics of personal hygiene, take care of my skin, teeth, hair, etc.	36	40	24	42	40	24

Source: The survey was conducted by the authors of the article

We also note that among the respondents there were students who did not identify themselves with the role of a teacher and "a model of healthy lifestyle" for their future schoolchildren. 6% of the students surveyed from EG and 4% from CG wrote that they smoke a few cigarettes a day, 20% from EG and 16% from CG replied that they smoke a few cigarettes a week. 12% from EG and

14% from CG confessed that they sometimes drank alcohol with their friends; the number of those who drank alcohol at celebrations was 46% and 48% respectively. Only 2% of the students from each group were interested in health-promoting literature, none of the respondents could remember a book or an article highlighting the educational principles of healthy lifestyle formation.

Analysis of the state of the respondents' healthy lifestyle formation showed that, on the one hand, they understood the value of health and adequately assessed the impact of people's lifestyle on their quality of life. The motivational value set of answers proved this fact. On the other hand, students' knowledge of a healthy lifestyle and ways of maintaining it was fragmental and insufficient. Besides, many students did not keep a healthy lifestyle.

We explain this fact with insufficient attention to the problem of healthy lifestyle formation among university students, and a traditional approach to teaching and education. Besides, health issues are included in the content of studies of some special disciplines. These are: Anatomy, Physiology of Children with the Basics of Genetics and Valeology; Life Safety, Civil Protection; The Basics of Medicine; Valeological Education etc. (Sivkovich et al., 2020, p. 90), – their potential for the formation of a healthy lifestyle among students is limited. The results of the study prompted us to make some changes in the content of the studies of students majoring in "Biology". We decided to fill the content of the English language studies with health-preserving information. At English classes the students received health-promoting knowledge from various sources (textbooks, manuals, scientific research) written by Ukrainian and Polish authors. The students majoring in "Primary Education" studied English according to the traditional program.

Later, in April-May 2021, we conducted the final stage of the survey and conversations, which showed that the number of EG students with a high level of healthy lifestyle formation reached 52%, while in the CG such students accounted for only 24% (Table 4). These students understood the importance of a healthy lifestyle, had deep knowledge of the relevant conceptual and terminological apparatus, developed positive motivational and value orientation to keeping a healthy lifestyle. The students with an average level of healthy lifestyle formation did not have clear ideas of health-preserving behaviour, did not fully realize the importance of sufficient knowledge of ways of maintaining, strengthening and forming health. There were 36% of the first-year students in EG and 32% in CG who indicated an average level of healthy lifestyle formation. 12% of the respondents from the experimental group and 44% of the respondents from the control group were enrolled in the group with a low level of HLS formation. These students showed little interest in health-related problems, had fragmentary and one-sided knowledge of how to maintain and enhance health, and developed unhealthy lifestyle skills.

Table 4.
Comparative data on the healthy lifestyle formation of students according to the results of the final survey (%).

Percentage of students by levels					
EG			CG		
High	Average	Low	High	Average	Low
52	36	12	24	32	44

Source: The results of the study were obtained by the authors of the article

Thus, in the result of our experimental work we found out that EG students showed higher indicators of healthy lifestyle formation when compared to the students from the control group.

Discussion

O. Sokolenko notes that first-year students' awareness of health as a value is very often insufficiently formed and they do not know how to assess their own health adequately (Sokolenko, 2008, p. 11). Thus, low indicators of students' HLS formation according to the motivational value criterion (Table 1) at the ascertaining stage of the research were, to some extent, predictable. During their studies at the university, the students form a different active attitude to life, differing from that of the schoolchildren: the students assess their capabilities in a different way, they have a desire for self-education and self-improvement. Ultimately, this leads to the understanding of health as a value and develops a sense of responsibility for its maintenance (Sokolenko, 2008, pp. 3–4). Our work, focused on the formation of Biology students' ideas about health as a value, culminated in the ascertainment of positive dynamics of the formation of HLS on the motivational value criterion, as evidenced by Table 4.

The results of the study presented in Table 2 showed that only 10–25% of the students in both groups had some knowledge in the field of health preservation. The low level of the cognitive criterion on the formation of students' healthy lifestyle at the initial stage of their studies at university is explained by the fact, that the content of school curricula presents interdisciplinary integration of the relevant educational vector very sporadically (Martyniv, 2015, p. 6).

The low rates of formation of students' HLS by behavioral criteria, presented in Table 3, confirmed the conclusions of some scientists (Sivkovich et al., 2020, p. 94) that even a certain level of knowledge about the appropriateness of diet, nutrition, the harmful health effects of smoking or alcohol consumption etc., does not always result in sufficient individual activity for a healthy lifestyle.

Thus, we can conclude that the above differences in the levels of healthy lifestyle formation of students of EG and CG, which were identified by the results of the final questionnaire, are not accidental – they are a consequence of the implementation in the experimental group of certain educational prerequisites for healthy lifestyle formation.

One of these prerequisites concerns the integrity and continuity of the process of forming a system of knowledge, skills and abilities to organize students' HLS. In their works many scientists constantly emphasize the need to comply with this educational precondition. L. Dudorova believes that HLS formation is an interdisciplinary problem. Therefore, institutions of higher education should ensure this process takes place by implementing the interaction of many academic disciplines and students' activities (Dudorova, 2009, p. 32). The use of interdisciplinary integration techniques to deepen students' knowledge and skills about health and a healthy lifestyle is effective (Martyniv, 2015, p. 3).

The English language course has great potential for the students' healthy lifestyle formation. Scientific works by I. Avdieienko and O. Skryl (2012), and by I. Gribkova (2013) indicate this. The researchers emphasize that in English classes, alongside the formation of language and speech competencies, students can consolidate or deepen their knowledge of the basic principles of health maintenance, get acquainted with the world's latest studies in this field and, by means of communication, share the acquired health-preserving experience. Therefore, a student's work with health-preserving texts can be a starting point for the formation of his motivation for his own health improvement. Another educational precondition for students' healthy lifestyle formation is, according to L. Slyvka (2019), the introduction of high quality health maintenance information into the training courses and use of additional literature that would contribute to the "diversification" of the content of education. Adhering to this prerequisite, in English language classes we used the works by K. Bargiel-Matusiewicz & R. Dziurla (2019), A. Bogacz (2009), J. Drabik & M. Resiak (2009), S. Palamar et al. (2020), J. Szymborski et al. (2009), T. Vorontsova & V. Pononarenko (2011), B. Woynarowska (2011) and K. Zajączkowski (2005). We should add that English classes for the students majoring in Biology were conducted according to the content of the English language course "Speakout" by A. Clare & J. J. Wilson (2015). The health topics of the above literature were logically integrated in the topics of the sections of this publication.

Thus, while studying the topic "Free time", the students spoke about their leisure time activities. Music fans gave examples of the impact of music on health and well-being. The content of the dictation which we conducted during the study of the topic "Rest", was filled with information about safe and dangerous situations during active rest. While studying the topics "Transport" and "Travelling", the students discussed traffic rules. The topic "Health" covered the issue of making decisions about having a responsible attitude to their own and other people's health. During round table discussions, which we organized to study the topic "Healthy Food", the students shared experiences of choosing healthy goods, gave examples of buying products for healthy eating and announced different ways of cooking healthy food. The topic "Diseases" provided the students with knowledge of the rules of personal hygiene, told them about the impact of healthy behaviour and good habits on people's health, about the positive impact of an active lifestyle on the quality and duration of human life, about the risks and dangers of alcohol, tobacco, and drug addiction, about alternatives to bad habits – games with friends, playing sports, pursuing hobbies etc. When studying the topic "Living in a big city", the first-year students learned to make decisions about their own safe behaviour in view of situations involving strangers, simulated appeals for help to various services in case of dangerous situations. The topics "Mass Media" and "The Internet" served to form students' ideas about the rules of online communication safety, the consequences of reckless behaviour on the Internet etc.

The study of these topics contributed to the fact that students majoring in Biology, when compared to the students majoring in Primary Education, showed a higher rate of knowledge of health preserving content by almost 30% (Table 4). This positive result was also due to the fact that we tried to ensure the cognitive activity of EG students, introducing into the content of English classes discussions, debates, role-playing games, work with authentic scientific and popular science sources etc. These activities, as noted by scientists, stimulate creative and critical thinking of students and their ability to analyze, summarize and compare different points of view (Avdieienko & Skryl, 2012, p. 10–11).

As a result, the EG students proved that the information they had received and the format of its representation helped them perceive the concept of a healthy lifestyle more consciously, and developed in them a responsible attitude to their own health. About 50% of the students from this group said they were interested in finding the information they needed to stay healthy. Our observations are consistent with the study of S. Palamar et al. (2020), who believes that properly organized educational activities on the formation of a healthy lifestyle motivate students of higher education institutions to pursue self-education and self-improvement.

Conclusions

Students' healthy lifestyle formation is an important issue that needs to be properly implemented in higher education institutions (Tsependa & Budnyk, 2021). However, it is carried out mainly during the study of the so-called "health-preserving" disciplines. Their number in university educational programs is small. Besides, the objectives of these courses are not focused on the formation of a HLS among students. As a result, the formation of a HLS among students is very low, as evidenced by the results of the initial survey.

Motivation is the basis for students to acquire knowledge about maintaining and strengthening their own and other people's health. Appropriate knowledge is a means with which to form the intellectual potential of the individual regarding the organization of healthy living and the foundation of a healthy lifestyle.

To fill the gaps in students' knowledge, it is necessary to saturate as many educational courses as possible with health-preserving content. This makes it possible to expand the boundaries of the educational environment, which would increase the desire of preservice teachers to gain more knowledge about health and its preservation and lead a healthy lifestyle. Learning English takes a special place in the implementation of these tasks, as students' language and speech competence can be developed by means of topics with health maintenance content. The positive dimension of using the opportunities of this course is further enhanced by the fact that the content of English classes can be filled with information from additional literature. It "diversifies" the content of learning.

Texts by Ukrainian and Polish authors used during English lessons (K. Bargiel-Matusiewicz & R. Dziurla; A. Bogacz; J. Drabik & M. Resiak; S. Palamar et al.; J. Szymborski et al.; T. Vorontsova & V. Pononarenko; B. Woynarowska; K. Zajączkowski) helped to increase the level of knowledge and skills of students from the experimental group in the context of having a responsible attitude to their own and other people's health, traffic rules and safe and dangerous situations during active rest, to healthy food and a balanced diet, personal hygiene, the risks and dangers of alcohol, tobacco, drug use, safety rules for online communication etc.

It is proved that the effectiveness of HLS formation of students depends on compliance with the following educational conditions: systematic and purposeful inclusion of health-preserving topics in the content of education, filling the content of academic disciplines with interesting, diverse, health-oriented information, use of additional literature by Ukrainian and Polish authors and lastly the creation of educational and methodical manuals about the techniques for the use of additional literature on HLS formation during the educational process and in extracurricular work.

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National existence in the cycle of R. Otarbayev's stories "Gosters from China"

НАЦИОНАЛЬНОЕ БЫТИЕ В ЦИКЛЕ РАССКАЗОВ «ГОСТИНЦЫ ИЗ КИТАЯ» Р. ОТАРБАЕВА

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Abstract

The object of the article is traditional and artistic Kazakh culture. The subject is the manifestation of the national tradition in the story "White Heavenly Butterflies" from the cycle "Hotels from China" by the modern Kazakh writer Rakhimzhan Otarbaev. The material for the article is the creative heritage of the writer. Much attention is paid to the folklore and Sufi traditions in the work, which are expressed both explicitly and implicitly. The research methodology is reduced to a holistic ontohermeneutical analysis aimed at highlighting the folklore, ethnographic paradigm of this story. Much attention is paid to the musical code in the story, since for the Kazakh culture music is the primary element from which the universe, the world tree, is born. The results of the study are to identify the cultural potential of the story of a modern Kazakh writer for further study of the national image of the world of Kazakhstan. The results of the work can also be used in teaching courses on the culture and literature of the peoples of Russia and the CIS countries, cultural studies, and philosophy.

Keywords: Kazakh culture and literature, folklore, Sufi tradition, symbol, national image of the world, R. Otarbaev.

Аннотация

Объектом статьи выступает казахская культура, традиционная и художественная. Предметом является проявление национальной традиции в рассказе «Белые небесные бабочки» из цикла «Гостинцы из Китая» современного казахского писателя Рахимжана Отарбаева. Материалом для статьи служит творческое наследие писателя. Большое внимание уделяется фольклорной и суфийской традиции в произведении, которые выразились как эксплицитно, так и имплицитно. Методология исследования сводится к целостному онтогерменевтическому анализу, направленному на высвечивание фольклорной, этнографической парадигмы данного рассказа. Уделяется большое внимание музыкальному коду в рассказе, поскольку для казахской культуры музыка является первоэлементом, из которой зарождается вселенная, мировое древо. Результаты исследования заключаются в выявлении культурного потенциала рассказа современного казахского писателя для дальнейшего изучения национального образа мира Казахстана. Результаты работы также могут быть использованы в преподавании курсов по культуре и литературе народов России и стран СНГ, культурологии, философии.

Ключевые слова: казахская культура и литература, фольклор, суфийская традиция, символ, национальный образ мира, Р. Отарбаев.

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Introduction

It is always difficult to describe someone else's national cosmos, since a "journey" into a different national existence is equated with death: a researcher of culture must abstract from his national image of the world, in the language of G. D. Gachev, and sink beyond the waterline of national existence, approach other being. But, according to the scientist, this is always a "not graceful" and apophatic thing, since the researcher runs the risk of being dissolved in the apeiron of this culture: "the national character of a people, thought, culture is a very cunning and difficult to grasp matter. You feel that it exists, but as soon as you try to define it in words, it often disappears…" (Gachev, 2008, p. 46). However, due to the integrativity of cultural studies as a science, it is precisely for a cultural scientist that it is possible through literature, history, culture, philosophy to form a holistic view of someone else's national cosmos. As I. V. Kondakov notes, culturology "...doesn't quite fit into the theoretical discourse" and already includes such aspects of knowledge as artistry, philosophy, politics and associativity (Kondakov, 2005, p. 13), which indicates its syncretic nature. But it is precisely this syncretic character that makes it possible to turn to different spheres of humanitarian knowledge, different forms of art and penetrate deeply into the national existence of any people.

Materials and methods

Reflections on the national image of the world of the Russian and Kazakh peoples in their comparative vein can also be productive in the ontohermeneutic analysis of the artistic cosmos of the two cultures, since both in Russia and Kazakhstan, literature is closely connected with the folklore tradition and mythological ideas about the world. Of course, the nature of this connection is different, the question always arises about the forms of folklorism (researchers have long raised the question of secondary and latent forms (Smirnov, 2001; Nalepin, 2009, pp. 280-281). But immersion in cultural poetics obliges the researcher to take into account this fact of on going cultural vertical transmission. Turning to the creative heritage of the modern Kazakh writer Rakhimzhan Otarbaev, known in Russia for the translations of his works published in thick literary magazines [Youth, 2016, Roman-gazeta, 2017 (Otarbaev, 2019b), we must apply the method of ontohermeneutic analysis aimed at identifying national "a priori" in his work, since Otarbaev belongs to the type of writers who are closely spiritually connected with the history and even historiosophy of their people. In Russia, the writer became widely known precisely due to the publication of his story "The Lament of Genghis Khan" in the magazine "Youth": "In this work, the writer turns to his story, reflects on hoary antiquity, showing the problems of modernity through a large historical plan" (Dudareva, 2019, p.4). But this article is devoted to another famous cycle of the writer - "Gifts from China", translated into several languages of the world, and the central work from it - the story "White Heavenly Butterflies".

Results

The plot of the story is extremely understandable and simple, from an everyday point of view: two lovers, Dauren, a trousers merchant at the bazaar, and Alima, who sells cheap water at the same bazaar, cannot be together, since everyone lives a hard poor life and each chooses acceptable conditions of existence. The young man betrays his beloved and marries, under pressure from his elders, the daughter of the owner of the bazaar, which turns into a tragedy for everyone, namely the death of Alima. This story, on the one hand, is about the difficult life and customs of the Kazakh people, on the other hand, it is about the moral choice of a person, about the spiritual side of life, which people forget about in the hustle and bustle of days. But there is something eternal that calls a person, apophaticly manifests itself in the real life and reminds of itself through some details and symbols. We understand apophaticism here, following the thanatologist philosopher K. G. Isupov, as a property of being, as something incomprehensible, sacred, which prepares a person already in the bottom world for a meeting with the Other: "the extra-mundane meaning of the sacred Meeting "accumulates" in the bottom space sanctified being" (Isupov, 2010, pp. 558-559). In such an ontological context, the work turns out to be a semantically charged image-symbol of white butterflies - these are the souls of the ancestors, to which the girl Alima joins, and as a result of the tragedy, the main character Dauren. Butterfly as an intermediary between the world of the living and the dead, it is difficult to catch, but it is a symbol of the beauty of the world, inaccessibility and invisibility, the butterfly appears at the turning point in Dauren's life: a vision that came from another world. My eyes tingled, as if they were covered with apple flowers" (Otarbaev, 2019a, p. 740). The path of a hero is the path of a suffering, growing soul, the path of a butterfly.

What is the genealogy of this image in Otarbaev's story? Studying the early Kazakh folklore, we find the kuy of the same name "Kөbelek", from which the dance subsequently grew, it was staged in 1959, and it entered the repertoire of the Kazakh State Philharmonic named after Zhambyla (Kaliyeva, 2017, p. 28). But, perhaps, Rakhimzhan Otarbaev, who knew folklore well, being a professional philologist, transferred this state of folk dance to the metaphor “the path of a butterfly”, “circling / fluttering of a butterfly”. Butterflies appear in Dauren’s dream at the very beginning of the story: “Again chasing white butterflies, exhausted, withering his throat, he woke up” (Otarbaev, 2019a, p. 730). And this image is connected leitmotifically with the symbol of water, which the main character constantly lacks: “... Disappearing-appearing, arising-disappearing, he walked for a long time. Towards the market. And so every day. Thirst, unquenchable thirst haunts...” (Otarbaev, 2019a, p. 736). In addition, the reference, which precedes the story, to Firdowsi's thought about the labor of an ant, his patience, which brings a sweet life, is interesting and not accidental, to which Saadi, another Sufi classic, also drew poetic attention:

How sweetly the impeccable Ferdowsi conveyed,

May his pure resting place be blessed,
Don't disturb the ant dragging the seed
Because he has a life and a sweet life. (Otarbaev, 2019a, p. 730)

The ontological state of the hero is hidden in the semantics of the name Dauren, it is also ambivalent: the young man, on the one hand, constantly thinks about the future, looking for a better life, selling trousers at the market, taking care of his piglet and how he would not be deprived of his income: “Dauren, whom we are talking about, was selling trousers in a huge bazaar in a big city. A huge bazaar, but on a small patch, where the basin of a skinny tomato trader could barely fit. He laid out in piles, causing ripples in his eyes, white, blue, black pants ...” (Otarbaev, 2019a, p. 731). On the other hand, he is in a state of eternity, merges with it, tormented by an unquenchable thirst (of love), when he meets the beautiful Alima, who supplies water: “Even souls were traded here, and he would never have entered this quagmire of his own free will ... But here was Alima. The same girl selling water at the entrance to the bazaar, between whose eyebrows exactly in the middle there is a mole the size of a millet grain. Yes, yes, she! Every time I sold trousers, I drank her water several glasses in a row” (Otarbaev, 2019a, p. 732). The situation is archetypal in nature - the water is tasty (for a young man, a potential groom), it quenches thirst when the hero is in love, loves this world and is satisfied with little, although for others it is yellow and unusable (this is how Syrgaly, the daughter of the owner of the bazaar, characterizes her).

Water in Kazakh folklore is associated with life and death, it can bestow immortality. Let us recall the Kazakh fairy tale about Iskander and the water of immortality, which the hero could not drink, because, although he conquered the whole world, he didn’t overcome human vices (Kostyukhin, 1972, p. 157). But this Kazakh tale is free from moralizing, “reproaches to Iskander for greed and insatiability” (Kostyukhin, 1972, p. 157), the reader himself draws a conclusion. So Rakhimzhan Otarbaev doesn’t condemn the hero, but subtly leads the reader to comprehend the moral choice of Dauren, on the one hand, betraying his beloved Alima, who was expecting a child from him, on the other hand, marrying the rich daughter of the owner of the bazaar for the material prosperity of his family, old mother.

The symbolism of water is closely connected with the sound musical code in the story - Alima laughs loudly when Dauren comes to her for water. The girl's laughter is likened to a ringing that awakens love in the hero's soul: “There was a ringing laugh. Not just laughter, but the sound of broken glassware that filled the air. Since then, he began to look not for water, but for this ringing, pleasing to his ear. Ringing! – and now, invisible to the eye, it splashed in the air” (Otarbaev, 2019a, p. 732). In Sufi religious beliefs, which greatly influenced Kazakh culture, much attention is paid to sound, music: “music becomes” suitable for souls” and is able to influence them by virtue of its correspondence to what is already in the soul” (Fedorova, 2014, p. 68). Dauren's soul was already in anticipation of love, the hero was constantly thirsty, which sounds like a leitmotif in every part of the story. After meeting with Alima, Dauren hears this wonderful ringing that makes him live, but after his betrayal, the hero ceases to be attached to the music of the spheres and therefore his being tends to death: “I smiled, but the glassware did not break. She surrounded herself with an invisible sadness” (Otarbaev, 2019a, p. 737). Sufi philosopher Hazrat Inayat Khan notes: “He who knows the secret of sound knows the secret of the whole universe. The sound of the abstract always continues inside, around and around a person. As a rule, a person does not hear him because his consciousness is completely focused on material existence" (Khan, 1997, p. 342).

"The artistic thinking of the people is intertwined with its ethical ideas, clothing the ethical views of people in specific sensual images merged with such ideals as honor, valor, nobility, kindness" (Kulbekova, 2008, p. 255), notes the researcher of the culture of the Kazakh folk dance. So, in the story with the symbolic title "White Heavenly Butterflies" life and being are intertwined, where the latter is manifested through symbols, secret signs sent by Allah to the hero on the path of his tariqa. The task of Rakhimzhan Otarbaev as an artist is to lead the reader to a moral choice, and not to condemnation. The path/dance of the white butterfly is the path of the human soul in the realm of two worlds.

Conclusion

Immersion in the national space of Kazakhstan through literature, namely the works of the modern writer Rakhimzhan Otarbaev, is productive in terms of cultural comparison of different national images of the world, in our case, Russian and Kazakh life. The prose of the modern writer is deeply symbolic, inspired by the national folklore tradition, filled with Sufi symbolism, which creates an ontological plan in the story "White Heavenly Butterflies". Exits to the symbolic space are carried out with the help of the image-symbol of white butterflies, the motif of water and unquenched thirst, the sound (glassy laughter of a girl) associated with the music of the national cosmos.

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Technical and economic efficiency of led lights in green crops

ТЕХНИКО-ЭКОНОМИЧЕСКАЯ ЭФФЕКТИВНОСТЬ ПРИМЕНЕНИЯ СВЕТОДИОДНЫХ СВЕТИЛЬНИКОВ НА ЗЕЛЕННЫХ КУЛЬТУРАХ

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Abstract

Year-round provision of fresh vegetables and green products to the population of Russian regions of 1 and 2 light zones remains an important social and economic task, despite the modern devel-opment of logistics. The need to provide fresh crop production in the context of the COVID-19 pandemic has increased. Agro-industrial greenhouses still rely mainly on traditional light sources. The purpose of this scientific study was therefore to assess the effectiveness of modern LED lights in finishing salad plants in a closed ground relative to traditional sodium light sources. The scientific hypothesis of the research carried out was a thesis about the possible effectiveness of light-emitting diode phytoplants with peak values of red (660nm) and blue (440nm) light spec-trum in comparison with traditional sodium light in artificial finishing of vegetables of protected soil. The study revealed the production, commercial and energy efficiency of salad plants from the plant lamps tested. The study resulted in practical recommendations for producers and further research on the subject.

Keywords: LED phyto-lights, effective phyto-lighting, closed ground, lettuce yield.

Аннотация

Круглогодичное обеспечение населения регионов России 1 и 2 световой зоны свежими овощами и зеленной продукцией остается важной социально-экономической задачей, несмотря на современное развитие логистики. Особенно выросла актуальность задачи обеспечения населения свежей продукцией растениеводства в условиях пандемии COVID-19. В агропромышленных теплицах до сих применяются в основном традиционные источники света. Поэтому целью данного научного исследования стала оценка эффективности современных светодиодных светильников при досвечивании растений салата в закрытом грунте относительно применяемых традиционно натриевых источников света. Научной гипотезой проводимых изысканий стал тезис о возможной эффективности светодиодных фитосветильников с пиковыми значениями красного (660нм) и синего (440нм) спектра свечения по сравнению с традиционным натриевым освещением при искусственном досвечивании овощей защищенного грунта. В результате исследования была выявлена производственная, коммерческая и энергетическая эффективность фитоосвещения растений салата на базе тестируемых фитосветильников. В итоге исследования выработаны практические рекомендации для производителей и определены дальнейшие направления научных исследований по данной тематике.

Ключевые слова: светодиодные фитосветильники, эффективность фитоосвещения, закрытый грунт, урожайность салата.

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Introduction

The objective of this scientific study was to assess the effectiveness of modern LED lights in finishing salad plants in protected soil relative to the traditional sodium light sources used. A scientific hypothesis was the possible effectiveness of red-blue LED phytoplants compared to DNAT/DNAZ sodium lamps in artificial illumination of protected vegetables. In order to achieve this objective, the following objectives have been achieved:

1. The production experience was carried out for growing lettuce plants in two versions of artificial supplementary lighting: traditionally used lighting with high-pressure sodium lamps and modern LED lighting.
2. A comparison is made of the productivity of the lettuce harvest when using LED lamps produced by LLC «GC «CET» (Perm) and traditionally used gas-discharge lamps (type DNAZ).
3. The energy saving effect of the LED artificial finishing system application is evaluated.

Year-round provision of fresh vegetables and green products to the population of Russian regions of 1 and 2 light zones remains an important social and economic task, even in spite of the modern development of logistics. The need to provide fresh crop production in the context of the COVID-19 pandemic has increased. Its solution is possible by developing modern agribusiness based on protected soil. On the world market, the share of all greenhouse products is growing, increasing by 10% annually. Recently, the development of the domestic greenhouse sector has also seen a significant acceleration. As noted by M. N. Polyakova, Y. C. Martirosyan, A. A. Kosobryukhov, according to the Ministry of Agriculture of the Russian Federation, the area of winter greenhouses in Russia has reached 1.88 thousand hectares by the beginning of 2014. The average vegetable yield was 28 kg/m^2 (Polyakova, Martirosyan & Kosobryukhov, 2015).

Optimizing the light regime of vegetable crops is of particular importance in order to increase the efficiency of indoor production, crop productivity and crop quality. Vegetable production, especially in winter, is known to rely heavily on pre-cooking.

While LED lighting in the segment of the so-called «white light» almost completely displaced luminescent and other light sources, on the market of artificial finishing of agricultural and decorative plants in the modern industrial-type hothouses are now still dominated by traditional light sources. Agrarian mentalities have always been cautious and cautious innovators and have favoured proven technologies over technological innovations that carry potential risks in addition to potential benefits (Innovative techonologies of light, 2021).

Until recently, production hothouses were mostly equipped with lamps based on sodium and/or mercury lamps with maximum radiation ranges of 550-600 and 450 nm. The group of researchers G. D. Massa, H. H. Kim, R. M. Wheeler, C. A. Mitchell emphasize that there is increasing interest in the introduction of lighting systems based on light-emitting diodes with great potential as additional or sole lighting sources for agricultural crops (Massa, Kim, Wheeler & Mitchell, 2008).

LED lighting is being actively researched and discussed by scientists and specialists around the world. Despite the growing interest of the world agricultural industry in the theme of closed-field vegetable crops, there is still a lack of verified research on this subject in the Ural region. The effective use of LED irradiators in greenhouses hinders their implementation in practice. It follows from the above that the relevance of the studies under this article is which is planned as a prelude to a whole cycle of research on the effectiveness of LED lighting in industrial greenhouses and measures for its improvement and development in the agro-industrial complex of the Russian Federation as a whole.

Literature review

At present, traditional sources of additional artificial light for vegetables and other closed soil crops dominate the market (according to the author's preliminary marketing research up to 80-90% of the market), due to a number of objective reasons: 1) a clear and proven technology that allows programming of planned yields and other results of use (this pre-processing technology has been applied for about forty years); 2) a relatively affordable cost of acquisition.

At the same time as proven strengths, traditional light bulbs have a number of serious disadvantages: 1) the light spectrum of photosynthetic active radiation generates few waves of blue light spectrum, necessary for crops during the growing season and also insufficient red light spectrum necessary for vegetables to harvest fruit; 2) during operation, the radiation of sodium lamps is shifted to the heat zone, that, with the same electricity consumption, there is absolutely no effect in the increase in yield; 3) the temperature of the combustion of gas-discharge lamps reaches 250°C, resulting in deterioration of the microclimate of the greenhouses and of plant burns; 4) the useful and effective life of traditional sodium lamps is five times shorter than that of modern LED fitting lamps; 5) gas-discharge lamps are environmentally hazardous and require a special recycling procedure; 6) traditional sources of phytophote, through the use of electromagnetic start-up and control devices, consume 10 % or more of the electricity than declared in nominal power.

A. A. Emelin, L. B. Prikupets, I. G. Tarakanov note that irradiators with a combination of red and blue LEDs are offered for growing salad and green crops, with the proportion of radiation in the red (630–690 nm) being 65–95% and in the blue (430–470 nm) - the remaining 5–35% (Emelin, Prikupets & Tarakanov, 2015).

Researchers M. Olle and A. Viršile emphasize that the use in plant production of light-emitting diodes with a high level of light emission and different spectral composition of radiation has revealed a diverse and not always clear reaction of plant species and varieties to narrowband radiation (Olle & Viršile, 2013). Scientists O. V. Avercheva, E. M. Bassarskaya, T. V. Zhigalova, Y. A. Berkovich, S. O. Smolyanina, M. R. Leontyeva, A. N. Erokhin, I. G., Tarakanov, O. S. Yakovleva, I. O. Konovalova, S. O. Smolyanina, M. A. Pomelova, A. N. Erokhin, O. S. Yakovleva, I. G. Tarakanov, S. Muneer, E. J. Kim, J. S. Park, J. H. Lee are convinced that narrowband radiation can modulate plant growth, development and morphogenesis, affect photosynthetic structure and activity, overall metabolism, biomass accumulation and chemistry (Avercheva, Bassarskaya, Zhigalova, Berkovich, Smolyanina, Leontyeva & Erokhin, 2010; Tarakanov & Yakovleva, 2011; Konovalova, Berkovich, Smolyanina, Pomelova, Erokhin, Yakovleva & Tarakanov, 2015; Muneer, Kim, Park & Lee, 2014).

Within the scope of this article, research has been carried out on a salad crop that is widely in demand in the consumer market and is cost-effective. A. V. Butkin notes that the salad (*Lactuca sativa* L.) is an exceptionally useful vegetable crop, the technology of which in production has been brought almost to perfection (Butkin, 2013). World and domestic practice shows that most salad products are produced in protected ground using artificial lighting sources. The light culture of salad is of particular relevance in the regions of the middle band of Russia, the Urals and northern regions. I. V. Dalke, A. V. Butkin, G. N. Tabalenkova, R. V. Malyshev, E. E. Grigorai, T. K. Golovko state that, on the basis of many years of observation, crop estimation and experiments with different lighting regimes, it is possible to determine the optimal parameters for the finish of leaf lettuce by mirror high-pressure sodium lamps, which ensure the production of marketable products in different seasons of the year (Dalke, Butkin, Tabalenkova, Malyshev, Grigorai & Golovko, 2013).

Materials and methods

The following scientific methods were used in the research: monographic, scientific experiment, comparison of data, systematic analysis and synthesis of data, analysis of expert estimates, and analysis of tabular and graphic methods of visualization and interpretation of the information analysed.

The activities of the author's experimental study were carried out in the following sequence and logic:

1. In order to carry out a comparative study of the physiological-biochemical characteristics of leaf lettuces (*Lactuca sativa* L.), the plants are grown at a temperature of 24± 2 °C and the CO_2 content in the air is about 400 ppm. The lighting regime is chosen on the basis of recommendations for cultivation of the crop in closed ground. Plants are grown by the method of flowing hydroponics in plastic pots with a peat mixture by the conveyor method in production conditions of agricultural enterprise LLC «Truzhenik» (Perm Region, Russia). Planned full-cycle production of plants (turnover) is about 45 days.

To accomplish the tasks set, there are two options for growing plants. The first assumes cultivation in greenhouses on tables under full LED lighting conditions using ECOLED-BIO-112-185W-D120 UniversaLED phyto-lamps (Option 1). The second method is aimed at growing plants under illumination with gas-discharge lamps (type DNAZ), with an additional supply of natural light, which is determined by weather conditions during the cultivation cycle (Option 2).

Taking into account the area of one LED lamp ECOLED-BIO-112-185W-D120 UniversaLED about 0.14 m^2, 12 LED lamps (in three rows of 4 pieces) were used to support the experiments. For the relevance of the scientific results, the test plots were isolated from the luminous flux from other light sources.

The spectral characteristic of artificial and natural light sources will be determined using a portable spectroradiometer UPRtek MK350S, radiometer TKA-PKM (Russia). Recording of daily changes in the luminous flux to the plant cenosis was carried out.

The regulation of the light regime (intensity, photoperiod) was carried out taking into account the actual receipt of photosynthetically active radiation from the used LED lamps provided by the manufacturing company LLC Group of Companies Light and Electric Technologies (LLC GC LET).
During the turnover, the microclimatic conditions of plant growth (light regime, temperature, humidity, CO_2 in the air) and the state of plant material were regularly documented. Intermediate determinations of biomass accumulation and functional indices of the assimilation apparatus (by non-damaging methods) were carried out after the arrival of about 40-50 MJ / m^2 PAR to the cenosis.

2. At the end of the turnover, the growth parameters, linear and mass characteristics of the leaf apparatus were determined for the formed plants. A comparison is made of the productivity and quality of the lettuce harvest produced with the use of LED and gas-discharge lamps. The laboratory determined the content of nutrients and the economically useful part. Also, within the framework of the experiment, it was supposed to test the market hypothesis about the high marketability of the resulting crop (its full suitability for sale in terms of sensory organoleptic properties).
3. During the period of the experiment, using the Mercury 230 ART-01-RN electric meters, separate metering of electricity was organized in the area supplemented by LED and sodium lamps.

Results

1. The variability of the luminous flux from LED luminaires was low, the coefficient of variation was within 20%. This indicates a uniform influx of photosynthetically active radiation from LED phytoirradiators, which positively influenced the formation of a cenosis uniform in height and density.

To determine the growth parameters, 20 plants of each variant were randomly selected. Plants were divided into aboveground and underground parts, weighed and dried at 70 ° C. Growth parameters, linear and mass characteristics of the aboveground part and root system were determined in plants.

Formed lettuce cenoses had a leaf index of about 6 (normal agronomic index) (Figure 1). This leaf area is capable of absorbing up to 95% of the incident light. The location of the lamps ensured a uniform distribution of light over the cenosis surface. This is evidenced by the value of the coefficient of variation, which did not exceed 20%.

Figure 1. The appearance of the cenosis of lettuce plants when illuminated by LED lamps ECOLED-BIO-112-185W-D120 UniversaLED.

The appearance of the agrocenosis of lettuce plants cultivated under traditional lighting visually looked somewhat worse than the plants supplemented with LED phyto-lamps (Figure 2). The use of LED irradiation of the lettuce plants resulted in a richer green light and a slightly richer visual perception of the volume of the leaf mass.

The PAR intensity at the plant level in December was 80–90 µmol quanta / m^2 s, in January at midday sundial the illumination could reach 120–130 µmol quanta / m^2 s PAR. During the first cycle of growing plants under LED lamps, they were receiving 240 mol quanta / m^2, which is equivalent to 54 MJ / m^2 of light energy. In the second rotation, due to a slight decrease in the suspension height of the lamps and an increase in natural insolation, the plants were receiving 35% of PAR bigger than in December.

Figure 2. The appearance of the cenosis of lettuce plants, supplemented traditional sodium lamp.

The illumination intensity of traditional sodium lamps and LED luminaires is shown in Table1.

Table 1.
Illumination intensity according to experiment options.

Lighting options	Total, lux	Active photon flux in the blue and red spectrum
Active photon flux in the blue and red spectrum	7080	1 420,0
LED phyto-lamps "ECOLED-BIO-112-185W-D120 Univer-saLED"	7757	5330

As can be seen from the table, with an increase in the total photon flux of only 9.6%, the option of supplementary illumination of lettuce plants provided an increase in photosynthetically active radiation in the blue and red spectrum by 3.75 times, while traditional light sources spent most of their energy on infrared light (heat) and on the yellow-green part of the spectrum visible to the human eye.

2. Improvement of the light regime has increased the quality of the harvest, the leaf blades of the lettuce had a normal shape, density and size. Under the conditions of LED lighting, lettuce seedlings have appeared on the third day, the data on the length of the plants were as follows. Comparative data on the growth characteristics of lettuce grown on LED and traditional light sources are shown in Figure 3.

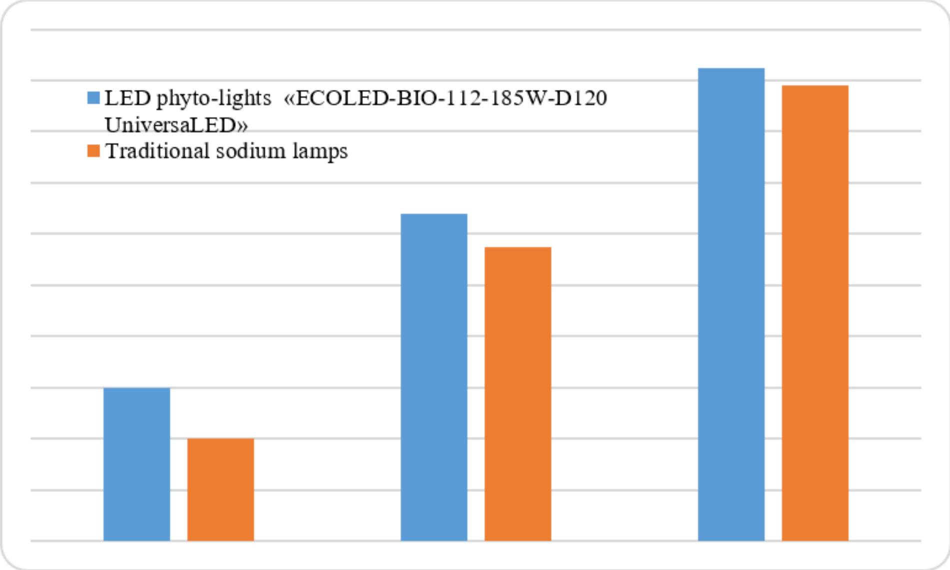

Figure 3. Comparative data on the growth characteristics of lettuce grown on LED and traditional light sources.

The weight characteristics of lettuce plants obtained as a result of the production experiment are shown in Figure 4.

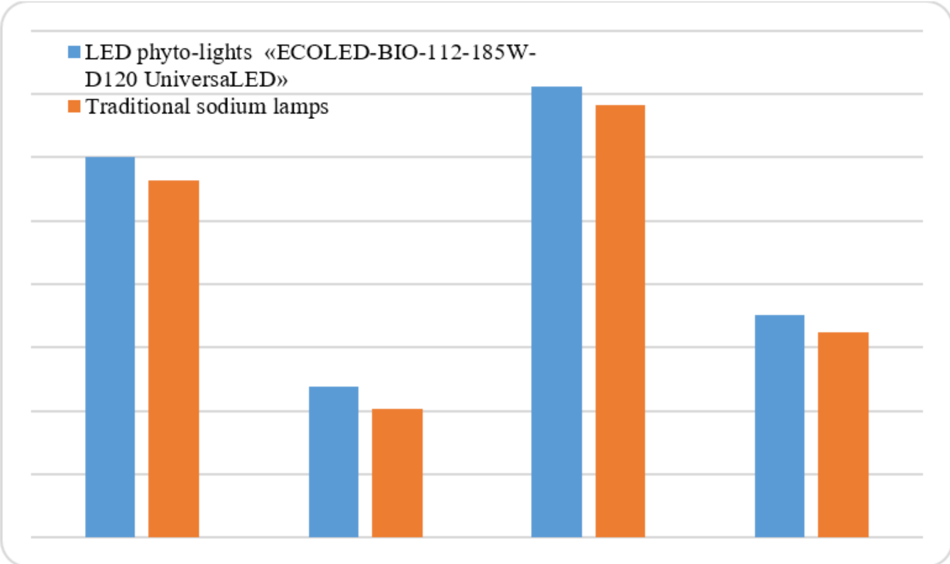

Figure 4. Comparative data on the weight characteristics of lettuce grown on LED and traditional light sources, grams.

By the time of harvest, the average height of the lettuce cenosis was approximately 23 cm (from the base of the pot to the top of the plant's leaf blade), the specific surface density of the leaves was 0.15 g / dm^2, and the leaf index was 6. The aboveground mass of freshly picked lettuce in each package sold for sale (a pot with three plants) averaged 70 g. The share of the root system did not exceed 5% of the aboveground part (Table 2). The lettuce yield was about 4.2 kg / m^2.

Table 2.
Indicators of salad productivity in traditional and LED winter lighting.

Lamp	Average mass of lettuce with pot, g	Average length of above-ground part of lettuce, cm	Average mass of above-ground part of lettuce, g
DNAZ «Reflux S400»	136,6	17,8	64,7
«ECOLED-BIO-112-185W-D120 UniversaLED»	142,4	18,5	70,1
Difference in mass (size), grams	+ 5,8	+ 0,7	5,4
Difference in mass (size), %	+4,2	+ 4	8,4

As can be seen from the Table 2, the total increase in the average mass of a salad plant together with a pot as a result of the application of LED lead was 5.8 grams or increased by 4.2%. The average size of the sheet became 0.7 cm or 4%. The most important indicator for technological and consumer use above ground increased by 5.4 grams or by more than 8%.

It should be noted that in the variant with irradiation of plants with traditional lamps, the growth rate of plants was lower in the first half of the 45-day experiment and slightly higher in the second half of this period. This fact provides some food for thought and for further research in order to increase the efficiency of LED lighting, for example, due to programmable intelligent changes in the light spectrum at different stages of morphogenesis.

This thesis can be confirmed by the fact that despite the significant, almost fourfold difference in the efficiency of LED lamps in the active spectrum of radiation in the blue and red spectrum, the increase in yield is characterized by only a few percent of the increase in leaf mass of lettuce.

From the point of view of A. Amoozgar, A. Mohammadi, M. R. Sabzalian, in production conditions, LEDs can be used not only to increase yields, but also to improve the nutritional value of salad plants (Amoozgar, Mohammadi & Sabzalian, 2017).

According to scientifically recommended consumption standards, a portion of 100 g lettuce provides up to 30% of the daily human demand for beta carotene (Provitamine A), about 10% of the recommended dose of plant polyphenols, 36% of manganese, 14% of potassium, 9% of chromium, about 5% of calcium, magnesium, phosphorus and iron (Unified sanitary, epidemiological and hygienic requirements for products subject to sanitary and epidemiological surveillance (control), Chapter II. Section 1. Fruit and vegetable products (Decision № 299, 2010). Consumers, controlling organizations and producers are naturally interested in the content not only of useful nutrients, but also safety indicators for unwanted substances, particularly nitrates.

Laboratory data from analyses of physico-chemical indicators of quality and biological value of the produced salad products show that the above-mentioned methodological recommendations are in compliance with the established standards (Table 3).

Table 3.
Nutrient content of lettuce leaves grown under LED lights, mg / 100 g

Soluble sugars	275±12	Phosphorus	38± 13
β- carotene	1.4±0.2	Magnesium	15±5
The amount of polyphenols	24.2±0.2	Iron	0.35±0.10
Potassium	344±138	Manganese	0.72±0.09
Calcium	52±20	Chromium	0.005±0.001

At the same time, the content of nitrates in the biomass of lettuce plants grown under LED lamps in winter didn't exceed the maximum permissible level, averaging 3740 mg / kg, which is almost 17% lower than the maximum permissible level.

The physicochemical composition of the lettuce harvest obtained using traditional light sources was characterized by absolutely comparable, similar values, including for nitrates (according to the experimental method, the cultivation technology hasn't been changed, only the lighting varied).

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The aboveground part of lettuce plants obtained as a result of this industrial and scientific test, was successfully sold on the consumer market of Perm Region at the market price prevailing at the time of sale.

3. As a result of the entire period of the experiment, the following results were obtained on energy consumption in test areas with traditional and LED lamps (Table 4).

Table 4.
Comparative electricity consumption in the area with LED phyto-lamps and sodium type DNAZ

Applicable lamps	Power consumption of the tested plot, kW
DNAZ «Reflux S400»	3460,8
«ECOLED-BIO-112-185W-D120 UniversaLED»	1373,1
Savings when using LED supplementary lighting, kW	2087,7
Savings when using LED supplementary lighting,%	60,3%

When replacing sodium lamps of the DNAZ type with LED lamps in a one-to-one ratio, it turned out that a 185-watt LED lamp can replace a 400-watt sodium lamp. At the same time, under the conditions of the set experience, the relative energy savings amounted to about 60%, or in absolute terms, 2087.7 kW.

Discussion

Despite a fairly large volume of fundamental scientific research in the field of using LED phytolight to increase the efficiency of agricultural production in hydroponic conditions and a fairly large number of production tests of LED lamps of various brands, there is still no unequivocal opinion on this issue among scientists and practitioners today.

According to the research of Professor I. G. Tarakanova, as well as O. S. Yakovleva, there is no universal photon flux spectrum that is equally suitable for all agricultural and ornamental plants. In addition, the same culture needs photosynthetically active radiation of different spectrum and intensity at different phases of its growth and development (Tarakanova & Yakovleva, 2011). The authors of this article fully agree with this opinion; indeed, at present, there are still no systemic developments on the use of photoculture as an adaptive technology for specific agricultural crops (in particular, industrially significant cucumber and tomato) for specific greenhouses located in different climatic conditions and different geographic segments of the consumer market.

To date, the effectiveness of LED lighting on green crops, in particular on salad, has been relatively studied and proven. This is proved by the works of Chinese scientists K. H. Lin, M. Y. Huang, W. D. Huang, M. H. Hsu, Z. W. Yang, C. M. Yang (Lin, Huang, Huang, Hsu, Yang & Yang, 2013). However, practice shows that the main crops that are the locomotives of the greenhouse industry – cucumber and tomato – are still cultivated in the Russian Federation under conditions of traditional sodium lighting. The same goes for one of the most profitable greenhouse industries, the floriculture industry.

Scientists M. Johkan, K. Shoji, F. Goto, S. Hahida, T. Yoshihara confirm the fact that the main effect of the use of LED phyto-lighting is provided by a reduction in energy consumption (Johkan, Shoji, Goto, Hashida & Yoshihara, 2010). This thesis is well known regarding not only phyto-lighting, but lighting in general. LED lamps solve the same problems as sodium lamps with more than twofold energy savings.

N. Gruda says that the most powerful factor limiting the development of the market for phyto-lamps based on LEDs is their relative high cost (Gruda, 2005). If energy savings are achieved at the level of more than two times, then the price of an LED phyto-light is three times higher today than that of a traditional lamp based on sodium lamps.

Therefore, in addition to saving energy, LED lighting can also affect the increase in the yield of irradiated crops. Therefore, as B. Mou emphasizes, an important point in favor of the practical use of LED phyto-lamps is that they are capable of providing an effective spectrum of photosynthetically active radiation, which is directly necessary for the plant (Mou, 2008). If sodium lamps give a peak of the photon flux in the middle of the visible spectrum of illumination (yellow-green colors), which are not decisive for photosynthesis, then in phyto-lamps the emission spectrum is shifted towards the so-called blue and red light. According to the authors, it is the possibility of varying the spectral properties of the luminaire that is the most important advantage of LED lighting systems.

According to the authors of the article, in addition to purely economic and technical factors that impede the widespread introduction of LED phyto-lighting fixtures in industrial complexes, organizational and managerial factors and thinking stereotypes of practitioners are of great importance. Indeed, when introducing LED lighting instead of traditional sodium lighting at an agricultural enterprise, it is necessary to take into account not only the financial aspects of its acquisition, but also the interests of agronomic, energy and engineering services.

Q. Li, C. Kubota state that in the modern world the desire of the population for proper nutrition with environmentally friendly products and responsibility for the state of the environment is growing more and more (Li & Kubota, 2009). In this aspect, LED phyto-lighting also outperforms gas-discharge lamps that require a special disposal procedure.

The main effect of the use of LED phyto lighting is provided by a reduction in energy costs. This thesis is well-known regarding not only the subject of phyto-lighting, but also lighting in general. LED lamps solve the same problems as sodium lamps with more than twofold energy savings.

The most powerful factor limiting the development of the market for phytolamps produced on the basis of LEDs is their relative high cost. If energy savings are achieved at a level of more than two times, then the price of an LED phytolamp today is three times higher than that of a traditional lamp based on sodium lamps (Figure 5).

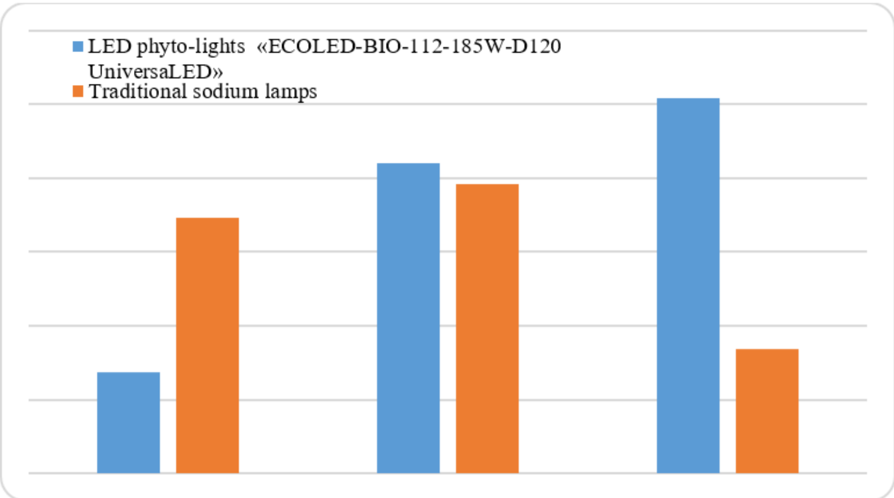

Figure 5. Summary of final technical and economic data production experience.

According to the results of the presented study, the benefits of using LEDs in growing green crops are, first of all, revealed in more than twofold energy savings, and secondly, in a small increase in yield.The opposite factor is the pricing characteristics, Figure 4 clearly shows that the initial investment cost of implementing LED lighting is about three times more expensive than using traditional high pressure sodium lamps. At the same time, the calculations of the authors show that with an average cost of electricity of 6 rubles per kW, the return on investment in LED lighting will come in less than four years with a warranty period of 5 years for the equipment.

Therefore, in addition to saving electricity, LED lighting can also affect the growth of the yield of irradiated crops. Therefore, an important point that speaks in favor of the practical use of LED phyto-lamps is that they are able to provide an effective spectrum of photosynthetically active radiation, which is directly necessary for the plant. If sodium lamps give a photon flux peak in the middle of the visible light spectrum (yellow-green colors), which are not crucial for photosynthesis, then in phytolamps the emission spectrum is shifted towards the so-called blue and red light. According to the authors, it is the possibility of varying the spectral properties of the lamp that is the most important advantage of LED lighting systems.

According to the authors of the article, in addition to purely economic and technical factors that prevent the widespread introduction of LED phytolamps in production complexes, organizational and managerial factors and stereotypes of thinking of practitioners are important. Indeed, when introducing LED lighting instead of traditional sodium lighting at an agricultural enterprise, it is necessary to take into account not only the financial aspects of its acquisition, but also the inte-rests of agronomic, energy and engineering services.

In the modern world, the desire of the population for proper nutrition with environmentally friendly products and responsibility for the state of the environment is increasing. In this aspect, LED phyto-lighting outperforms gas-discharge lamps, which require a special disposal procedure.

In general, despite the difficulties in the development of the market for modern phyto-lighting systems, most experts and scientists believe that the future of the greenhouse industry is all about LED phyto-lighting, which in the coming years will replace traditional sodium lighting on the market.

Conclusions

Within the framework of this article, a self-sufficient scientific study was carried out where the set goal was achieved to assess the comparative effectiveness of the use of modern LED phyto-lights when supplementing lettuce plants in greenhouses with respect to sodium light sources traditionally used by greenhouse farms. This study confirmed the initial thesis (scientific hypothesis of the article) about the effectiveness of LED phyto-lights of the red-blue spectrum in comparison with sodium lamps DNAT / DNAZ under artificial lighting of protected ground vegetables.

In the conclusion of the scientific study, the following conclusions were made.

1. The mass of lettuce grown under LED phyto-lights of the ECOLED-BIO trademark was 8.3% higher than on the site using the conventional lighting technology with sodium gas-discharge lamps of the DNAZ Reflux S400 type.
2. The salad grown under the LED lamps ECOLED-BIO had a high level of quality both in terms of organoleptic and physicochemical indicators. In general, the appearance of green salad products was sufficiently marketable, which made it possible to fully realize it (with the exception of products selected for laboratory quality tests).
3. The use of the LED supplementary lighting system for lettuce plants allowed to reduce the power of lighting equipment by more than two times while maintaining and even improving the quality of the luminous flux (photosynthetically active radiation). As a result, the level of electricity consumption when using LED phyto-lights was 2.52 times less than in the version with sodium gas-discharge lamps DNAZ Reflux S400.

As a result of the use of LED lighting, the profitability of operating activities is significantly increased both due to the growth of revenues and due to the reduction in energy costs. Unfortunately, specific economic indicators are a commercial secret of the companies LLC Truzhenik and LLC Group of Companies Light and Electric Technologies (LLC GK SET), therefore the authors cannot bring them in a clear logical sequence in this article, but in general, calculations show that the payback on the purchase of LED phytolamps is about three to four years with a guaranteed useful life of 5 years.

Summarizing the above, the author's recommendation for manufacturers of green salad products is to introduce modern LED phyto-lighting systems at their enterprises.

The authors see a wide range of interdisciplinary (agronomic, technical and economic) research as opportunities for further scientific study to improve the efficiency of LED greenhouse lighting: 1) development of optimal technologies for the production of various crops of protected soil in the conditions of using LED light culture; 2) selection of the optimal spectrum of radiation for various plants and phases of their vegetation and various technologies of LED supplementary lighting, including combined methods using both LED and sodium lamps; 3) the possibility of reducing the cost of production and other pricing characteristics of LED phyto-lights; 4) improving the efficiency of lighting using modern research and development in the framework of the IOT (Internet of things).

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"Digital turn" in art and the problem of entelechy of modern poetry

«ЦИФРОВОЙ ПОВОРОТ» В ИСКУССТВЕ И ПРОБЛЕМА ЭНТЕЛЕХИИ СОВРЕМЕННОЙ ПОЭЗИИ

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Abstract

This article is devoted to two processes in modern society - digitalization and apophaticization. We are witnessing a “digital turn” in contemporary art, which leads to its massization and makes it more accessible, but at the same time, a person becomes metaphysically detached, cannot penetrate the aura of art, feel it metaphysically, which leads to the desacralization of great works of painting and literature. However, literature exists in a large dialogue of cultures, it contains the entelechial principle, that is, the meanings and codes of other eras and cultures. In the center of the research is the problem of the entelechy of culture, which requires axiological and ontological study. It is the entelechial principle in culture that makes it possible to withstand the onslaught of digitalization and technocratization. Research methodology: a holistic analysis of a literary text in the ontohermeneutic way with the use of a semantic research method. An otnohermeneutic analysis of a literary work, the poetic book "Tyutchev's Swans" by the Russian poet A. Shatskov, allows us to understand how entelechy manifests itself in modern culture.

Keywords: modern literature, folklore, entelechy, digital turn, apophatic, creativity of Andrey Shatskov.

Аннотация

Данная статья посвящена двум процессам в современном обществе — цифровизации и апофатизации. Мы наблюдаем «цифровой поворот» в современном искусстве, который ведет к его массовизации и делает более доступным, но в то же время человек становится метафизически отрешенным, не может проникнуть в ауру искусства, почувствовать его метафизически, что ведет к десакрализации великих произведений живописи, литературы. Однако литература существует в большом диалоге культур, в ней заложено энтелехиальное начало, то есть смыслы и коды других эпох и культур. В центре исследования находится проблема энтелехии культуры, которая требует аксиологической и онтологической проработки. Именно энтелехиальное начало в культуре позволяет противостоять натиску цифровизации и технократизации. Методология работы: целостный анализ художественного текста в онтогерменевтическом ключе с привлечением семантического метода исследования. Отногерменевтический анализ литературного произведения, поэтической книги «Лебеди Тютчева» русского поэта А. Шацкова, позволяет понять, как проявляется энтелехия в современной культуре.

Ключевые слова: современная литература, фольклор, энтелехия, цифровой поворот, апофатика, творчество Андрея Шацкова.

Introduction

Today we are witnessing the process of massization of art, we understand that a “digital turn” is taking place before our eyes, which, on the one hand, has expanded our possibilities

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regarding the accessibility of art (we don't buy a ticket to Paris to get to the Louvre, but join some online excursions), on the other hand, art is desacralized, a person falls out of the bosom of sacred cosmology, and often there is no need for a serious cultural-philosophical analysis of the existence of art in the virtual space. However, along with digitalization, there is also a reverse process - apophaticization. A person is becoming more and more metaphysically detached, more and more moving away from the Absolutes of culture, the apophatic horizon of which is becoming ever higher. We cease to understand much in art, which for us today performs an entertaining function. But through myth and folklore, entelechial principles in culture, we can again approach the incomprehensible in the verbal space of Russian culture. Let us turn to the problem of the entelechy of culture and the work of the contemporary Russian poet Andrei Shatskov in this aspect.

Talking about the entelechy of culture still requires an appeal to the very concept of "entelechy", which back in the 1990s. caused controversy in the scientific community (more on this in the article by the philosopher V.P. Vizgin (Vizgin, 2017). Of course, it is worth returning to the origins, to the works of Aristotle, in which entelechy is perceived as the essence (soul) of the body (Aristotle, 1976). However, modern researchers from various fields of humanitarian knowledge continue to rethink this concept after the publication of a well-known article by the historian G.S. Knabe "Entelechy of Culture" (Knabe, 1994). In this work, the concept of interest to us was associated with the problem of the dialogue of cultures, continuity between cultures, the mechanism of their change. But first of all, attention is drawn to the fact that the scientist does not seek to give a specific definition of entelechy, pointing to its inner content, which we are able to experience intuitively (Danilova, 1994, p. 202). But this "elusiveness", or apophaticism (we will designate it this way), the antinomies and paradoxes inherent in the concept itself, should not confuse a researcher following the paths of ontological thought (Vizgin, 2017, p. 8).

The entelechy of culture is the driving force of culture, or the impulse that manifests itself rhizome in its sacrum. One of the definitions of G.S. Knabe formulated it as follows: "... the absorption by a certain time of the content, character, spirit and style of a past cultural era on the grounds that they turned out to be consonant with another later era and were able to satisfy its internal needs and demands" (Knabe, 2000, p. 19). The entelechial beginning of Russian culture can be understood through logos, since Russia has always been a logocentric country. Literature, according to the ideas of the leading philologists and culturologists of our time, both domestic (I.V. Kondakov, A. Ya. Flier (Saint Petersburg University, 1997, p. 251), and foreign (Kosovska, 2020, p. 100), is one from the first it transmits cultural meanings, being a part of the cultural text, which lends itself to hermeneutic reconstruction. Modern philosopher V.P. Vizgin also tries to comprehend the problem of the entelechy of culture through Russian poetry and quotes A. Akhmatova's words about I. Annensky's poem "The Bells": "a grain was thrown into them, from which then sonorous Khlebnikov poetry grew" (Vizgin, 2017, p. 15). But entelechy is both a "seed", a "source", and an imagining, that is, a "high" manifestation of the Absolute in the Other, that is, an entelechy process in a culture of bidirectional action: into the future and into the past. In the article we mentioned, V.P. Vizgin, let us single out one more conceptually important observation: "To be the "source", "beginning" of the germination of the future and to maintain integrity with all the multipath versatility - in this we intuitively see the "work" of a genius" (Vizgin, 2017, p. 15). However, the "work" of a genius, who, by the way, is always apophatic, incomprehensible, is not only prophetic in nature, he must not only anticipate the future of culture, but also understand the lessons of the past, fully perceive and assimilate the intonations of the past in his soul. In this context, the observation of the symbolist poet A. Bely from the 1909 article "The Emblematics of Meaning" is indicative: "What is really new that captivates us in symbolism is an attempt to illuminate the deepest contradictions of modern culture with colored rays of diverse cultures; we are now, as it were, living through the whole past: India, Persia, Egypt, like Greece, like the Middle Ages, come to life, rush past us, as epochs that are closer to us rush past us" (Bely, 2010, p. 57–58).

Materials and methods

Let us turn to the work of the contemporary Russian poet A. Shatskov, the author of the famous Lament for Russian Poets. The poet is on soil positions and believes that literary centrism will remain in Russia, as he says in his interview to Literaturnaya Gazeta: "I sincerely hope that the collapse of the "connection of times" can occur in any country, but not in Russia" (Shatskov, 2020). This article provides a holistic ontohermeneutic analysis of the new book of poems by the modern Russian poet A. Shatskov

"Tyutchev's Swans", aimed at highlighting the entelechial potential of this artistic text of culture, which allows an ontological approach to the questions of the creative process itself, to delve into the understanding of the being of the artist of the word. A semantic analysis has been carried out, the purpose of which is to determine the symbolic space, subtext in the book of a modern poet.

Results

In the Russian version of logocentrism, myth, folklore and literature are soldered, which form a vertical transmission of culture: literature "adopts" the knowledge of folklore and myth, always entering into a creative dialogue-dispute with tradition. Folklorist V.A. Smirnov writes about it this way: "a kind of "argument" with folklore is taking place, its dialectical "negation", of course, with elements of "removal", that is, productive assimilation of those potentialities that lie hidden in folklore" (Smirnov, 2001, p. 4). Modern poetry, which is difficult to think about today, since the cultural distance between the artist and the recipient has not yet been properly developed, nevertheless, also exists within the framework of tradition, the entelechial principle, which can manifest itself latently in artistic creation.

About Andrei Shatskov's poetic book "Tyutchev's Swans" one could say with the words of Fet: "This book is small // The volumes are much heavier." The book has only 16 pages, which is not typical for modern book literary production. However, history is hidden in it, the subsoil depth of our people, in the language of the Russian philosopher I.A. Ilyin (Ilyin, 1959, p. 135). The book, and this is precisely the book that is integral in its content, semantic tension, consists of a triptych. The first part, historical, is dedicated to the distant bloody days of the Mamaev battle. The poet, focusing on the figure of Zakhary Tyutchev, known from the "Tale of the Battle of Mamaev" and some oral traditions, leads the reader on the righteous path of a distant relative of the great poet:

Carrying on the Kulikovo field
Testament of the fathers from the darkness of ages:
About faith, valor and will,
And overcome the enemies!
And in the blue, spreading its wings,
Accompanying the prince's army,
An abundance of swans flew -
Detachment of Heavenly Knights!.. (Shatskov, 2020, p. 8)

And here for the first time, in passing, the image of swans appears, to which, as it were, the new poetic book of A. Shatskov is dedicated. On the one hand, the reader, together with the lyrical hero, becomes a witness to historical events, deceit, battles and victories, on the other hand, in the first part of the triptych, a historiosophical, ontological plan arises:

It's done! Earrings on birches
The autumn breeze blew
When regiments with victory - Sergius
I met Kremnik at the gate.

And you, Zakhar, with a two-fingered hand
On otchuyu, returning, howl
Raised - to an unknown grandson
Bless the way ahead! (Shatskov, 2020, p. 8)

And this path must and will run like a red thread through the fates of other heroes, another Tyutchev, an unknown grandson.

The second part of the book is already addressed to the manor space, the Tyutchev family estate, which was formed at the end of the 18th century:

Heavier chains - poets fate
In Russia, covered with frosty dust...
But proudly in the shield of the family coat of arms
The swan's white wings are flattened!

Their brood splashes in the treasured pond,
And walks in squadron formation in a circle ...
I will come to them to say goodbye with a bow.
And I will cut off a loaf of bitter bread. (Shatskov, 2020, p. 10)

This fragment shows that the poet is well acquainted with the history of the Tyutchev family, pays great attention to details, mentioning the family coat of arms with wings in the center of the composition. The image of swans unites the phenomenal and noumenal spaces: swans in the sky guarding the "knights squad", swans on the Tyutchev family coat of arms, a symbol of purity, and finally, real swans, the inhabitants of the estate. Where does this love for swans come from? Where are the roots of this image? Here we can raise the question of the entelechial principle, which is explicitly and implicitly manifested in these verses. It is noteworthy that in the art laboratory of Andrei Shatskov we also find in the poems of previous years the image of a swan associated with the feminine principle, for example, in "The Swans of the Blok" ("And in the yearning swans of the Blok // I again imagined you!"). The poet always connects "top" and "bottom", thus building the necessary vertical of culture, through which one can open up the noumenal, the world of eidos. It is worth paying attention to the apt remark of the philosopher V.P. Vizgin about the need to keep in mind the concept of "eidos" associated with the problem of the entelechy of culture (Vizgin, 2017, p. 14).

It is noteworthy that the poet is organic in the classical poetic and pictorial traditions. In this entelechy context, Pushkin's Swan Princess from the famous "Tale of Tsar Saltan" and the mysterious and mythological "Swan" by M. Vrubel are recalled. In general, the image of a swan is characteristic of our national space. S. Yesenin associated the essence of the Logos with him, pointing out in the 1918 treatise "The Keys of Mary" to the special connection between the word and the ancient symbol-sign: "The tie of poetic ornaments is subject to everyone ... our Boyan could not help but give an image to fingers and strings, likening the first ten falcons, and the second to a flock of swans" (Yesenin, 1997, pp. 197–198). The artist of the word is obliged to hear the word, to bring this word out of the farthest distances (the entelechy of culture). It is with this testament that the triptych of the book "Tyutchev's Swans" ends:

History stood at the threshold
Silently
and in the essence of the night
His road wound through the Bryansk region
In Europe, of which to the edge of the river
The heart aspired, returning again
In dense bushes of willow and birch...
And the poet carried the word from far away
And he carried it to this day! (Shatskov, 2020, pp. 12–13)

Conclusion

Digitalization in contemporary art requires axiological and ontological understanding, since this process is associated with the transmission of culture, that is, the transfer of sacred knowledge from one generation to another. It seems to a modern person that he can touch great works of art through the media environment without leaving his room, that is, in the online broadcast mode. However, the massification of art also leads to its desacralization. But in Russia, the artist of the word is endowed with an entelechial perception of reality, which allows him to prophetically turn to the future and analyze the past from historiosophical positions. On the one hand, he enters into a dialectical dispute with tradition, on the other hand, the poet's work is always permeated with an entelechy impulse, which either manifests itself brighter or fades away. In modern poetry, a vivid manifestation of the entelechy of culture is the work of the poet-soiler A. Shatskov, namely his new book "Tyutchev's Swans", where the author immerses the reader in different historical eras - from Ancient Russia to modern times close to him. But these eons are "sewn together" by the archetypal image of a woman, an ideal lover, the idea of high love, which fits into the concept of Russian cosmic Eros. Talking about the entelechy of culture allows us to radically reconsider some issues related to the apophaticism of artistic creativity, since both require cultural perception - we are talking about cultural a priori given by Genesis, God to every people. However, the relationship between the concepts of "entelechy" and "apophatic" requires a more detailed study and a separate study.

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