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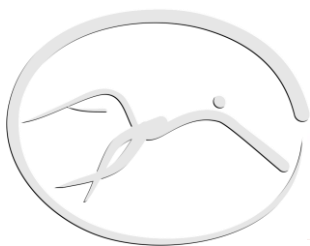
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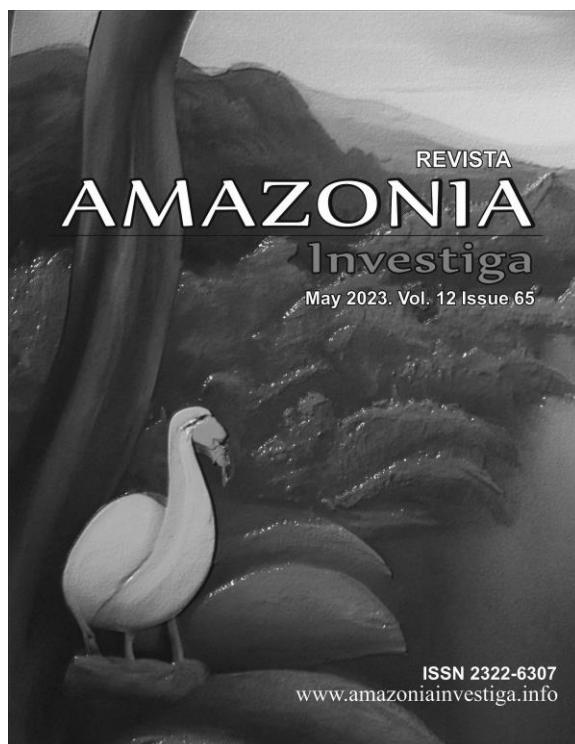


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The artist's biography in the postmodernism epoch

Біографія митця в епоху постмодернізму

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Abstract

The objective of the article is to analyze the genesis and age transformation of the artist's biography; to distinguish the role of a creative personality's chronicle in the late 21st century; to justify its significant role implementing the anthropological concepts of the period. Research methodology: systemic – by comprehensive solution of the research issues with the involvement of science and methodological elaborations of humanitarian study; culture studies – by identifying the mutual relations between public and spiritual processes; historical – by the grasp of the specifics of the chronicle's establishment and development; comparative – by comparing the biographies of various centuries; analytical – by considering sources in accordance with the publication issue; theoretical generalization – by summarizing the research results. The article is dedicated to considering the artist's biography of the Postmodernism epoch. The Postmodernism synthesized elaborations of the preceding eras and on that basis altered the established views on the chronicle's essence. The genre obtains new functions, i.e. communicative, civilizational, synergetic, etc.; it reveals the era's controversies having occurred due to the lack of moral ideals, ethics and aesthetics canons and personified leaders. The key task of the biography is realizing the macrocosm structure

Анотація

Метою статті є – проаналізувати генезу та вікову трансформацію біографії митця, виявити її функції при інтерпретації антропологічних ідей певної доби; висвітлити типологічні, парадигмальні, змістові ознаки жанру постмодернізму; з'ясувати роль життєпису креативної персони у другій половині XX століття, довести, що він відіграє вагомому роль в імплементації антропологічних концептів доби. Методи дослідження: системний – комплексно вирішуючи завдання роботи, залучаючи науко-методичні напрацювання гуманітаристики; культурологічний – студіюючи взаємозв'язки між громадськими й духовними процесами; історичний – опановуючи специфіку становлення та розвитку літопису; компаративний порівнюючи життєписи різних віків; дискурсивний – висвітлюючи підходи осягнення сутності означеного жанру; біографічний – аналізуючи буття героїв певних епох; аналітичний – осмислюючи джерела за темою публікації; теоретичного узагальнення – підводячи підсумки праці. Авторами доведено: постмодернізм синтезував напрацювання європейської цивілізації, й на цьому підґрунті змінив усталені погляди на сутність життєпису. Мислителі віку прагнуть вписати героя до лінійної історії, експлікувати носієм

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through recognizing the microcosm of a non-ordinary profile.

Key words: biography, master, the Postmodernism, historical epochs, European culture.

Introduction

The 21st century was marked by transformation of nearly all the spheres of an individual's vital activity. The society encountered humanistic issues focused on preserving the European civilization's identity, confirming its elaborations; solving complicated anthropocentric requirements; seeking the further pathways of *homo sapiens*. One of the solutions of the aforementioned problems is the involvement into cooperative spiritual recollections, individual achievements of unique profiles having identified the social evolution vector by their vital creativity. Within this context, it is important to study and to interpret the master's chronicle, i.e. the genre capturing a personality's ontology given through the prism of historical events and the key concepts of the era.

Within the development of biography studies, researchers distinguish the epochs chronologically coinciding with the cycles of human development. Various ideas, public requirements implemented via personified texts illustrate social structure and individual concerns embarrassing the world's community at a certain stage of being. The analysis of global biographical science background demonstrates the ratio of miscellaneous factors, such as the following: describing a prominent person's being and the grasp of their philosophy; reflecting the paradigmatic basics of the century; implementation of their postulates in artistic opuses; reflection of cultural heritage of the preceding historical epochs.

The new challenges of the 21st century update the study of the Postmodernism master's chronicle, as the beliefs of the abovementioned era have become the foundation of shaping the contemporary civilization period. Nowadays, scholars research diverse sense and disciplinary aspects of its structuring and entity in order to

універсальних онтологічних смислів, кодів та ін. Жанр отримує нові функції: комунікативну, цивілізаційну, синергетичну й т.д.; висвітлює протиріччя доби, проявлених у відсутності моральних ідеалів, етико-естетичних канонів, персоніфікованих лідерів. Головне завданням життєпису – зрозуміти устрій макрокосмосу через осягнення мікркосмосу неординарної постаті.

Ключові слова: біографія, митець, постмодернізм, історичні епохи, європейська культура.

obtain epochal experience contributing to solving current philanthropic questions.

The objective of the article is to analyze the genesis and age transformation of the artist's biography and to reveal its functions in the course of interpreting anthropological ideas of a certain epoch; to distinguish the role of a creative personality's chronicle in the late 21st century; to justify its significant role implementing the anthropological concepts of the period.

Literature review

Contemporary European view captures a burst of personified research. Ukrainian scholars accomplish their studies within the context of forefront global tendencies. Thus, national biographic study investigates multifaceted dimensions of the chronicle discourse. The creative aspect of the genre was observed by V. Bondarchuk (2017), V. Datsenko (2021), V. Klymychuk & Moisiienko Ya.V. (2007), O. Muratova (2020), L. Mykulanynets (2022a) and some others; culture study – by V. Menzhulin (2011), L. Mykulanynets (2015), O. Popovych (2011), M. Tymoshenko (2020), S. Tyshko (2019) and some others; literature study – by Iu. Marinesko (2014), L. Reva (2009), O. Kharytonenko (2017) and some others; artistic – by I. Akinshyna (2020), T. Cherkashyna (2015); scientific – by U. Hrab (2016), S. Liashko (2013), M. Minakov (2015), O. Onufrienko (2011) and some others; intellectual – by V. Andreiev (2011), V. Vashchenko (2009), V. Levchenko (2016) and some others.

Understanding the notion of biography acquires significant importance within the Postmodernism period. The abovementioned era transformed nearly all the spheres of human practice, and that influenced the personality's chronicle being

integrated in various fields of humanitarian knowledge. A. Aleksentseva-Timchenko, & A. Melnikov (2020) interpret it as a sociological research tool; N. Dichek (2016) – as a polyculture dialogue means; O. Ilchenko (2021) distinguishes the content and the principles of its implementation in historical and pedagogical studies; L. Mykulanynets considers the fundamental Postmodernism categories (2017), their embodiment within the master's biography (2022b), etc.

While summarizing the key ideas of the analyzed research, it is worth mentioning the following: nowadays, the existing types of biography were investigated to a certain extent, as well as its social functions, interaction with anthropological genres, etc. However, the master's chronicle of the late 20th century alongside with prognosticating the ways of its further development require detailed mastering.

Methodology

Systemic – by comprehensive solution of the research issues with the involvement of science and methodological elaborations of humanitarian study; culture studies – by identifying the mutual relations between public and spiritual processes; historical – by the grasp of the specifics of the chronicle's establishment and development; comparative – by comparing the biographies of various centuries; discourse – by revealing the approaches of recognizing the essence of the aforementioned genre; biographic – by the analysis of being of the profiles referring to certain epochs; analytical – by considering sources in accordance with the publication issue; theoretical generalization – by summarizing the research results.

Results and discussions

Biography is the oldest genre of European civilization having emerged in the Antiquity period (approximately in the 5th – 4th centuries B. C.). Its first patterns did not describe a certain individual, but they introduced a generalized type of a personality and revealed their dominating characteristics. At the stage of chronicle formation, emphasizing the moral, socially significant qualities of a character and presenting the human ideal were specific.

The extended biographical opuses occur within the Hellenistic period, i.e. narrations containing information on the profiles of a definite polis. As usual, they were prominent colonels, monarchs, artists (poets, philosophers, nomadic singers,

etc.). The feature of such patterns is the lack of reference to documental sources, as the artworks demonstrated their authors' outlooks and revealed social requirement for an ideal personality instead of depicting the issue object reasonably.

The founder of the biography within the contemporary idea of the definition was an ancient Greek philosopher, Plutarch. In his work, "Comparative biographies", he formulated the laws of their composition having become a stage for the European philanthropic tradition; i.e. the description contained the data concerning the individual's origin, their family members; the youth years, life stages and death were being analyzed. The key methodological principle is the reflection of the profile's essence, the spirit of the time, realizing the actions aimed at serving the public well-being and not personal interests.

The following generations of the philosophers of the era perfected the humanistic basics of the chronicles. The latter has established itself as an autonomous historical and literature genre. It is characterized by the following: the synthesis of the artistic portrayal of the profile and the authenticity of material supply; integration of ontological events in the general sociocultural framework of a certain polis. The ideal of the chronicle implemented via chronicles was manifested by the subject being in harmony with the macrocosm and their personal inner world, fair, virtuous and free. The aforementioned features illustrate the philanthropic basics of the epoch and capture the author's grasp of the narration by means of literature, rhetoric and philosophy laws.

This is the way serious awareness of biography, interpreting it as a phenomenon able to represent cultural temporal features are accomplished, and these happen through a prominent person's being (the chronicle object), and the narrator who demonstrates the key concepts of the century through the prism of personal outlook, theoretic postulates of the philosophical school he used to belong to. The fact of chronicle characters being the representatives of artistic elite enables justification of the emergence of the artistic type of the genre under consideration. The established laws of the chronicle will be fundamental for European civilization.

In the Middle Ages, spiritual and social trends that transformed individual chronicles altered. Theocentricism is known as the key outlook principle of the era, while achieving spiritual immortality is the ideal of a person's existence in

this world. Religious canons and dogmas define the life system of those times' humans. The history of a personality demonstrates philanthropic and Christian positions. They are exposed to distinct laws: the author gives data referring to the character's birth, their parents; depicts both childhood and youth period; accentuates focus on the maturity stage of life (as the transition to holiness has occurred at that moment, the paradigm of existence is being confirmed), blissful death and resurrection of those appealing to help after the completion of earthly path of a God's saint.

The *medium aevum* postulates have intensified the development of hagiography and altered the chronicle content. The latter is based on Christianity positions. Their profiles are saints, monks and monarchs whose practice complies with religious dogmas and demonstrates the implementation of earthly purpose. The characters' images are rendered in an idealized way, their moral perfection, and refusal from comfort and bodily satisfaction for the sake of eternity. The anthropological icon of the era is the perfection through unitedness with God. The chronicles not only manifest the opportunity of implementing those basics, but also suggest definite ways of achieving them.

The master's biography within the era nearly fades. This is connected with the anonymity of artistic creativity (God is considered as the author of the opuses, while the person's mission is just fixing them. Thus, there is lack of social requirement of declaring the master's ontology and archiving the spiritual experience of a significant church (less frequently, political) scholar.

The Renaissance changes the world outlook framework of European civilization. As during the Antiquity times, the center of the Universe is a human again; however, the Middle Ages heritage broadens understanding of their essence, earthly purpose and transcendental mission. Humanism is confirmed as the key philosophic postulate, while the ideal of the era is a universal profile able of self-fulfillment within various creativity manifestations. For the first time ever in *homo sapiens* history, the artist occurs in the forefront of social life, the former being the measure of everything, the embodiment of nobility, divine principle, pure soul, beautiful body and the fighter for justice.

The new ideal of a personality changes its shape and the content fulfillment of the biography. It depicts both the appearance and the character

type. It complied with the ideals of *studia humanitis*. Philanthropic works of the aforementioned time raise the issues related to the destiny of a certain subject. An example of constructing such chronicles are ancient Greek and Roman patterns being not copied, but rendered through the writers' reflections.

Giorgio Vasari's treatise, "The Biographies of the Most Glorious Painters, Sculptors and Architects" is a significant artwork and a kind of the Renaissance personality studies culmination. While using Plutarch's treatise as a pattern, a philosopher formulates a unique method of structuring the master's chronicles being based on thorough characteristics of the creative manner, individual artistic style and art studies analysis of the elaborations. It is possible to confirm the following: within the individual history of the master, his practical activity is being accentuated. That is the way of the author explicating an opus as a biography component. The abovementioned postulate will obtain relevance during the following epochs.

Thus, the Renaissance is represented by a large number of chronicle patterns. Their target is rendering a crucial, non-typical personal profile. Material descriptions used to comprise the issue of self-education (the grasp of philosophers', theologians' theses, poetic texts by contemporary writers) and justified the following view: an individual evolves via making their own effort. The era under consideration reveals a valuable understanding of creativity practice. The masters' biographies start emerging, their authors (G. Vasari, Karel van Mander, Joachim von Sandrart, L. de Lanzi) identify the demiurge and their technique, accentuate a unique giftedness of the characters, notify the significance of rendering the anthropological and historical dimensions of the epoch.

The 17th – 18th centuries are the ongoing stage of cultural transformation caused by scientific revolution. Social disturbances and a boost of science development presupposed the production of a new type of personality - strong, free, controversial and able of taking responsibility for themselves and other people. A leader becomes a character who thinks beyond the standard, the one who is noble and capable to sacrifice for the sake of others' welfare.

The change of spiritual trends has determined the specifics of constructing the artist's biography. The latter reflects the world outlook and religious discussions, as well as spiritual unrest of the era. Certain dogmas of the genre are being canonized,

i.e. the philosophers' interest is focused from social life facts to revealing the person's existence (although the public circumstances serve as the background for unfolding the character's ontology). While writing a text, documentary references (critically analyzed) are being involved; focus is given to various details of the subject's profile. They render practical motivation, the author's conclusions being based on the data repeatedly reviewed and researched. Chronicle writers aspire after realizing the inner being, although the characters are still quite static and idealized. A significant role is referred to sensuality, expressiveness, metaphors, symbols, and antitheses being used.

The Enlightenment, on the one hand, summarized a significant period of personality studies evolution from the antiquity to contemporary era and identified the research vectors; on the other hand, the scholars of the period used their theses to lay the foundations for its establishment as a scientific trend able of interpreting the master's elaborations, their daily routines and concerns.

The 19th century is the upheaval of biography studies presupposed by the Romanticism ideals. The human and their intimate concerns are the center of the world system. Transference of an artistic personality into the historical focus contributes to recognizing the chronicles as a means of era cognition. The artist is being interpreted as a spiritual leader of the society; they fascinate with their extraordinary, complicated and dramatic nature.

The new ideological trends of European culture presupposed the fact of philosophers, researchers and artists having rendered the human inner world, the revelation of the unique, non-typical and mysterious as the center of their research. The awareness of the importance of the master's representation, focus on their psychology, understanding the conflict between an individual and the society, as well as interpreting the Romanticism postulates had a significant impact on the master's biography.

Charles Augustin Sainte-Beuve, who determined the ways of personality studies progress, appeared the central profile of the era. He was the pioneer in suggesting the definition of "*biographical method*", the content of which is the following: in order to understand an artistic opus, one should thoroughly study the master's daily routines, the range of communication, habits, epochal circumstances, etc. According to the philosopher, a thesis is a straightforward

reflection of its author. The suggested postulates contributed to increasing the scientific level of the genre, the latter treated as identical with the master's profile.

In the 19th century, distinct canons of chronicle structuring were established, and the scholars of the subsequent periods (up to nowadays) rely on them. Among the key ones, we notify the following: the chronicle canvas of a person's existence is built on a detailed analysis of various references, the contemporaries' recollections; great focus is given to the reflection of daily routine; the data concerning the character's environs are involved in the biographical discourse, information from the respondents possessing high moral and ethical qualities is integrated; the master is treated as history creator whose practice is significant for a comprehensive retrospection of *homo sapiens* ontology.

The founder of Ukrainian personality studies, A. Valevskyi, in his thorough thesis "Fundamentals of Biography" confirmed the following: "biographies of the 18th – 19th centuries are characterized by a presumption of specular nature, which predetermined the confidence in the absence of any transformations or destructions within space and temporal, value-oriented and semantic dimensions of individuality in the course of its textual presentations; it also demonstrates aspiring after presenting, outlining the nomenclature of reasoning (the environs and life circumstances) and, via tracing, capturing the reflection of the assumed causes on their consequences (the character's actions, thoughts and behavior), thus constituting the explanation procedure" (Valevskyi, 1993, p. 55). Therefore, the chronicles of outstanding profiles of the aforementioned period illustrate an innovative understanding of human nature, implement the philanthropic characteristics of the era, aspire after revealing the character's features to a full and reasonable maximum extent and depict them as active participants of civilizational events, etc.

The early 20th century is the Modernism epoch. It is characterized by a public and scientific crisis, reorientation of all the spheres of human existence, which appeared the result of the experienced world wars, a number of revolutions in the leading European countries. The reaction to the philanthropic challenges of the era was an active evolvement of humanitarian studies (psychology, cultural studies, philosophy, history, sociology, etc.). It resulted in the following: seeking new methods of personality cognition; awareness of personality studies via

meta-anthropology; revealing fundamental points for understanding the subject (care, responsibility, life, energy, etc.); the protest against permanent aesthetic canons having demonstrated their ineffectiveness.

The biography obtains significant popularity as the most required genre. The ideals of the century influenced individual's daily life arrangement. Various biographical research schools emerge – psycho-biographical (based on the impact of Z. Freud's views), historical (Lytton Strachey), hermeneutic (Wilhelm Dilthey), popular science, etc. Multifaceted genre types are being distinguished, i.e. historical, fiction, scientific, "new", artistic, etc. Their methodological approaches differ, but they have some common characteristics: interest in the character's inner world, activity motives, creativity manifestations, aspiring after objectivity, reliance on the experience and the predecessors' achievements, etc. The position of the author being responsible for the way of representation, the created image of the profile of the narration is gradually being confirmed.

During the abovementioned period, philosophers study both theoretical and historical aspects of the master's chronicle, as well as distinguish the structuring criteria, study the epoch transformations, which means that the stage of considering the genre laws emerges. Each research school manifest their view, but the issue that unites them is a detailed study of private life facts, the awareness of the artist's opus as a biography component.

It is worth notifying that the states with a totalitarian system promote an idealized type of biography (its genesis takes its cue from the so-called English Victorian chronicles of the 19th century). Its dominant features are the following: the canonization of the character of the narration, the disclosure of only positive features of life creativity (the facts of daily life characterized by an immoral nature are being suppressed), the identification of the significant role of a personality for cultural development, the reproduction of overall love and piety for the chronicle's profile. This approach treats an artist as a unique individual who is important for the society, and thus he has no right for mistake. They are mediators of a perfect system of values, while their opuses are a reflection of a highly ethical way of being.

Thus, the Modernism has witnessed the further progress of personality studies marked by the emergence of various views on the genre, the

desire to understand its laws, to become aware of the society's history through the master's ontology and their achievements. Within the period under consideration, the elaborations of chronicle researchers of the preceding European epochs of cultural development are being synthesized, and on their basis, an innovative methodological basis is constructed, and this becomes the foundation for the boost of biographical studies in the late 20th century.

The late 20th century is the Postmodernism era. Its emergence was a consequence of the events of the Second World War experienced by the humanity, the crisis of humanitarian knowledge, social consciousness transformation and seeking innovative forms of rendering the reality. The anthropocentric paradigm of the abovementioned period specifically develops the achievements of the preceding eras (through their synthesis, collage, quotations, allusions, etc.), and instantly comes into conflict with them, and, via revealing controversies, constructs an ideological platform for the further civilizational progress.

The era awareness, manifesting its holistic picture is impossible without mastering the master's socio-cultural role and their ontology being profoundly presented within the chronicles. Existential changes have presupposed the features of structuring, perception by the genre recipients and altered the semantic dominants. The crucial qualities of the artistic biography are the interdisciplinary issue (the authors appeal to psychology, sociology, culture studies, philosophy, literature, and other sciences) and syncretism (the creative combination of miscellaneous humanitarian knowledge suggests a new interpretation of individual chronicles).

The integration of the achievements of psychology contributes to the study of personality behavior mechanisms, revealing the specifics of shaping and evolving the talent, key events analysis, their impact on the master's further daily life. Such vision enables to realize architectonically the ongoing continuity of the individual's creative self-expression. The involvement of sociological elaborations contributes to understanding the personality's public position and their role in the course of social processes (reviewing them via opuses), the intersubjective phenomena transference. The master exists within a certain epoch, the events of which predetermine the world outlook, actions, the creativity issue, etc. Therefore, the involvement of historical achievements enhances the reproduction of individual and corporate

existence chronotope. The fact of the master being an active demiurge of spiritual vicissitudes requires introducing a culture studies approach, where the biography object is the master's life, while the subject is the civilizational vertical supplying it with ideological significance. Philosophical postulates clarify the individual's ideological views; impart the genre with poly-variability, ambiguity and uncertainty. The chronicles are characterized by a verbal embodiment. In the late 20th century, scholars involved fiction, thus combining scientific accuracy and reliability with non-ordinary epistolary presentation.

The Postmodernism biographies exist in two forms: the idealized one (which made a large-scale statement in the Modernism), and the innovative one having reflected the era's controversies. The latter is characterized by the character's dialectical portrayal, i.e.: the positive and negative sides of their being are being displayed with relative authorial neutrality (the researcher gives no moral assessment of the master's actions and beliefs, stands for no position of theirs, but just tries to manifest the existence facts objectively); significant focus is referred to intimate life, flagrant and outrageous actions, with occasional offensive language occurrence (high pathos is being removed in order to depict the character as an ordinary person, an imperfect world citizen).

Alongside with scientists, journalists, historians, and publicists often become the master's chroniclers, and this affects the style and the essential parameters of the genre. They saturate it with the material presentation canons being common within their field, as well as suggest a demiurge's non-traditional image targeted at overwhelming and active debate. Provoking a negative reaction is a constituent of the Postmodernism world outlook basics, as within the periods of neglect any reaction is precious. However, it is worth notifying that such genre forms are mostly inappropriate for academic art studies representatives who deny the relevance of interfering with the individual's private domain. They consider the opuses as the ones offered to the society by the master for further discussion, while personal life is not a public issue.

The biographies of the late 20th century occasionally contain inaccurate data lacking a justification for key statements; the author may deliberately render controversial information, unreasonably deny the established views and authoritative opinions. The interpreters compare antagonistic explications of the same event,

involve the quotes of persons being unfamiliar with the profile of the biography, integrate the journalistic investigations outcomes, etc. This strategy forces the recipient not to perceive the narrator as a mediator of the only precise image of the character (removes the authority, provokes doubt the solution of which demands intensive research work), but to retransfer autonomously the master's ontology out of the suggested data, in a format convenient for them. As a result, an infinite number of the same master's chronicles can be structured, and none of them claims to be complete or reliable.

The phenomenon under consideration reflects the Postmodernism cultural strategy, where subjective research of the character's life, opinion pluralism, differentiating various concepts, meanings, ironic treatment of any information, etc. are important. The profile of the explicator, on the one hand, becomes significant and quite visible (in contrast to the preceding eras, when the authors were trying to minimize their presence in personalized texts to a maximum extent). They reconsider (sometimes deliberately) the individual's qualities, their concerns under certain circumstances and build public relationship. On the other hand, the narrator is not taken seriously, as they aspire after no objectivity. Seeking a non-conventional vision of a significant person is vital in their creations.

Thus, we can observe the coexistence of subjective and objective beginnings within the master's chronicles. The former is based on the author's viewpoint. Alongside with the biography character, the scholar's world outlook is also reflected, the features of autobiography emerging. The latter presupposes rendering the person's life story and other people's beliefs. Nevertheless, it should be notified that biographies project to a certain extent the key philosophical ideas of the subject producing them.

The Postmodernism biography performs innovative functions. Until nowadays its key role was the restoring the master's ontology, while during the aforementioned period it reveals unfamiliar facets and social roles. Implementing communication between the master and the public, the researcher and the artist appears to be the leading one. While structuring the chronicle, the author embodies universal cultural categories (encoded within opuses, chronicle messages) being relevant for various generations of recipients. When decoding them under the new epochal conditions, the individual interprets

definite information about the character (the life stages, artistic contacts, theses premieres, etc.), their era (historical, public debates, creativity canons dominance, etc.), receives "messages" suggesting answers to contemporary issues. Within this framework, the biography illustrates freedom from social, age, territorial, religious and other restrictions, enables communication between people of various ages and engages in the civilizational processes of the preceding periods.

The Postmodernism epoch is the period of creating and popularizing various myths performing the entertainment and psychological relaxation functions for the public. Nowadays, the phenomenon under consideration has integrated into nearly all the human activity spheres, such as art, science, politics, and synthesized with them. Myths creation as a component of the master's chronicle is an expression of typical characteristics of not only an individual's philosophy, but also of the socio-historical circumstances of their being. Biographical myth is a certain profile elaborated due to the contemporaries' imagination and repeatedly modified, decoded, retransferred through the established ideals, beliefs and philosophy of a specific epoch. Their founder and mediator is the character (consciously - by spreading certain personal legends, or unconsciously - through the figurative, poetic, verbal and sound semantic symbols of their own masterpieces), the society, researchers and "product consumers" of their activity.

The biography plays a significant role during the Postmodernism epoch. It transfers not only the chronology of the life of a non-ordinary, iconic profile, but also "depicts" a portrait of the era and illustrates the key anthropological challenges of the period. The importance of the genre is also explained by the fact of its integration in nearly all the spheres of scientific knowledge and rising up to the level of explaining multifaceted philanthropic questions. Due to popular ideas, raised issues, suggested accentuations, the recipient learns to interpret the heritage of the preceding centuries, to follow the evolution of views on the personality, to obtain awareness of solving complicated individual and civilizational controversies.

The conducted research enables to manifest the following: biography is one of the most remarkable humanitarian studies genres highlighting the specifics of representing an individual both in history and in spiritual culture. During each epoch, chronicles are specifically

explicated in accordance with the key anthropological postulates, social requirements, world outlook, dominant artistic methods and forms, moral and aesthetic views of the author. The Postmodernism version of the artist's chronicles, on the one hand, synthesizes and succeeds in evolving personality studies elaborations from the antiquity up to the late 20th century, and, on the other hand, it cardinaly changes the vision of the genre and its characters by updating the methodology via interdisciplinary approach, providing innovative ideas and functions, thus reflecting the epoch's controversies.

Conclusions

The genesis of European chronicles emerged during the Antiquity period, when it was considered the re-transmitter of significant time dominants. The descriptions of entity reflect an ideal personality reaching consonance of the intellectual, the mental and the bodily. The Middle Ages chronicles illustrate Christ-centricity, their characters being monks and saints. Through their earthly existence, they implemented eternal blessedness and spiritual immortality. The Renaissance explicates the center of the Universe as a creative individual combining the moral and physical perfection. By constructing the chronicle, the authors of those days characterized the individuals' opuses alongside with the specifics of the artistic style. The Enlightenment declares the value of the rational type of a person being able to take responsibility of both themselves and the society. The master is idealized occurring strong, full of controversy and able to sacrifice for the sake of public well-being. The Romanticism declared the master's inner being as the focus of philosophical search. Biography studies are confirmed as an autonomous scientific trend, and the laws of structuring the master's ontology are elaborated. The Modernism enhances the philosophical constituent of an individual's story, supplies it with documental reliability and enriches it with humanitarian science discoveries. The Postmodernism synthesized elaborations of the preceding eras and on that basis altered the established views on the chronicle's essence. The philosophers of the century aspire after including the character into linear history and explicating them as the medium of universal ontological senses, codes and some others. The genre obtains new functions, i.e. communicative, civilizational, synergetic, etc.; it reveals the era's controversies having occurred due to the lack of moral ideals, ethics and aesthetics canons and personified leaders. The key task of the

biography is realizing the macrocosm structure through recognizing the microcosm of a non-ordinary profile.

The article under consideration reveals perspectives for further research of the artist's biography. The studies dedicated to the existence of the genre in the 21st century, identifying its most typical characteristics and recognizing civilizational functions through the grasp of the leading European masters' life creativity appear relevant.

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Theoretical and practical problems of conducting criminal and administrative proceedings in Ukraine under martial law

Теоретичні та практичні проблеми здійснення кримінальних та адміністративних проваджень в Україні в умовах воєнного стану

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Abstract

The purpose of the study was to determine the theoretical and practical problems of conducting criminal and administrative proceedings in Ukraine during martial law. Its achievement became possible thanks to the solution of the main tasks: analysis of judicial and investigative practice, regulatory provisions.

To achieve the goal, a system of general scientific and special methods was used, which made it possible to take into account the peculiarities of the object and subject of research, in particular: methods of formal logic, special legal methods, and comparative legal methods; historical-legal, systemic-structural, sociological methods.

Significant changes in the legal system of Ukraine during martial law are emphasized. Areas of improvement of the current legislation have been determined, with the aim of solving theoretical and practical problems of conducting criminal and administrative proceedings in Ukraine during the martial law. These are: 1) expanding the list of administrative offenses that can be prosecuted in a simplified manner; 2) introduction of administrative responsibility for the commission of certain acts during the period of martial law; 3) establishing the court's

Анотація

Метою дослідження стало визначення теоретичних і практичних проблем здійснення кримінальних та адміністративних проваджень в Україні під час воєнного стану. Її досягнення стало можливим завдяки вирішенню основних завдань: аналізу судової та слідчої практик, нормативних положень.

Для досягнення поставленої мети використано систему загальнонаукових і спеціальних методів, які дозволили оптимально врахувати особливості об'єкта і предмета дослідження, зокрема: методи формальної логіки, спеціально-правові методи, передусім порівняльно-правовий; історико-правовий, системно-структурний, соціологічний методи. Наголошено на суттєвих змінах правової системи України за період дії правового режиму воєнного стану. Визначено напрями вдосконалення чинного законодавства, з метою вирішення теоретичних і практичних проблем здійснення кримінальних та адміністративних проваджень в Україні під час воєнного стану, серед яких: 1) розширення переліку адміністративних правопорушень, провадження у яких може відбуватися у спрощеному порядку; 2) запровадження адміністративної відповідальності за вчинення

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duty to verify the existence of an objective impossibility for the prosecutor to appeal to the court with an indictment, etc.

Keywords: criminal proceedings, pretrial investigation, administrative proceedings, legal regime of martial law, investigator, criminal offense, crime.

Introduction

The military aggression by the Russian Federation on the territory of Ukraine, which began in 2022 and continues to this day, has taken the form of a full-scale invasion. This led to the fact that the President of Ukraine made a decision to introduce a legal regime of martial law on the entire territory of Ukraine on February 24, 2022 (Decree of the President of Ukraine No. 64/2022, 2022). The need to introduce this legal regime was due to threats to the territorial integrity of Ukraine and the independence of our state. The legal consequences of the introduction of martial law were the adoption of a decision to limit the legal status of participants in social relations.

The Constitution of Ukraine defines a detailed list of human and citizen rights and freedoms, as well as rights and legal interests of legal entities that may be limited. The same regulatory provisions have found their consolidation in other legislative acts. At the same time, it should be noted that legislative activity of the parliament of Ukraine was observed in 2022. In particular, it adopted a significant number of laws and resolutions that not only introduced a new order of legal regulation. That is, the introduction of the legal regime of martial law provoked further changes in the legislative system of Ukraine. The system of administrative and criminal legislation did not become an exception. This also led to a reorientation of the directions of scientific research.

Criminal procedural legislation, in particular in the part of regulating social relations related to the commission of criminal offenses and their investigation, develops in accordance with the existing realities of social life. Modern features of the development of its institutions are determined by the legal regime introduced on the territory of Ukraine. Therefore, in the period from 2014 to 2022, it underwent many changes, including:

окремих діянь у період дії воєнного стану; 3) закріплення обов'язку суду щодо перевірки наявності об'єктивної неможливості звернення прокурора до суду з обвинувальним актом та ін.

Ключові слова: кримінальне провадження, досудове розслідування, адміністративне провадження, правовий режим воєнного стану, слідчий, кримінальне правопорушення, злочин.

- 1) Addition of Chapter IX-1 of the Criminal Procedure Code of Ukraine (Law of Ukraine No. 1631-VII, 2014). This section was named "Special regime of pre-trial investigation of a military, state of emergency or in the area of an anti-terrorist operation".
- 2) Adoption of the Law of Ukraine "On Amendments to the Criminal Procedure Code of Ukraine regarding the improvement of certain provisions in connection with the implementation of a special pre-trial investigation" (Law of Ukraine No. 1422-IX, 2021).
- 3) The title of Chapter IX-1 of the Criminal Procedure Code of Ukraine was changed to "Special regime of pre-trial investigation of a state of war, state of emergency or in the area of an anti-terrorist operation or measures to ensure national security and defense, repel and deter armed aggression of the Russian Federation on the territory of Ukraine". This name was kept until February 24, 2022, that is, before the beginning of the full-scale invasion of the Russian Federation troops on the territory of Ukraine.

After February 24, 2022, there were several more changes to the analyzed section of the Criminal Procedure Code of Ukraine. It was significantly supplemented with new provisions. Yes, in accordance with the Law of Ukraine "On Amendments to the Criminal Procedure Code of Ukraine Regarding the Procedure for Canceling a Precautionary Measure for Completion of Military Service Upon Conscription During Mobilization, for a Special Period or Its Changes for Other Reasons" dated March 15, (Law of Ukraine No. 2125-IX, 2022). It was named "Special regime of pre-trial investigation, trial in conditions of war, state of emergency or in the area of anti-terrorist operation or measures to ensure national security and defense, repel and deter armed aggression of the Russian Federation and/or other states against Ukraine." Due to the change in the name of the section, a new norm

was formed - Art. 616 of the Criminal Procedure Code of Ukraine. However, it is appropriate to emphasize that later, in April 2022, Art. 615 of the Criminal Procedure Code of Ukraine and added a new norm - Art. 615-1. It was introduced by the Law of Ukraine "On Amendments to the Criminal Procedure Code of Ukraine on Improving the Procedure for Conducting Criminal Proceedings in Martial Law" dated April 14, 2022. The name of the section was also changed - "Special regime of pre-trial investigation, trial under martial law" (Law of Ukraine No. 2201-IX, 2022).

Substantial changes have been made to the norms of material law, in particular, administrative and criminal. The peculiarities of the implementation of these provisions are associated with certain difficulties, which require additional research and resolution. Some changes have also been made to the legislative provisions regulating the procedure for judicial proceedings on the territory of Ukraine, in particular under the conditions of the legal regime of martial law.

Normative and legal changes have already regulated the usual procedure of law enforcement agencies in a new way, introduced the formation of new law enforcement practice and caused the emergence of some difficulties in the implementation of the professional activities of law enforcement agencies. These legislative novelties have a significant impact on the activities related to the investigation of criminal proceedings; they affected the peculiarities of their judicial proceedings, as well as certain aspects of the implementation of administrative proceedings. Therefore, the task of research and definition of theoretical and practical problems of carrying out criminal and administrative proceedings in Ukraine under the legal regime of martial law was updated.

Methodology

The purpose of the study was to determine the theoretical and practical problems of conducting criminal and administrative proceedings in Ukraine under the legal regime of martial law. Achieving this goal became possible thanks to the solution of the main tasks: analysis of judicial and investigative practice, analysis of regulatory provisions.

To achieve the set goal, the work used a system of general scientific and special methods that allowed to optimally take into account the peculiarities of the object and subject of research, in particular: methods of formal logic (analysis,

synthesis, deduction, induction, analogy, abstraction), special legal methods, primarily comparative legal; historical-legal, systemic-structural, method of systemic analysis, sociological.

Literature Review

Scientists subject the normative changes that the current legislation of Ukraine has undergone to constant analysis and study. Ukrainian researchers pay detailed attention to the study and analysis of legal mechanisms for limiting the constitutional rights of a person and a citizen under martial law (Panasiuk et al., 2022). Domestic scientists studied the issue of economic and legal regulation of the organization and the implementation of economic activity by economic entities in the conditions of the implementation of the martial law regime (Sieriebriak, 2022). The problems of the environmental and legal component of criminal offenses under martial law were also subject to separate analysis, as the risk of man-made accidents and environmental disasters, because they threaten safety: ecological and human (Anisimova et al., 2023).

Scientists also study the peculiarities of regulating the activities of local self-government bodies under martial law. Based on the results of the research, they note the lack of legal mechanisms for the implementation of the powers of these bodies (Yuvsechko et al., 2023).

The problems of investigation and trial of crimes committed during the war in Ukraine are subject to active study (Ortynska et al., 2022). The representatives of scientific groups consider the peculiarities of legal regulation and practical issues of ensuring the rights of victims under the Criminal Procedure Code of Ukraine. According to the results of such studies, they state that there is no legal regulation of the mandatory participation of the victim's advocate in criminal proceedings (Rakipova et al., 2023).

Considering the increase in the ways of money laundering, illegal use, for the purpose of obtaining profit of humanitarian aid, charitable donations or free aid, committing corruption offenses, these problems also attract the attention of Ukrainian scientists (Utkina, Reznik, Pavlenko, 2022; Lisitsyna et al., 2022).

Some features of legislative novelties that were adopted and implemented during the last year in the criminal and criminal procedural legislation of Ukraine, in connection with the introduction

of the legal regime of martial law, were also analyzed by domestic scientists (Balobanova et al., 2022; Udalova, & Khablo, 2022). Forensic scientists are actively developing and determining the prospects for the construction of separate forensic methods (Husieva, 2021; Stepaniuk, Husieva, & Kikinchuk, 2023).

The prospects of creating military justice in Ukraine were also subject to study and analysis by Ukrainian researchers (Niebytov et al., 2022). In addition, this is understandable, because currently the number of both military administrative offenses and criminal offenses has increased. This proves the need to ensure that competent specialists carry out the investigation. After all, such a guarantee is enshrined not only in the national legislation of Ukraine, but also in international legal acts. Thus, in accordance with Article 8 of the Universal Declaration of Human Rights of 1948, Article 14 of the International Covenant on Civil and Political Rights of 1966, one of the rights of a person is the right to have his case heard by a competent court (Universal Declaration of Human Rights, 1948; The International Covenant on Civil and Political Rights, 1973). The foregoing substantiates the need not only for the need to create a competent judicial system, but also to entrust the pre-trial investigation to competent representatives of the prosecution.

Thus, scientists are currently studying certain aspects of law enforcement activities. However, the analysis of the latest scientific developments also confirms the fact that the specifics of the implementation of criminal and administrative proceedings in Ukraine under the conditions of the legal regime of martial law have not yet been subjected to a comprehensive study. The presented and determined the choice of issues about the theoretical and practical problems of criminal and administrative proceedings in Ukraine under the conditions of the legal regime of martial law, as the subject of this study.

Results and discussion

The introduction of the legal regime of martial law in Ukraine has defined the peculiarities of consideration and resolution of some procedural cases in a new way. One of these is the proceeding in cases of administrative offenses. There are two types of proceedings in cases of administrative offenses: ordinary and simplified. Ordinary proceedings provide for the drawing up of a protocol, determine preventive measures and the order of their application, regulate the rights and obligations of the participants in the

proceedings, the order of consideration of cases, facts, circumstances that are evidence. It is simplified by implementing a minimum of procedural actions, in particular, a protocol on an administrative offense is not drawn up in cases specified by law (Law of Ukraine No. 8073-X, 1984). Such cases in particular include situations in which: 1) the amount of the fine does not exceed three tax-free minimum incomes of citizens; 2) when, in accordance with the law, a fine is imposed and collected, and a warning is issued at the place of commission of the offense. A summary procedure is used for a small number of offences, but such a procedure also takes place. We believe that under the conditions of martial law, the list of administrative offenses for which an administrative protocol is not drawn up can be expanded. In particular, in the territories classified as those where hostilities are taking place or temporarily occupied. At the same time, such a proposal should be carefully studied by scientists, and the legislator should take a balanced approach to adopting the relevant changes.

Administrative legislation also underwent some changes during the period of martial law. Thus, a number of legislative initiatives have been introduced into the Code of Ukraine on Administrative Offenses. Among those related to the operation of the current legal regime and which have undergone a new edition is the criminal offense provided for in Article 188-51 "Failure to comply with the legal requirements of the Commissioner for the Issues of Persons Missing in Special Circumstances". Also, the Code of Ukraine on Administrative Offenses is supplemented by Article 266-1 "Examination of conscripts and reservists during assembly, as well as servicemen of the Armed Forces of Ukraine for alcohol, drug or other intoxication or being under the influence of drugs that reduce them attention and speed of reaction".

The current legal regime updated the need to revise the sanctions of the articles establishing responsibility for committing military administrative offenses. Thus, responsibility has been increased, in particular, the possibility of arrest at the guardhouse for committing certain types of military administrative offenses has been increased to fifteen days. Sanctions have been increased for the commission of such military administrative offenses as: refusal to comply with the lawful requirements of the commander (chief), voluntary abandonment of a military unit or place of service, careless destruction or damage to military property, abuse of power or official position by a military

official, abuse of authority by a military official or official powers, negligent attitude to military service, inaction of the military authorities, violation of the rules of military duty, violation of the rules of border service, violation of the rules of handling weapons, as well as substances and objects that pose an increased danger to the environment, drinking alcoholic and low-alcohol beverages or use of narcotic drugs, psychotropic substances or their analogues (Law of Ukraine No. 8073-X, 1984).

At the same time, administrative responsibility has not been introduced for some actions. There is no rule that would provide for responsibility for curfew violations. Because of this, the police draw up a report on the person who violated the curfew according to Art. 185 of the Code of Ukraine on administrative offenses. It provides for liability for malicious disobedience to the lawful order or demand of a police officer, a member of a public formation for the protection of public order and the state border, a military serviceman). We believe that this practice is inadmissible, because in fact it contradicts the tasks of proceedings in cases of administrative offenses, in particular, regarding the resolution of each case in exact accordance with the law (Law of Ukraine No. 8073-X, 1984). Also, there is no separate rule that would establish a person's responsibility for violating the special light masking regime and other actions. In this regard, it should be emphasized that there are no provisions in the current legislation that would provide for responsibility for individual actions that may lead to negative consequences and, under certain conditions, even to the death of people. We believe that this practice should be eradicated and requires the introduction of appropriate mechanisms of legal regulation.

As for the changes in criminal procedural legislation, they are more significant. Thus, it is determined that the prosecutor is prohibited from entrusting the implementation of a pre-trial investigation of a criminal offense under the jurisdiction of the National Anti-Corruption Bureau of Ukraine to another pre-trial investigation body. At the same time, this provision was clarified by the wording: "except for the cases of ordering a pre-trial investigation under martial law". Also, the prosecutor is prohibited from entrusting the implementation of a pre-trial investigation of a criminal offense committed by a people's deputy of Ukraine to other pre-trial investigation bodies, except for the National Anti-Corruption Bureau of Ukraine and the central apparatus of the State Bureau of Investigation in accordance with their

jurisdiction, defined by the Criminal Procedure Code of Ukraine (Law of Ukraine No. 4651-VI, 2012).

The next innovation that applies during martial law is the possibility of entering into the Unified Register of Pretrial Investigations decisions on the initiation of criminal proceedings after a certain period of time, in particular, at the first opportunity. This is due to the impossibility of access of the investigator, inquirer, and prosecutor to the Unified Register of Pretrial Investigations, which quite often happens in the territories where active hostilities are taking place.

The list of powers during martial law of the head of the prosecutor's office at the request of the prosecutor or an investigator agreed with the prosecutor has been expanded. Among them, in particular: making a decision on the pretext of a person, temporary access to things and documents, seizure of property, permission to detain for the purpose of pretext, a request to conduct a search in accordance with Part 3 of Art. 233 of the Criminal Procedure Code of Ukraine, search, obtaining samples for examination, conducting secret investigative (search) actions, extending the period of pre-trial investigation, as well as powers to choose preventive measures (Law of Ukraine No. 4651-VI, 2012). This happens in case of impossibility of execution of such powers by the investigating judge.

As for preventive measures, the procedure for selecting them as suspects is provided for in Art. 109-115, 121, 127, 146, 146-1, 147, 152, 153, 185, 186, 187, 189-191, 201, 258-258-5, 260-263-1, 294, 348, 349, 365, 377-379, 402-444 Criminal Code of Ukraine (Law of Ukraine No. 2341-III, 2001). The term of the preventive measure should not exceed 30 days. In addition, in exceptional cases, also in the commission of other serious and especially serious crimes, if the delay in choosing a preventive measure can lead to the loss of traces of a criminal offense or the escape of a person suspected of committing such crimes. These powers are exercised taking into account the requirements of Chapter 37 of the Criminal Procedure Code of Ukraine (Law of Ukraine No. 4651-VI, 2012), that is, the special procedure for criminal proceedings.

The legislator established that in the case of the objective impossibility of filing an indictment with the court, the term of the pre-trial investigation is suspended and subject to renewal, if the grounds for suspension no longer exist. In our opinion, the mechanism of appeal

and verification of the actual existence of the objective impossibility of going to court with an indictment should be enshrined in the current legislation.

Another feature is that the term of validity of the investigative judge's decision on detention or the prosecutor's decision on detention, adopted in accordance with Art. 615 of the Criminal Code of Ukraine, may be extended up to one month by the head of the prosecutor's office at the request of the prosecutor or the investigator, agreed with the prosecutor. The term of detention can be extended several times within the term of the pre-trial investigation.

Decisions made by the prosecutor are immediately notified at the earliest opportunity to the prosecutor of the highest level, as well as to the court determined in accordance with the procedure provided for by law. At the same time, in our opinion, a significant gap is that the current criminal procedural legislation does not establish the court's obligation to further check these decisions by the investigating judge.

It is positive in the aspect of ensuring the possibility of challenging the decisions, actions or inaction of the prosecutor, that the legislator established the possibility of their consideration by the court within the territorial jurisdiction of which the criminal offense was committed, after ensuring its functioning in another area, or by the court closest to it territorially. The subject of such an appeal can be both the existence of grounds for the prosecutor to exercise the powers delegated to him in the conditions of martial law, and the method of their exercise.

A special rule on the recording of criminal proceedings has been introduced. In accordance with it, the course of investigative (search) actions is recorded in relevant procedural documents, as well as with the help of technical means of recording criminal proceedings, except for cases when recording using technical means is impossible for technical reasons. Judging by the wording, priority should be given to double fixation: in the document and by technical means. At the same time, in the context of the effective and legal conduct of procedural actions, we consider it expedient to emphasize that they should not be planned for the period from 10:00 p.m. to 6:00 a.m., and if it is necessary to conduct them immediately, such a course of action should be of an exceptional nature.

During a pre-trial investigation under martial law, it should be emphasized that in order to

participate in procedural actions, in the event that the appearance of a lawyer (defender) is impossible, the investigator, investigator, prosecutor can ensure his remote participation using technical means (video, audio communication). At the same time, under such conditions, the legislator did not pay attention to the fact that in the case of remote participation of the defense counsel, the suspect, the accused do not have the possibility of confidential communication with their defense counsel, and there is no need to talk about lawyer's secrecy in such a situation. The lawyer is also deprived of the opportunity to make sure that no measures of psychological or physical influence were applied to his client, to make sure of the voluntariness of the actions of the client during investigative (search) actions and other procedural actions.

Also, the legislator introduced as a party to the criminal proceedings a person in respect of whom sufficient evidence was collected to report the suspicion of committing a criminal offense, but the suspicion was not reported due to his death. The law defines a certain legal status of the persons against whom the evidence was collected, but the notice of suspicion was not announced because of her death.

Article 208 of the Criminal Procedure Code of Ukraine establishes the possibility of detaining a person by an authorized official and defines the grounds for such detention. A person who is authorized by law to carry out detention makes the decision on these issues. An authorized person has the right to detain a person suspected of committing a crime without a decision of an investigating judge or a court. An authorized official who has detained a person must immediately inform the detainee of the reasons for the detention, search him, draw up a detention report, a copy of which is handed over to the prosecutor, but who is this "mythical" authorized person, there is no definition in the Law, and this makes it possible to abuse the official the position of almost every subject of power. Because of this, it is necessary for the current criminal procedural legislation to establish norms that clearly establish the list of persons authorized to detain a person. This can be done by supplementing Art. 208 of the Criminal Procedure Code of Ukraine with such a list, or amend Art. 3 of the CPC of Ukraine. At the same time, the question arises, if an authorized person without a decision of an investigating judge detains a person, how such a detained person should use his constitutional right to protection and legal assistance of a lawyer.

The introduction of the legal regime of martial law on the territory of Ukraine and the peculiarities of the administration of justice had an impact. It should be emphasized that in accordance with the provisions of the Constitution of Ukraine and the Law of Ukraine "On the Legal Regime of Martial Law", the courts must continue to administer justice in such conditions, because even under this legal regime, the powers of the courts cannot be terminated and the powers of judges limited (Law of Ukraine No. 254k/96-VR, 1996; Law of Ukraine No. 389-VIII, 2015). Because of this, in accordance with part seven of Article 147 of the Law of Ukraine "On the Judiciary and the Status of Judges", taking into account the impossibility of courts to administer justice during martial law, the order of the Supreme Court on changing the territorial jurisdiction of court cases under martial law was adopted.

Changes introduced by the Law of Ukraine "On Amendments to the Law of Ukraine "On the Judiciary and the Status of Judges" regarding additional methods of informing about court cases and conducting meetings of judges in conditions of martial law or state of emergency" were also significant novelties regarding the implementation of judicial proceedings in Ukraine. These changes introduced an additional notification to the participants in the legal process about the consideration of the case using the Unified State Web Portal of electronic services, including using the mobile application of the Diya Portal (Diya), as well as receiving through the relevant application in electronic form a court decision on the case, an executive document, issued in the form of an electronic document, by a person who is a party to the case (Law of Ukraine No. 2461-IX, 2022). Such changes are undoubtedly of a positive nature, but for now, in our opinion, this provision remains debatable in the context of recognition of such a method as proper informing of the party to the case about the time and place of the case hearing.

Conclusion

The analyzed provisions of the current legislation and the explanations given in relation to them are aimed at ensuring the formation of a coherent national legal system. Such a system should be the basis for the proper functioning of the criminal justice system, as well as the proper performance of their functional duties by employees of state bodies, institutes, and enterprises. Decisions on the implementation of the legal regime of martial law or a state of emergency are no exception to this. It should be

emphasized that in a certain aspect the legal system must be dynamic in nature, because it must correspond to the realities that take place in social life. We mean the conduct of active hostilities in certain territories, their occupation, the impossibility of the functioning of justice bodies, etc.

During the last year, the legal system of Ukraine has undergone numerous changes. Some provisions reformatted the usual order of activity of law enforcement agencies in a positive direction, and some, on the contrary, complicated their activity or created a conflicting situation. That is, the formation of a new law enforcement practice was introduced, however, under certain conditions, this led to the emergence of some difficulties in the implementation of the professional activities of law enforcement agencies.

Based on the results of the research, directions for improving the current legislation have been determined in order to solve the theoretical and practical problems of conducting criminal and administrative proceedings in Ukraine under the conditions of the legal regime of martial law. Among them, in particular, the following:

1. Expansion of the list of administrative offenses that can be prosecuted in a simplified manner. It is a priority to implement such provisions in the territories where hostilities are taking place or temporarily occupied. At the same time, scientists should carefully study such a proposal, and the legislator should take a balanced approach to adopting the relevant changes.
2. Introduction of administrative responsibility for the commission of certain acts during the period of martial law. In particular, for violation of curfew, special light masking regime and other acts. After all, such actions of a person can lead to negative consequences, and under certain conditions - even to the death of people.
3. Implementation and consolidation of the court's duty to verify the existence of an objective impossibility of the prosecutor's appeal to the court with an indictment for groundlessly and illegally stopping the pre-trial investigation. Introduction of the possibility of appealing such decisions by the defense.
4. Introduction of a mechanism for checking the legality of decisions made by the prosecutor by the investigating judge/court during the implementation of a special

- regime of pre-trial investigation, court proceedings under martial law.
5. Ensuring in the case of remote participation of the defense counsel the right of the suspect, the accused to the possibility of confidential communication with his defense counsel, ensuring the preservation of attorney confidentiality in such a situation.
 6. Addition of Article 3 with a definition of the term "a person in respect of whom sufficient evidence has been collected to report suspicion of committing a criminal offense, but suspicion has not been reported due to his death."
 7. Enshrining the possibility of exercising the right to defense by a person detained by an authorized person without a decision of an investigating judge.

We believe that the raised issues are relevant and therefore require further scientific research.

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Globalization of the education space in EU countries and Great Britain through radical information reform

Глобалізація освітнього простору в країнах ЄС та Великій Британії шляхом радикального інформаційного реформування

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Abstract

The article reveals the main principles of globalization of the educational space in the EU countries and Great Britain through radical information reformation. The action plan, which includes the six dimensions disclosed in the article, is of great importance from 2020 to 2025 for the formation of the European Education Area (European Education Area), in the conditions of the COVID-19 pandemic and for the development of innovativeness. Measures developed by the European Commission to achieve the specified dimensions are proposed

Анотація

У статті розкрито основні засади глобалізації освітнього простору в країнах ЄС та Великій Британії шляхом радикального інформаційного реформування. Важливе значення з 2020 року до 2025 року з формування Європейського освітнього простору (European Education Area), в умовах пандемії COVID-19 і для розбудови інноваційності ЄС має план дій, який включає шість вимірів, що розкриті у статті. Запропоновано заходи, розроблені Європейською Комісією для досягнення зазначених вимірів (підвищення та моніторинг

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(increasing and monitoring the quality of education; paying attention to gender sensitivity and inclusiveness in education; modernizing digital transformations in education, increasing the competence and motivation of specialists involved in the educational field). The importance and necessity for the education of distance learning programs based on educational models that are known all over the world (in the example of Great Britain) is shown. In the field of information, constant changes and improvements are taking place, leading to the emergence of a qualitatively new type of social system. The information society is the main and necessary in the educational space, therefore the article shows the basic prerequisites of technological, spatial, economic, cultural, and political approaches to the improvement of the information society.

Keywords: globalization of educational space, EU countries, Great Britain, information reformation, distance learning.

Introduction

The 21st century exists under the name: the century of radical information reformation of the educational sector, which is connected with the constant deployment and implementation of the information revolution in the educational society, where information, knowledge, and intelligence actualize the educational status of the student in the system of social life and appear as its driving force (Zhyzhko, 2013).

The peculiarities of the development of the modern information society and its specificity are reflected in education, which requires constant modernization and transformation, which is due to the need for such needs that correspond to social development and personal development, taking into account the increase in information flows, the constant acceleration of the pace of life, and the improvement of technologies. Informatization of education is one of the main factors in the improvement of the educational sector and is a guarantor of the future intellectual potential of the nation (Yordan, & Yordan, 2020).

The constant global development of information technologies has increased the relevance of the educational sector and made it possible to modernize the system of continuous education. Nowadays, distance education is presented as the basis of a new educational paradigm, and its importance and necessity are substantiated. The essence of such modernization is reflected in the

якості освіти; приділення уваги гендерної чутливості та інклюзивності в освіті; осучаснення цифрових трансформацій в освіті, підвищення компетентності та мотивації фахівців, що задіяні в освітній сфері). Показано важливість та необхідність для освіти дистанційних навчальних програм, що базуються на освітніх моделях, які відомі у всьому світі (наприкладі Великій Британії). У сфері інформації відбуваються постійні зміни і удосконалення, що ведуть до виникнення якісно нового типу соціального устрою. Інформаційне суспільство є головним і необхідним в освітньому просторі, тому у статті показано основні передумови технологічного, просторового, економічного, культурного, політичного підходів для удосконалення інформаційного суспільства.

Ключові слова: глобалізація освітнього простору, країни ЄС, Велика Британія, інформаційне реформування, дистанційне навчання.

concept of distance education, its importance is most clearly shown and its necessity for all layers of society is proven, which becomes the most important factor in its development (Ozerova, & Barvinok, 2021).

The globalization of the educational space in the EU countries and Great Britain through radical informational reformation in the direction of homogenization of the economic, political, and cultural spaces of humanity changes the requirements for civil and professional characteristics of the individual, actualizing the context of education. Society directs the countries of the world to the necessary implementation of drastic changes in the educational sector. We see continuous transformational development in the context of understanding the following dilemmas: on the one hand, the need to develop the economy and its labor markets by competitive specialists, and on the other hand, the interpenetration of cultures, the development of social harmony, and the strengthening of national identity. The joint search for ways to overcome problems by the countries of the EU, Great Britain, and the United States related to the globalization of the educational space through comprehensive education reform made it possible to develop promising practical experience (Zhurylo et al., 2018).

Goal. To reveal the main principles of the globalization of the educational space in the EU countries and Great Britain using radical information reformation.

Literature Review

S. Sysoeva, T. Krystopchuk (2012). showed the role and justified the main categories of education in the conditions of globalization of the educational space in the EU countries through radical information reformation: non-formal, formal, informal; proposed trends that are the main ones in the structure of higher education in the European Union; highlighted the features of the structure of compulsory education in European countries; described the types of education, presented the content and stages of education, revealed and analyzed the peculiarities of the structure of the education systems of the European Union countries, compared the levels of education in different countries, described the level of education, showed the specifics of qualifications, substantiated the types of higher education institutions and showed their work in the conditions of the globalization of the educational space in the EU countries through radical information reformation, named academic levels and degrees in educational institutions in the analyzed countries.

A. Zhurylo, O. Glushko, & O. Lokshina (2018) characterized the approaches to the interpretation of educational transformations in the educational space; showed ways to solve the problem of transformations in education in the aspects of humanizing processes, decentralization-centralization, differentiation, and standardization of education in the conditions of globalization of the educational space in the EU and the USA using radical information reformation. The authors reveal the approaches of foreign countries, through radical information reformation in the conditions of globalization of the educational space, applied to the implementation of reforms.

I. Onyshchenko (2018) analyzed the components of the professional competence of specialists, the impact of informatization of higher education under the conditions of globalization of the educational space on the formation of IT competencies of future specialists is shown; the characterization of skills, abilities, and knowledge was carried out, the process of formation of IT competencies of future specialists and the influence of skills, abilities, and knowledge on the acquisition and further

transformation of professional information in the professional activity of the future specialist were shown.

S. Babichuk (2018) highlighted the experience of informatization of the disciplines of the natural cycle in the conditions of globalization of the educational space through radical information reformation in the Small Academy of Sciences of Ukraine using remote sensing of the Earth and the use of geoinformation systems.

O. Kondur, & N. Fuchynska (2021) carried out an analysis of information technologies in the conditions of globalization of the educational space of radical information reform and showed the importance of the information component, the possibility of using information technologies in the spheres of life and the formation of a competitive specialist. The information society in the conditions of the globalization of the educational space is presented as a necessary stage of the development of the post-industrial society, the features that distinguish the information society from other forms of society in the conditions of the globalization of the educational space through radical information reform are highlighted; features of the information society are shown from the standpoint of differentiation of both negative and positive features; from the position of influence on the development of the individual, the state through radical information reformation of education.

O. Lokshina et al. (2021) showed the problem of transformations in education in the EU countries, the USA, and China in the conditions of globalization of the educational space; substantiated the meaning and found out the essence of the trend as a scientific category of pedagogical comparativism in the conditions of the globalization of the educational space in foreign countries through radical information reformation, as well as a phenomenon that characterizes the development of the modern educational space; the main directions of international organizations in the development of education in the conditions of Europeanization and globalization are shown; trends in the development of the educational school industry in foreign countries (Germany, USA, China, Poland, Great Britain) and the context of Ukrainian education were revealed.

I. Makarevych (2016) described the informatization of education and showed its importance and necessity in our time; the theoretical foundations of informatization of

higher education in the conditions of globalization of the educational space through radical information reform are revealed, the importance of information (educational phenomenon and social phenomenon) is shown, ways of creating an information environment in institutions of higher education are proposed.

L. Ozerova, & N. Barvinok (2021) emphasized the relevance of the modernization of the continuous education system in the conditions of the globalization of the educational space through radical information reformation in connection with the rapid development of information technologies, which is the most fundamental in the concept of distance education, which is a factor in the development of the educational field.

I. Shkutnyk & O. Shestopalova (2015) considered the concept of informatization of society, media education; the interaction of new forms of information technologies and the prospects of library informatization, and the importance of information technologies in the modern world are shown.

S. Alekseeva (2022), in the conditions of informatization of education through radical information reformation, shows the importance of developing a theoretical basis of didactics, to ensure a modern conceptual understanding of the role of information technologies in education.

Methodology

To achieve the goal, the following was used:

- general scientific methods (analysis, synthesis, systematization of scientific works of foreign and domestic authors on the problem of research to develop a source base on the problem of educational transformations, etc.);
 - specific scientific methods: the method of terminological analysis – to reveal the essence of the studied phenomena, to clarify the semantics of key concepts, to form the terminological field of research;
 - system-structural method – to clarify the key directions of transformations and identify the components of these directions and establish connections between them;
 - comparative-comparative and scientific extrapolation method – to compare the nature of educational transformations in the analyzed EU countries and Great Britain.
- The study is based on the proposition that the globalization of the educational space in the EU countries and Great Britain through radical information reform is a personal and professional characteristic of the educational field, which is based on the development of value-meaningful attitudes to the received profession during studies in higher education institutions, determines to the educational process, the individual style of the teacher's professional activity can be formed in the educational process of educational institutions on a systemic and integrative basis. This allows us to implement scientific research according to the following concepts: methodological, theoretical-pedagogical, and technological.
- The methodological concept represents the interaction and relationship of fundamental scientific approaches as a search strategy for solving the researched problem of globalization of the educational space in the EU countries and Great Britain through radical information reformation, namely the following fundamental scientific approaches:
- an axiological approach that guides the content, forms, and methods of forming the globalization of the educational space in the EU countries and Great Britain through radical information reformation in the plane of forming value orientations, value orientation of the individual;
 - a systemic approach that provides an opportunity to explore and perceive the process of forming the globalization educational space in the EU countries and Great Britain through radical information reform as an open system that is integral, multi-component, which is constantly not only changing but also developing under the influence of internal and external factors (a system of attitudes towards the profession, which is determined by public demand and the requirements of the education system; emotional internal instructions of the individual for the performance of his professional activity; expansion of scientific knowledge of the structural and component manifestation of the globalization of the educational space in the EU countries and Great Britain through radical information reformation in development and dynamics), reveals the integrative characteristics of the given phenomenon in the researched process;
 - acmeological approach, which allows one to theoretically understand the essence of the individual in the conditions of the

globalization of the educational space in all countries through radical informational reformation as a subject of self-development and self-realization;

- a synergistic approach, which offers the idea of self-organization of the researched process, emphasizing the importance of activating one's strengths and abilities in the educational space through radical information reform, ways of personal development, initiation of individual educational trajectories;
- subject approach, which contributes to the renewal and improvement of the appropriate content and meaning of the globalization of the educational space through radical information reformation, forms, means, and methods of subject-subject interaction of participants in the educational process and is the basis for the further development of the student's activity as a sub-object of activity;
- competence approach, which focuses on the subject-cultural, intellectual, and general professional development of the future specialist through radical information reformation of the educational sector, as a condition for the formation of activity-role characteristics (skills, abilities, knowledge, attitude, experience), the success of the professional position of the future a specialist as an integrative personal education, which reflects the globalization of the educational space through radical information reformation, the readiness of the future specialist for work, professional growth, the ability to self-realize throughout life;
- a personal-activity approach, which directs the prioritization of the student's interests and needs to the professional aspect, is based on a dialectical combination of the globalization of the educational space in the EU countries and Great Britain through radical information reform and the tasks of professional training of the future specialist with his trajectory of self-realization and development of personal and professional qualities;
- an interdisciplinary approach that ensures the integrity of the formation of knowledge of the future specialist through the interdisciplinary integration of knowledge in the conditions of globalization of the educational space in the EU countries and Great Britain through radical information reformation, reflecting the integrative nature and complexity of the phenomenon under study.

The theoretical-pedagogical concept includes a system of definitions (philosophical, pedagogical, psychological, sociological) for a holistic understanding of the essence and characteristics of the phenomenon in the conditions of globalization of the educational space in the EU countries and Great Britain through radical information reformation.

The technological concept ensures the development of a system for the formation of the professional position of the future specialist in the conditions of the globalization of the educational space in the EU countries and Great Britain through radical information reformation, which groups together technologies, pedagogical conditions aimed at ensuring the essential dynamics of the educational process, which is based on a diagnostic basis.

The methodological basis of the study is based on the dialectical principles of interdependence and interconnection of phenomena and laws of objective reality, fundamental provisions of continuity of personality development, theory of knowledge, unity of practice and theory, special and general in the conditions of globalization of the educational space in the EU countries and Great Britain through a radical information reformation; socio-pedagogical, psychological and general philosophical positions of the theory of activity and personality; humanistic philosophy of human-centeredness in the educational space of intercultural interaction; the use of a complex of methodological approaches in the conditions of globalization of the educational space in the EU countries and Great Britain through radical information reformation; conceptual provisions of the professional development of the individual in the conditions of continuous globalization of the space of professional education in the EU countries and Great Britain through radical information reformation.

Results and Discussion

The implementation of information technologies in education in the conditions of globalization of the educational space and modern methods of organizing the educational process through radical information reformation in institutions of higher education allows updating the content, methods, and forms of education to the needs of society in modern innovative development, to carry out the individualization of the educational process taking into account the needs of students of higher education to obtain a competitive

specialist, to optimize the entire training process (Ozerova, & Barvinok, 2021).

Informatization of education is an interconnected, educational-methodical, socio-economic, managerial, organizational-legal, scientific-technical, production process aimed at solving computing, information and telecommunication needs in the conditions of globalization of the educational space through radical information reformation (other needs, related to the introduction of means and methods of information and communication technologies) participants of the educational space, as well as managers of this process, who carry out scientific and methodological support and personal development (Bykov, 2010).

In the conditions of globalization of the educational space in the countries of the EU and the USA, through radical information reform, new sources of information are being attracted, new means of management of the educational sector are being used, teaching methods are being changed through the comprehensive use of the computer, multimedia, and communication technology (Shvets, 2004).

Education is the basis not only for the comprehensive growth of the individual, his competitive employment, responsible and active citizenship. The right to quality education and lifelong learning is proclaimed (as the first principle) in the European Foundation of Social Rights (European Parliament, 2017). Education is considered the basis of the European way of life, the main condition for strengthening democracy and the social market economy, social justice, and human rights, as the highest category of being (European Parliament, 2017). Therefore, in 2020, in the conditions of the COVID-19 pandemic, the Action Plan for the formation of the European Education Area until 2025, which includes six dimensions in the conditions of the globalization of the educational space, became an important factor for the development of EU innovation: the geopolitical dimension, the quality of education, higher education, inclusion and gender equality of the individual, teachers and pedagogues, green and digital transformations. To achieve the specified dimensions, the European Commission, in the context of the globalization of the educational space through radical information reform, proposes such measures as:

- improving the quality of education;

- strengthening measures for inclusive and gender education and modernization of such education;
- support green and digital transformations within the educational space and through education;
- increasing the motivation for education and competence in the educational profession (European Commission, 2020).

The announcement in 2020 of the initiative to build a New research space for research and innovation, radical information reformation, was no less ambitious in the conditions of the globalization of the educational space. The European Research Area (European Research Area) was launched in 2000 in the context of the Lisbon Strategy in the context of the globalization of the educational space through radical information reform. The main goal of the Strategy for the Formation of the European Research Space is to focus on the construction of a common scientific and technical space for the EU, the creation of a single market for research and innovation through radical information reform, which promotes the movement of scientific knowledge and innovation of researchers, encouraging a more competitive European industry (Lokshina et al., 2021).

The basis of the new educational paradigm in the conditions of the globalization of the educational space is distance education (distance education) – a progressive type of education, the basis of which is the high-quality active use of modern information technologies in the educational process through radical information reformation and means of communication, which allows the teacher and student to be constantly in space, interact interactively in different parts of the planet during all stages of the educational process.

In the early 1970s, we observed intensive development of distance education in Europe and Great Britain. This contributed to the creation of several open universities in different countries of the world, which implemented distance learning. Today, in every country of the world there is a group of educational institutions that implement distance programs. The methods of such training are quite well developed. Educational programs of radical information reformation with the use of new information technologies in the conditions of globalization of the educational space are of great interest. The following are especially relevant: satellite television, computer networks, multimedia, etc. (Sysoeva, & Krystopchuk, 2012).

A significant part of educators feels the need to apply innovative approaches to the educational field, and limiting the number of classroom classes remains a problematic issue here. The following requirements for higher education remain relevant:

- availability of higher education
- inclusive education;
- flexibility of the educational space for certain categories of higher education seekers: they have children, work, etc.;
- innovative changes in the individual learning trajectory of the recipient;
- application of dual education.

To solve the issues raised, regarding the improvement of education, it is necessary to carry out large-scale implementation of online technologies, to carry out thorough changes using innovative approaches to the organization of the educational sector in general, and in educational institutions and each educational discipline, in particular. Classroom classes that are built on an interactive basis play a special role (Ozerova, & Barvinok, 2021).

The first such type of education is observed in Great Britain. The Open University of the United Kingdom was founded in 1969. The Open University is a unique innovation in the development of global education. The creation of such educational institutions of a new type is characterized by the possibility of functioning according to the principles of flexibility, openness, and accessibility.

In Great Britain today there is an extensive network of such institutions that develop and apply distance education programs. Their work is based on models that the whole world knows.

Model 1. Autonomous educational institutions. These are institutions whose work is organized exclusively for conducting the entire educational process remotely. Distance programs using multimedia learning tools are developed and applied. An example of this model is the British Open University (OU UK). Today, this powerful institution provides more than 200,000 students with the opportunity to receive higher education remotely (including foreign students). Active implementation of the online learning model (online learning) is used here. Such a model of online learning (online learning) provides for the permanent use of global and local computer networks in the structure of the educational process of the Open University. There are three types of courses, the basis of which is the

constant use of information and communication technologies (ICT):

- Web-intensive – the educational process is carried out online;
- Web-focused – ICT is used as a mandatory element of the educational program;
- Web-enhanced – students have free access to electronic services, but the student does not necessarily have to be online.

Model 2. The consortium of several educational institutions. There is cooperation between several educational institutions in the development of distance learning educational programs. A consortium of several educational institutions allows for reducing the cost of educational programs, raising the quality of programs, and expanding the number of students. According to this model, the Commonwealth of Learning consortium has been working in Great Britain since 1987. The consortium includes higher education institutions of all Commonwealth countries, which are connected to the distance education network based on telecommunications.

Model 3. University education (based on one university). These are only separate, special departments of higher education institutions. Such departments direct their work on programs of independent, distance, correspondence, and open education, but a small part of classroom classes is used in their work. Such a scheme in the educational sector of Great Britain has developed during historical development and today remains the most popular form of education for students.

Model 4. Informal distance learning based on multimedia programs. In Great Britain, these programs are aimed at teaching adults who experience gaps in basic knowledge, focused on eliminating illiteracy problems.

In the field of distance learning in European countries, a system of open universities has been developed, in which: integrative educational processes are clearly expressed, mutual accreditation of higher education institutions took place, and high-quality standards of the educational sector were developed. It should be noted that at the moment, the technical level of European institutions of higher education does not reach the American level.

We will analyze the most effective and significant open universities.

The Hellenic Open University in Greece operates on the model of the Open University of Great Britain and has shaped its work according to its requirements, while under special agreement with the University of Manchester.

The Open University of the Netherlands works with students of the master's level only and provides training in the following academic disciplines: business and public administration, psychology, law, culture, economics, ecology, and computer science. For high-quality training, more than 350 courses are offered, almost all of which are autonomous printed packages of educational materials and are designed for 100 hours of training. They are called second-generation materials.

The Open University of Catalonia in Spain started its work in 1995. Its first students were 200 people from business administration and psychology. For 6 years in a row, 16,000 students from eleven specialties that were officially accredited (computer sciences, business and economics, humanities, law, philology, information sciences, multimedia sciences) and 4,000 students studied in programs studied at the open university continuing education (more than 250 courses).

In Latvia, the first courses on psychology in education and law have been launched in institutions of higher education. These are 27 international distance courses developed under the PHARE ODL project, 6 of which were developed under the guidance and with the participation of specialists from Latvia: business planning, English language, agricultural ecology, agribusiness marketing and management, training of future high school leaders, European legislation (Sysoeva, & Krystopchuk, 2012).

The introduction of information and communication technologies into the wide circulation of educational practice promotes the development of logical thinking, algorithmic thinking, and the ability to approach information critically; process information, use the information for educational purposes, reproduce information, exchange information, isolate the essence of messages, use the information for adequate solutions to today's problems.

Let's consider what are the factors on which the effectiveness of the process of informatization of education depends. These are the use of the information resource of the Internet for educational purposes, the filling of databases and data banks of scientific and pedagogical

information for the implementation of information interaction between educators, the development of new methods, the creation of educational and methodological complexes, the development of organizational forms of education, the accumulation of a fund of electronic educational resources with an orientation to quality training of education seekers, etc. The effectiveness of the process of informatization of education primarily depends on the ability of an individual to build his life trajectory, which will be successful, the ability to ensure the formation of a "person of the third millennium" – creative imagination, harmonious development, holistic mind, innovative technologies, objective assessment of innovative technologies in reality.

Therefore, the use of ICT in education provides the following opportunities:

- to involve all possible ways of information perception by the student of education – to visualize the studied objects, and processes in the form of geometric interpretations (graphs, diagrams, tables, etc.) and the form of models;
- due to the presentation of objects in a dynamic way, to visualize abstract information;
- to focus the attention of students during the study on individual details of objects, processes thanks to image adjustment (zooming in or zooming out, zooming in on individual details, etc.), using animation (repeat, stop viewing, etc.);
- to build one's own "educational trajectory" of education seekers;
- to diversify the set of educational tasks of a practical nature;
- to make independent work in the construction of objects, diagrams, and graphs, which include the dynamics of the investigated patterns, an innovation;
- students of education to organize research of various objects to change their individual parameters;
- during the organization of independent work, ensure quick feedback of education seekers with the software;
- to automate the processes of assimilation and control results.

Thus, computer information technologies contribute to objective conditions for using the potential of the latest technologies in the practical component of education, for the development of innovative teaching methods based on them (Andrievska, 2019).

When analyzing different concepts of informatization of education (Zhuk, 2004; Makarenko, 2013) the following areas are distinguished:

- 1) updating the educational base based on information technologies and creating service centers for maintenance;
- 2) updating the content of education and its goals caused by the introduction of a general education course in informatics at all stages of education in the conditions of the information society;
- 3) achievement of a new level of education due to the integration of information technologies in the educational sector;
- 4) improvement of informational and pedagogical activity during retraining of management personnel in the educational field;
- 5) intensification of models, methods, scientific-methodological and scientific-research activities;
- 6) application of information technologies in the management of educational institutions;
- 7) creation of a unified general educational environment;
- 8) improvement of the legal framework in education based on information technologies;
- 9) constant updating of the content of educational programs;
- 10) integration of the national education system into the information infrastructure of the world;
- 11) monitoring the quality of information and educational technologies;
- 12) information security in the educational information space.

Informatization of the educational space contributes to its intensification when introducing new developments into the learning process (Yordan & Yordan, 2020).

Innovative changes in the field of information ensure the emergence of a new innovative type of social organization. With this approach, the Information Society is understood as:

- a new type that appears as a result of global social change caused by the development of communication and information technologies;
- knowledge, where innovative knowledge that has no political boundaries becomes the main condition for the good life of the state and man;

- a networked global society where information has no spatial boundaries (Loik, 2009).

Conclusions

The global basis of the educational process in the EU countries and Great Britain was revealed by way of radical information reformation. Since 2020, the COVID-19 pandemic has become an impetus for building the EU's innovativeness. This is stated in the Action Plan for the formation of the European Education Area (European Education Area) adopted until 2025, which includes six dimensions (green and digital transformations, inclusion and gender equality, quality, teachers and pedagogues, higher education, and geopolitical dimension). The measures proposed by the European Commission to achieve the specified dimensions (supporting digital and green transformations within and through education and training, increasing attention to inclusiveness, improving the quality of education, supporting gender education, and increasing motivation and competence in the teaching profession) were considered.

The importance and necessity of using distance education (distance education), the basis of a new educational paradigm, progressive and high-quality education based on the use of modern means of communication and information technologies in the educational process, is revealed. During the study of the information society, the main prerequisite of the approaches (political, spatial, technological, economic, cultural) was singled out. The increase in the amount of information in all areas of a person, and changes in the field of information, lead to the emergence of a new type of social system. In this approach, the information society is shown to be necessary and important.

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Research on types of self-actualization of future masters in pedagogy

Дослідження типів самоактуалізації майбутніх магістрів педагогіки

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Abstract

Purpose is to identify types of self-actualization of future Masters in Pedagogy in the dimensions of educational and professional activity. The psycho-diagnostic instruments applied are valid and reliable. Three levels of statistical processing were used: 1) descriptive frequency characteristics; 2) coefficients for establishing statistical significance; 3) k-means clustering for identifying types of self-actualization of the research participants. The main concepts of A. Maslow's theory of self-actualization (1970) comprise methodological foundations of the empirical research. The study shows that in descriptive frequency characteristics there were no statistically significant differences with similar dimensions. Spearman's correlation analysis (rs) and correlation matrix allowed comprehending the variety of statistically significant content correlations of the examined phenomenon. K-means clustering made it possible to identify four types of the respondents'

Анотація

Метою є з'ясування типів самоактуалізації майбутніх магістрів педагогіки у вимірах навчально-професійної діяльності. Застосовано психодіагностичні інструменти, які є валідними і надійними. Використано три рівні статистичної обробки: 1) описові частотні характеристики; 2) коефіцієнти для з'ясування статистичної достовірності; 3) кластерний аналіз k-середніх для визначення типів самоактуалізації досліджуваних. Методологічну основу емпіричного дослідження склали вихідні положення концепції самоактуалізації А. Маслоу (1970). Констатовано, що у описових частотних характеристиках статистично достовірних відмінностей зі схожими вимірами не з'ясовано. Застосований кореляційний аналіз Спірмена (rs) і побудована кореляційна матриця дозволили збагнути розмаїття змістових статистично достовірних зв'язків досліджуваного феномену. Кластерним

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self-actualization: “Creative self-actualization” (n=32; 14.34%), “Hyperactive self-actualization” (n=60; 26.91%), “Egoistic self-actualization” (n=72; 32.29%) and “Life self-actualization” (n=59; 26.46%). Appropriateness of implementing the research results in organization of educational and scientific training for Masters in Pedagogy was empirically established and theoretically substantiated.

Key words: self-regulation of personality, educational space, adolescence, educational and pedagogical activity, educational and professional training, higher education institutions.

Introduction

Training for future Masters in Pedagogy is a highly responsible process and a result of the development of integral, general and special professional competences. Masters in Pedagogy must not only develop themselves permanently and “keep pace with time”, but also be able to teach others to do that. Taking into consideration that professional competences developed in the dimensions of self-realization rapidly lose relevance and operational capacity, the issue of an individual’s self-actualization is considered to be dominant. An exploring component acquires special importance in educational and professional training for Masters in Pedagogy. It should be regarded rather through a prism of creativity, organization of scientific exploring activity, than reproduction. The formation of the ability to solve complex problems in the professional area, including innovative research activity of Masters in Pedagogy, means thorough reconsideration of the current knowledge and creation of new knowledge, following successful patterns of realization of professional practice. Such articulation of the above issues highlights topicality and timeliness of the examined subject. At the same time, the articulated scientific problem is topical in a global dimension and requires thorough examination.

We assume that empirical research and theoretical substantiation of types of self-actualization of future Masters in Pedagogy will allow obtaining scientific facts which will contribute to efficient organization of educational and scientific processes of their training. Purpose is to identify types of self-actualization of future Masters in Pedagogy in the dimensions of educational and professional activity.

аналізом методом k-середніх встановлено чотири типи самоактуалізації респондентів: “Творча самоактуалізація” (n=32; 14.34%), “Гіперактивна самоактуалізація” (n=60; 26.91%), “Егоїстична самоактуалізація” (n=72; 32.29%) і “Життєва самоактуалізація” (n=59; 26.46%). Емпірично з’ясовано і теоретично обґрунтовано доцільність імплементації результатів дослідження у організацію освітнього і наукового процесів підготовки магістрів педагогіки.

Ключові слова: саморегуляція особистості, освітній простір, юнацький вік, навчально-педагогічна діяльність, навчально-професійна підготовка, заклад вищої освіти.

The empirical research on types of self-actualization will allow solving more complex problems of educational and professional training for future Masters in Pedagogy. The suggested empirical algorithm of the summative strategy will allow establishing casual relationships and identify the types of the respondents’ self-actualization. Structuring and logical sequence make it possible to outline the actual dimension, find growth points and urgent changes in educational process. Self-actualization of Masters in Pedagogy plays a key role in socio-economic, safety-related and political life of the country.

Literature Review

Self-actualization is the peak of Abraham Maslow (1970) hierarchical pyramid of needs. The scientist singled out a different number of the pyramid components at different stages of creating and substantiating his theory, but self-actualization was always its peak. Sometimes self-actualization is considered as self-expression of an individual (Radul, 2011a). Self-actualization combines a number of important elements which can be in intrinsic interrelation, complement each other or, probably, be less evident against a background of dominant elements. According to A. Maslow (1970), they involve: creativity, morality, spontaneity, being unbiased, problem-solving, tolerance as acceptance of things one cannot change, and others. The list of the above elements which are actualized or become dominant in activity is capable of ensuring an individual’s self-actualization. The author of the theory assumed and substantiated that self-actualization is achieved by a very small percentage of people (approximately 1.0%). And this level is reached

by an individual when they have realized their potential at maximum in their activity, utilized their talents and achieved success. A logical question arises: if self-actualization is achieved by a very small percentage of people, how can we explore types of self-actualization of future Masters in Pedagogy? We position educational and scientific spaces as indispensable conditions for respondents' institutionalization which provide all the above elements of self-actualization: creativity, morality, spontaneity, being unbiased, problem-solving, tolerance as acceptance of things one cannot change. Definitely, we have added and operationalized the list of relevant dimensions characterizing future Masters in Pedagogy. Application of this approach implies topicality of the task to establish the dimension of the above impacts and, as the purpose and hypothesis state, to identify the types.

In scientific literature there is a sufficient number of empirical studies revealing self-actualization of an individual in the dimensions of psychological well-being, through their openness, successfulness, seeking happiness, orientation towards ideals and psychological maturity (Karpenko & Klympush, 2023; Maddi & Khoshaba, 1994). As research shows, psychological maturity (Maslow, 1970) in combination with social maturity (Radul, 2011b) is an important dimension in an individual's self-actualization.

Much attention is paid to the formation of soft skills and hard skills (Kulish et al., 2020; Popovych et al., 2021b; Zaverukha et al., 2022) in education of future professionals in the socioeconomic area. Since self-actualization has a system-creating function, combination of well-formed soft skills and hard skills is able to ensure an optimal result. It is important to form self-development skills for professional growth of a future Master in Pedagogy as an individual who will follow the way of self-actualization after graduation. The concept of self-efficacy of an individual by Albert Bandura (1977) confirms our theoretical search. The scientist proved that self-efficacy can be achieved by an individual through subject activity and interpersonal communication. Two dimensions are interrelated and ensure successful activity of an individual.

A communicative component was thoroughly examined in the context of establishment and development of educational and professional activity that is shown in the studies by I. Halian et al., (2020), Popovych et al., (2020), S. Radul et al., (2022). An anticipatory component of

respondents' activity in the dimensions of self-actualization is a precondition for successful realization of a plan (Nosov et al., 2020; Plokhikh et al., 2021; Plokhikh, 2023). Safety of educational space V. Kalenchuk et al., (2023), psycho-emotional potential and resilience are referred to important factors affecting self-efficacy of activity (Halian et al., 2021; Melnychuk et al., 2023; Popovych et al., 2021c).

Types of self-actualization are considered to be dominant dimensions of manifestation of the examined phenomenon in professional development of future Masters in Pedagogy. Instilling the idea of self-actualization to postgraduates of a Master level will contribute to solving problems of freedom and responsibility, losing and searching for value orientations, being in society, alone and lonely. Research on types of self-actualization of future Masters in Pedagogy will allow operationalizing the problem of self-development, self-motivation, mental maturity and well-being aimed at achieving self-actualization.

Methods

Methodology. The main concepts of A. Maslow's theory of self-actualization (1970) comprise methodological foundations of the empirical research. The main ideas of the concept of social maturity of an individual as a combination of freedom of choice and ability to take responsibility were considered (Radul, 2011a; Radul et al., 2022). Respondents seeking a Master's degree are positioned as subjects of ethical behavior, able to interact with society tolerantly, appropriately and successfully. Young people are a community with a high level of social activity, determining the future of their country (Stupak, 2021).

Participants. The research sample involved the first- and second-year postgraduate students, taking Master's degree courses in the academic areas including a pedagogical component: Volodymyr Vynnychenko Central Ukrainian State University (VVCUSU) (Kropyvnytskyi region, Ukraine) and Vasyl Stefanyk Precarpathian National University (VSPNU) (Ivano-Frankivsk region, Ukraine). After completing such Master's degree courses postgraduates gain a professional qualification and have well-developed competences that allows them to start teaching and performing scientific activity in higher education institutions. The age of the respondents ranged from 21 to 48 years old. The dominant part of the respondents was represented by graduates of

VVCUSU and VSPNU. The descriptive frequency characteristics of the sample were ($M=23.1$; $Me=23$; $Mo=22$; $SD=\pm 2.12$). The quantitative characteristics of the sample were ($n=223$). The sample involved males ($n=67$; 30.05%) and females ($n=156$; 69.95%).

Organization of Research. The research was carried out according to the plan of the summative strategy. Empirical data were collected in the academic year 2022-2023. The respondents anonymously filled out forms of standard questionnaires given through Google-form. The research was approved by the Ethics Committees of the administration of VVCUSU and VSPNU. It complied with all ethical principles provided by Helsinki declaration of 2013 (World Medical Association Declaration of Helsinki, 2013).

Procedures and instruments. The test “Personal Orientation Inventory” (POI) by *E. Shostrom (1964)* was chosen as the key psycho-diagnostic instrument. The adapted version of the method known as “Self-actualization test” (SAT) (Aleshina et al., 1987) was used. We applied fourteen scales which allowed differentiating the research subject and qualitatively reflect the parameters. Here is the list of the parameters: competence in time (CT); support (Su); value orientations (VO); behavioral flexibility (BF); self-sensitivity (SSn); spontaneity (Sp); self-esteem (SE); self-acceptance (SA); concept of human nature (CHN); synergy (Sy); acceptance of aggression (AA); contact (C); cognitive needs (CN); creativity (Cr). The coefficient reflecting homogeneity of the responses α -Cronbach was at a satisfactory level ($\alpha=.816$).

The respondents’ locus of control on discrete and external factors was determined by the test “Life-meaningful orientations” (“LMO”) (Leontyev, 2006) by means of two scales: locus of control-self (LCS) and locus of control-life (LCL). Since, according to the methodology and the summative research strategy, training for future professionals is important, the suggested scales

are closely connected with the component “competence in time” (CT) by (SAT) (Aleshina et al., 1987) in the continuum “past-present-future”. The coefficient of homogeneity of the responses – α -Cronbach ($\alpha=.859$).

The questionnaire “Motivational structure of personality” (MSP) (Milman, 1990) was used for qualitative reflection of the content parameters of the motives of educational and professional activity. Two scales are considered to be of experimental interest: general activeness (GA) and creative activeness (CA) which qualitatively position professional orientation of future Masters in Pedagogy. α -Cronbach was determined at the level .886.

Statistical Analysis. Three levels of statistical processing of the obtained results were used: 1) descriptive frequency characteristics; 2) coefficients for establishing statistical significance; 3) *k*-means clustering for identifying types of self-actualization of the research participants. All the statistical operations were performed by means of “SPSS” v. 29.0. and the graphical editor “MS Office Word 2007”. The levels $p \leq .050$ and $p \leq .010$ are considered to be statistically significant.

Results

The summative research strategy was implemented by the following stages: 1) descriptive frequency statistics were found; 2) comparison of the obtained empirical data with the norms which were suggested by the methods’ authors and given in similar studies was performed; 3) correlations with the key research parameters of self-actualization were established; 4) cluster analysis of the empirical dataset for identifying the types of the participants’ self-actualization was performed. Tabl. 1 gives the main descriptive frequency characteristics of the examined parameters by the methods “SAT” (Aleshina et al., 1987), “LMO” (Leontyev, 2006) and “MSP” (Milman, 1990).

Table 1.

The main descriptive frequency characteristics of the examined parameters by the methods “SAT”, “LMO” and “MSP”

Parameters	Min	Max	Me	Mo	M	SD
CT	3.00	11.00	6	8	6.45	±2.562
Su	20.00	59.00	38	41	38.43	±7.212
VO	5.00	18.00	12	11	11.23	±2.129
BF	5.00	17.00	10	9	10.11	±2.731
SSn	3.00	10.00	7	6	6.32	±2.099
Sp	3.00	12.00	7	6	7.45	±2.061
SE	4.00	13.00	8	9	8.34	±2.664
SA	2.00	14.00	9	8	8.86	±2.334
CHN	4.00	10.00	7	7	6.56	±1.325
Sy	3.00	8.00	5	6	5.89	±1.234
AA	3.00	13.00	7	8	7.56	±2.451
C	3.00	13.00	8	6	7.78	±2.411
CN	2.00	14.00	6	6	6.54	±1.987
Cr	2.00	12.00	7	7	7.23	±2.178
LCS	8.00	29.00	21	20	21.22	±3.034
LCL	12.00	41.00	28	28	28.43	±5.098
GA	8.00	20.00	13	12	12.61	±3.08
CA	10.00	24.00	16	13	15.95	±4.11

Source: Personal elaboration, academic year 2022/2023.

Note: Min – minimum value of distribution; Max – maximum value of distribution; Me – median of distribution (data given in italics); Mo – mode of distribution; M – mean of distribution; SD – standard deviation of distribution; CT – competence it time; Su – support; VO – value orientations; BF – behavioral flexibility; SSn – self-sensitivity; Sp – Spontaneity; SE – self-esteem; SA – self-acceptance; CHN – concept of human nature; Sy – synergy; AA – acceptance of aggression; C – contact; CN – cognitive needs; Cr – creativity; LCS – locus of control-self; LCL – locus of control-life; GA – general activeness; CA – creative activeness.

Analysis of the descriptive frequency characteristics of the respondents by the parameters “SAT” (Aleshina et al., 1987) showed that the range of dimensions by the median from the lowest – synergy (*Me=5*) to the highest – support (*Me=38*) is close to the norm (Aleshina et al., 1987; Shostrom, 1964). The results by the two scales “LMO” (Leontyev, 2006): LCS (*Me=21*) and Lcl (*Me=28*) do not have statistically significant differences obtained by these scales in the studies related to our research S. Radul et al., (2022). The registered

values by two scales of the following method – “MCO” (Milman, 1990): GA (*Me=13*) and CA (*Me=16*) do not have a significant advantage in comparison with our previous research V. Radul et al., (2022).

In order to operationalize the examined parameters of self-actualization, we established correlations with the scales – LCS, LCL, GA and CA by Spearman’s correlation coefficient (r_s). Tabl. 2 presents the data obtained.

Table 2.

Data on correlations of the parameters of self-actualization with the research scales ($n=223$) by Spearman’s correlation coefficient (r_s)

Scales of self-actualization	Statistical parameters	Examined parameters			
		LCS	LCL	GA	CA
CT	r_s	.098	.101	.084	.115*
	p	.334	.156	.567	.041
Su	r_s	.097	.111*	.076	.088
	p	.402	.043	.760	.812
VO	r_s	.158*	.148*	.137*	.144*
	p	.011	.012	.022	.014
BF	r_s	-.036	.041	.039	-.029
	p	.844	.707	.712	.659
SSn	r_s	.111*	-.022	-.019	.095
	p	.043	.534	.432	.347
Sp	r_s	.059	.053	-.022	.038
	p	.829	.815	.443	.562

SE	r_s	.178**	.168**	.099	.114*
	p	.009	.010	.134	.042
SA	r_s	.109*	-.032	-.022	.042
	p	.047	.434	.529	.301
CHN	r_s	.033	.078	.089	.084
	p	.802	.243	.808	.867
Sy	r_s	-.037	.042	.049	.099
	p	.839	.699	.657	.123
AA	r_s	.043	.077	.099	-.084
	p	.780	.283	.124	.865
C	r_s	-.188**	.152*	.113*	-.074
	p	.008	.011	.042	.766
CN	r_s	-.137*	.114*	.044	.268**
	p	.022	.042	.567	.006
Cr	r_s	-.117*	.119*	.012	.334**
	p	.035	.031	.896	.002

Source: Personal elaboration, academic year 2022/2023.

Note: Min – minimum value of distribution; Max – maximum value of distribution; Me – median of distribution; Mo – mode of distribution; M – mean of distribution; SD – standard deviation of distribution; CT – competence in time; Su – support; VO – value orientations; BF – behavioral flexibility; SSn – self-sensitivity; Sp – spontaneity; SE – self-esteem; SA – self-acceptance; CHN – concept of human nature; Sy – synergy; AA – acceptance of aggression; C – contact; CN – cognitive needs; Cr – creativity; LCS – locus of control-self; LCL – locus of control-life; GA – general activeness; CA – creative activeness.

Fig. 1 presents a correlation pleiad which completed comprehension of the obtained statistically significant correlation parameters

and allowed visualizing importance of the parameters by the level of statistical significance and the number of correlations.

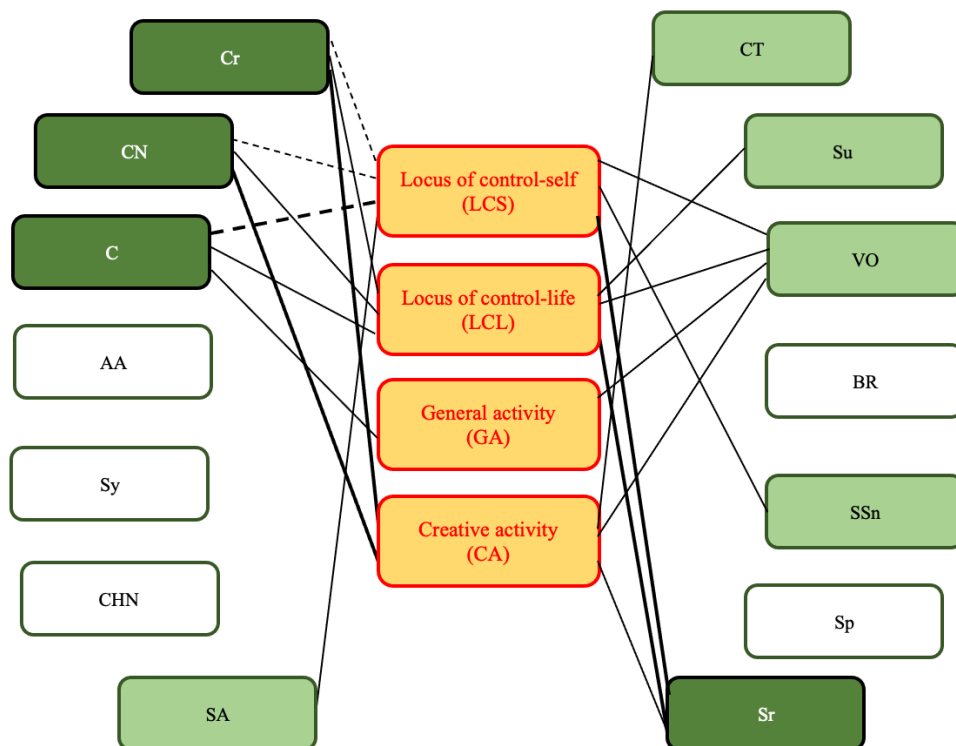


Figure 1. Correlation pleiad of the examined parameters of self-actualization (n=223)

Source: Personal elaboration, academic year 2022/2023.

Note: — positive correlations at the level $p \leq 0.05$; - - - negative correlations at the level $p \leq 0.05$; . . . positive correlations at the level $p \leq 0.01$; CT – competence in time; Su – support; VO – value orientations; BF – behavioral flexibility; SSn – self-sensitivity; Sp – spontaneity; SE – self-esteem; SA – self-acceptance; CHN – concept of human nature; Sy – synergy; AA – acceptance of aggression; C – contact; CN – cognitive needs; Cr – creativity.

We registered statistically significant correlations of the examined parameters with all (four) suggested variables affecting self-actualization. There are four positive correlations and one negative correlation at the level ($p \leq .010$): LCS & SE ($r_s = .178$); LCS & C ($r_s = -.188$); LCL & SE ($r_s = .168$); CA & Cr ($r_s = .334$); CA & CN ($r_s = .268$). There are thirteen positive correlations and two negative correlations at the level ($p \leq .050$): LCS & VO ($r_s = .158$); LCS & SSn ($r_s = .111$); LCS & SA ($r_s = .109$); LCS & CNg ($r_s = -.137$); LCSs & Cr ($r_s = -.117$); LCL & Su ($r_s = .111$); LCL & VO ($r_s = .148$); LCL & C ($r_s = .152$); LCL & CN ($r_s = .114$); LCL & Cr ($r_s = .119$); GA & VO ($r_s = .137$); GA & C ($r_s = .113$); CA & CT ($r_s = .115$); CA & VO ($r_s = .144$); CA & SE ($r_s = .114$).

K-means clustering was used to arrange relevant dimensions reflecting self-actualization of future Masters in Pedagogy. We partitioned the determined number of dimensions ($n=13$) into the optimum number of clusters ($k=4$). All the respondents' data were used in the research

($n=223$). *k*-means clustering means combining the sample's data into statistically homogenous groups by the determined dimensions. All the dimensions with statistically significant correlations were taken into consideration ($p \leq .050$; $p \leq .010$). Creative activeness (CA) was considered to be the main characteristic. Creative activeness has the highest statistically significant correlation ($r_s = .334$). The calculated minimum number of respondents in the cluster was $n \geq 27$. It is one of the requirements which should be met while forming clusters by a quantitative parameter. Appropriateness of using cluster analysis was established by means of "SPSS" v. 29.0 by Kaiser-Meyer-Olkin test of sampling adequacy (KMO) being $KMO = .744$. Bartlett's coefficient is significant at the level $p < .001$ that allowed using *k*-means clustering appropriately. The parameter "Creative Activeness" (CA) is the nucleus of the first cluster and the rest of the cluster dimensions were partitioned by this principle. Tabl. 3 gives the initial and final centers of clusters.

Table 3.
Initial and final centers of clusters

Parameters	Cluster 1 (n=32)		Cluster 2 (n=60)		Cluster 3 (n=72)		Cluster 4 (n=59)	
	b	e	b	e	b	e	b	e
CA	24.00	18.00	16.00	12.00	15.00	11.00	10.00	17.00
GA	13.00	10.00	20.00	15.00	12.00	9.00	8.00	14.00
LCS	16.00	11.00	17.00	12.00	29.00	19.00	8.00	10.00
LCL	17.00	13.00	18.00	14.00	12.00	16.00	41.00	20.00
CT	11.00	15.00	14.00	11.00	13.00	3.00	3.00	5.00
Su	59.00	39.00	36.00	27.00	33.00	24.00	20.00	28.00
VO	18.00	11.00	10.00	7.00	9.00	6.00	5.00	8.00
SSn	10.00	7.00	6.00	4.00	5.00	4.00	3.00	9.00
SE	13.00	9.00	8.00	5.00	7.00	5.00	4.00	7.00
CHN	14.00	9.00	8.00	6.00	7.00	4.00	2.00	9.00
C	13.00	8.00	7.00	5.00	6.00	5.00	3.00	6.00
CN	14.00	9.00	8.00	6.00	7.00	5.00	2.00	7.00
Cr	12.00	8.00	7.00	4.00	6.00	4.00	2.00	8.00

Source: Personal elaboration, academic year 2022/2023.

Note: b – beginning of the cluster; e – end of cluster; CA – creative activeness; GA – general activeness; LCS – locus of control-self; LCL – locus of control-life; CT – competence in time; Su – support; VO – value orientations; SSn – self-sensitivity; SE – self-esteem; CHN – concept of human nature; C – contact; CN – cognitive needs; Cr – creativity.

It is necessary to characterize the results of cluster analysis. The beginnings and the ends of clusters allowed identifying minimum difference and similarity of the examined parameters.

Cluster 1 numbers ($n=32$; 14.34%) respondents with high values of CA ($b=24.00$; $e=18.00$) and relatively low values of LCS ($b=16.00$; $e=11.00$). The type of actualization in which creative activity is dominant was called "Creative self-actualization".

Cluster 2 covers a relatively larger number of respondents, in comparison with the previous one, and numbers ($n=60$; 26.91%). A distinguishing characteristic of the respondents of this type is a high level of general activeness GA ($b=20.00$; $e=15.00$) and relatively medium values of the rest of the dimensions. This type of the respondents' actualization resembles hyperactive accentuation of teenagers, therefore, it was called somewhat metaphorically – "Hyperactive self-actualization".

Cluster 3 combines ($n=72$; 32.29%) the largest number of the respondents. The most distinguishing characteristic of the respondents of this type is a strong ability to localize self-control on their own "Self" – LCS ($b=20.00$; $e=15.00$) and, as a result, low localization of self-control on life, environment and significant others – LCL ($b=29.00$; $e=19.00$). Excessive concentration on one's own personality motivated us to call this type of self-actualization "Egoistic self-actualization".

Cluster 4 numbers ($n=59$; 26.46%) and resembles Cluster 2 only by a quantitative characteristic. The respondents of this type have opposite key parameters – LCL ($b=41.00$; $e=20.00$) and, consequently, low localization of self-control on their own personality – LCS ($b=8.00$; $e=10.00$). Such a combination of the key parameters incentivized us to call this type "Life self-actualization".

Discussions

Ukrainian and foreign scientific literature contains many studies related to professional training for higher education degree seekers in Pedagogy. Self-actualization of an individual in the dimensions of professional activity has also been examined thoroughly (Halian et al., 2020; Popovych et al., 2021a; Radul, 2011a; Radul, 2021b). When we aim to operationalize and implement scientific findings, there arise difficulties with the suggested scope of studies, therefore, our research was oriented towards establishing statistical significance, substantiating the research results with further implementation. Four types of self-actualization of future Masters in Pedagogy were suggested: "Creative self-actualization", "Hyperactive self-actualization", "Egoistic self-actualization", "Life self-actualization" (see Tabl. 3), through operationalizing the key parameters of the latter. The research purpose was achieved, and the hypothesis was proved.

A number of content features of the empirical research is considered to be of scientific interest. The given descriptive frequency characteristics (see Tabl. 1) incentivized us to focus on the scales showing rather low values by the median: CT ($Me=6$); Su ($Me=38$); SE ($Me=8$); Sy ($Me=5$); CN ($Me=6$). We assume that a change in the types of self-actualization in the dimensions of educational and professional training will contribute to an increase in the data on the parameters and a shift of the localization vector from general activeness and one's own personality to a creative component. The fact

(see Tabl. 2 and Fig. 1) that both components – creativity and cognitive needs – have a negative statistically significant correlation ($p \leq .050$) with localization of self-control Cr & LCS ($r_s = -.117$) and CN & LCS ($r_s = -.137$) is also considered to be of scientific interest. We think that excessive localization of adolescents on their own personality, social desirability and copying others in insignificant characteristics have a negative effect on their creativity and cognitive activeness. This fact is confirmed in the study by V. Plokhikh (2022) about limitation of psychological defense and its impact on the prospects of educational and professional activity of students. A negative correlation LSC & C ($r_s = -.188$; $p \leq .010$) is obvious. In turn, contact has a positive effect on creative activeness and localization of self-control on life.

The above types of self-actualization (see Tabl. 3) are rather a cross-section of self-actualization orientation of future Masters in Pedagogy. In our opinion, "Creative self-actualization" and "Life self-actualization" are the most optimal types which both respondents and managers of educational and scientific processes should strive for. "Hyperactive self-actualization" and "Egoistic self-actualization" are those types of self-actualization which subjects of educational and scientific processes should work at to reach preliminary indexes.

Conclusions

1. The research finds that types of self-actualization are dominant dimensions of manifestation of the examined phenomenon in professional growth and development of future Masters in Pedagogy.
2. K-means clustering was used to determine the optimal number of clusters ($k=4$) and identify four types of self-actualization of future Masters in Pedagogy: "Creative self-actualization" ($n=32$; 14.34%), "Hyperactive self-actualization" ($n=60$; 26.91%), "Egoistic self-actualization" ($n=72$; 32.29%) and "Life self-actualization" ($n=59$; 26.46%).
3. It was established that creativity and cognitive needs have a negative statistically significant correlation ($p \leq .050$) with localization of self-control Cr & LCS ($r_s = -.117$) and CN & LCS ($r_s = -.137$). We think that excessive localization of adolescents on their own personality, social desirability and copying others in insignificant characteristics have a negative effect on their creativity and cognitive activeness.

4. The study highlights that the examined types are rather a cross-section of self-actualization orientation of future Masters in Pedagogy.
5. It is generalized that the research on types of self-actualization of future Masters in Pedagogy will allow operationalizing the issue of self-development, self-motivation, mental maturity and well-being to achieve self-actualization.

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Use of information technologies for quality training of future specialists

Використання інформаційних технологій для якісної підготовки майбутніх фахівців

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Abstract

The article considers the main ways of using information technologies in education (creation of information environments in each educational institution. The factors without which the modern implementation of educational information technologies is impossible are singled out. The purposes of using e-learning, blended learning, and ways of monitoring education using computer testing are revealed. Emphasis is placed on the most effective means of educational multimedia systems in classes (automated learning systems; computer simulators; multimedia presentations; educational films; video demonstrations, etc.). The stages of teacher preparation for classes using computer technologies are singled out and their significance during classes is substantiated, the main functions in the system of training students who perform modern information technologies, the main directions of using

Анотація

У статті розглянуто основні шляхи застосування інформаційних технологій в освіті (створення в кожному освітньому закладі інформаційних середовищ; створення програмних засобів в педагогічному соціумі; застосування інформаційних технологій у процесі здійснення дослідницького, проєктного навчання; застосування інформаційних технологій в управлінні освітнім закладом; використання Інтернет засобів з метою розробки в закладах освіти програмно-методичного забезпечення, пошуку інформації, психологічного консультування, професійного становлення; створення в закладах освіти ВЕБ-сайтів; удосконалення в закладах освіти профорієнтаційної роботи; розробка і використання програмних продуктів для контролю і моніторингу освітньої діяльності). Виокремлено чинники без яких неможливе сучасне впровадження інформаційних технологій навчання. Розкрито цілі використання e-learning,

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information technologies in education, pedagogical conditions for effective introduction into the educational process of information technologies, the main goals of training specialists, which are achieved in the process of applying information technologies.

Keywords: information technologies, future specialists, e-learning, blended learning, educational process.

Introduction

The world society carries out constant development of the educational sector, therefore the integration of each country into the international educational community is possible, and hence the expansion of the economic sector, cultural cooperation, and science between states is possible. All these positions determine the need to modernize the training of future specialists, activate ways to improve the quality of education for all branches, and offer modern training of future specialists (Polishchuk, 2021). Today, higher education affects all the processes of human life, and therefore at the global level, it acts as the main component of society and depends on those processes that are carried out in it, therefore, when training specialists, it takes into account the development of personality and influences the formation of a person's views on life. With such an approach, it is necessary to take into account the current state of development and the introduction of information technologies into the education of any country for high-quality training of specialists based on European and national standards of higher education. Information technology is a constantly renewing, inexhaustible resource, which is the main intellectual value of society. They develop too quickly and are a necessary key to learning the material (Kovalenko, 2017).

In the professional training of future specialists, an important factor that optimizes the educational process in modern institutions of higher education is the creation of a favorable environment for the optimal educational activity

blended learning, шляхи здійснення моніторингу освіти за допомогою комп'ютерного тестування. Наголошено на найбільш ефективних засобах освітніх мультимедійних систем на заняттях (автоматизовані навчальні системи; комп'ютерні тренажери; мультимедіа-презентації; навчальні фільми; відео демонстрації тощо). Виокремлено етапи підготовки викладача до занять із використанням комп'ютерних технологій та обґрунтовано їх значущість під час заняття, головні функції у системі підготовки здобувачів освіти, що виконують сучасні інформаційні технології, основні напрямки використання інформаційних технологій у навчанні, педагогічні умови для ефективного запровадження в освітній процес інформаційних технологій, основні цілі підготовки спеціалістів, що досягаються у процесі застосування інформаційних технологій.

Ключові слова: інформаційні технології, майбутні фахівці, e-learning, blended learning, освітній процес.

of future specialists. At the same time, the integration of traditional teaching methods and the latest information technologies is mandatory (Matsuk, 2018).

A high level of qualification, the quality of acquired knowledge of the future specialist, mobility and professional competence are the main principles of rapid and constant development of the economy of any country. Information technologies make it possible to ensure a high-quality educational process and thus contribute to the competitiveness of a specialist, improve the further educational process, make education accessible and effective, and contribute to the quality preparation for life activities of the younger generation in the information society. Therefore, the use of information technologies for high-quality training of future specialists is a priority for the development of education, which ensures constant improvement of the educational process, makes professional training of future specialists accessible and effective (Derevyanko & Sukhovetska, 2015).

Literature Review

A. Polishchuk (2021) provided a solid groundwork for the application of foreign language competence in future professionals using information technologies. He explored the potential of the educational process and the principles of implementing foreign language competence. The reasons for inadequate and

underutilization of information technologies in higher education institutions were demonstrated. The author also proposed progressive and effective measures for incorporating information technologies into the educational processes of these institutions.

E. Borodina et al., (2019) performed a scientific analysis, studied and highlighted the benefits of mobile applications, and information technologies for training future specialists in higher education institutions. They examined the key challenges that arise during the training of specialists within a mobile application environment. The study showcased the potential of using mobile devices in the educational process, which promotes the shift from traditional forms of education to the application of innovative technologies. They disclosed potential methods for acquiring an information-based education using Google Apps services. The research proved that information technologies make learning interactive, increase educational intensity, and introduce new educational content components required for training competitive specialists.

S. Ghavifekr & W.A.W. Rosdy (2015) confirmed that information technologies enhance the teaching and learning environment by making it more active and dynamic. They further contributed to the consistent engagement of teachers in the day-to-day educational process. In their view, teachers are essential players in the educational process, utilizing information technologies.

L. Matsuk (2018) advocated for the necessity of using information technologies in the professional training of future specialists. This is essential for preparing future specialists to use specialized computer programs at various stages of their educational work. The study highlights key areas of student professional training when acquainting themselves with computer usage rules during remedial classes. The possibilities of harmoniously combining information technologies with traditional speech therapy technologies for children are shown. The study demonstrated the advantages of using information technologies in a specialist's future professional activities.

T. Vasenok, A. Zinchenko, & I. Marynchenko (2021) described the contextual content of forming professional competence in future sewing specialists when applying information technologies in modern society. They emphasized the need to use modern information

technologies, and automated clothing design systems, which contribute to improving the quality of work in sewing enterprises. Innovative approaches based on the use of modern information technologies are characterized as essential in the professional training of future specialists in vocational education.

M. Kademiya & I. Shahina (2011) demonstrated the significance of integrating information technologies in the educational processes of higher education institutions, and in management activities. They showed how the implementation of information technologies in the educational process of higher education institutions and the management of the educational process improves the quality of both categories and pedagogical efficiency.

O. Korets (2018) pointed out the necessity for future technological field teachers to use modern information technologies. They proposed a potential approach for using information technologies for studying technical and technological disciplines that implement technical calculations.

V. Kovalenko (2017) substantiated the potential of using information technologies in higher education systems. He demonstrated ways of using these technologies and proved their effectiveness in increasing the efficiency of the education and self-education process, enabling the transition to continuous education.

O. Derevyanko, & S. Suhovetska (2015) presented the primary aspects of utilizing information technologies in the educational process. They affirmed that the environment of information technologies promotes creative personality development, self-realization, and provides high-quality professional training for future specialists.

The purpose of the study is to consider the primary methods of using information technologies for the quality training of future specialists.

Methodology

In order to accomplish the research objective, a range of complementary methods have been utilized to gain a comprehensive understanding of the topic:

- Theoretical methods, comprising the analysis of philosophical, psychological, and pedagogical studies, were employed.

These methods served to substantiate the conceptual underpinnings of the research. The interpretive-analytical method facilitated the systematization, synthesis, analysis, and generalization of scientific statements. Additionally, comparative-historical analysis allowed for a comparison between international and domestic content in professional specialist training.

- Empirical methods were used to determine the training level of future specialists. These methods included questionnaires, observations, and interviews.
- The prognostic method was applied to incorporate developed educational and methodological materials related to the use of information technologies for quality training of future specialists into the educational process.

The study's methodological concept shows varying approaches of both specific scientific and general scientific methodology. These are the foundations upon which professional development and self-improvement of future specialists are conducted. An ongoing interrelation of approaches is observed. These include:

- The synergistic approach: This forms a holistic view on the professional training of a specialist, allows the consideration of the dynamics of information technology use for the qualitative training of future specialists, and leads to the development of professional self-improvement technologies.
- The metacognitive approach: This encourages subject-subject interaction, expands metacognitive strategies of self-study in students, and develops the reflective abilities of future specialists.
- The competence approach: This facilitates the formation of a competence-based experience in the subject of self-education activity, enables professional self-improvement, and ensures the enhancement of professional and pedagogical skills and qualities.
- The individual-typological approach: This guarantees the formation of a valuable perspective among students towards independent work, is founded upon the principles of differentiation, individualization, independence, and consciousness of professional self-improvement, considering their individual-typological features.

The theoretical concept of the research justifies the definitions of the main research concepts concerning the use of information technologies for the qualitative training of future specialists. It also defines the structure of information technologies for quality training of future specialists and ensures the training outcome – the readiness for competitiveness.

The process of using information technologies for quality training of future specialists is anchored in the philosophies and methodologies of scientific knowledge, and the principles of metacognitive, synergistic, individual-typological, and competence-based approaches. It also includes principles of systematicity, self-development, individualization, and specific principles like scientificity, structuring, accessibility, fundamentalization, integration, professionalization, optimality, problem-solving, relaxation, and mobilization.

The methodical concept introduces the method of using information technologies for quality training of future specialists, which involves a step-by-step process of mastering training methods, content, and forms. This concept also covers the application of innovative training technologies and methods, the development of self-study skills, and the creation of a complex of educational and methodological support.

The practical concept takes into account the experience of using information technologies for the quality training of future specialists.

Results and Discussion

Various scientists define the concept of "educational information technologies" differently.

T. Vasenok, A. Zinchenko, & I. Marynchenko (2021) describe information technologies as "the management and processing of data utilizing computer technology."

I. Bulah (1995) contends that "information technology is a system of tools and methodologies that guarantee the optimization of work with information based on computer technology."

M. Zhaldak (1991) asserts that "information technology comprises methods and technical means for collecting, organizing, storing, processing, transmitting, and presenting information that enhances people's knowledge

and hones their ability to manage technical and social processes."

I. Sokolova (2004) identifies the use of information technologies for the high-quality training of future specialists as "a system of general didactic, psychological, and technological procedures of interaction among the participants of the educational process in higher education. This system takes into account technical and human resources, and aims at developing the information competence of future specialists."

Broadly speaking, information technologies for quality training of future specialists encompass:

- A comprehensive aspect related to socio-pedagogical transformations, infused with information products, educational processes, technologies, and tools.
- The implementation of information products, tools, and the most recent pedagogical technologies based on information tools in institutions of higher education.

Educational information technologies for high-quality training of future specialists constitute an educational, methodological, and technological process. The principal element of this process, as a newly evolving educational tool, is the computer with its innovative capabilities, leading to significant modifications in the system of teaching methods and forms. In the context of high-quality training of future specialists, we interpret information technologies as a system that scientifically underpins quality professional training in higher education institutions. This system aims to boost efficiency and optimize the educational process, and it is predicated on the utilization of the higher educational institution's educational portal, the incorporation of cutting-edge technological and scientific advancements, and the upgrade of the institution's material and technical foundation (Kuchai et al., 2021).

Key to high-quality training of future specialists is the expansion of new information technologies in education, which are underpinned by new interactive methods and a modern computer base. This includes tools for distance learning, technical learning tools, computer educational programs, audio-video equipment, teleconferences, and more. Information technology tools for high-quality training of future specialists encompass artificial intelligence systems, information input devices, terminal equipment, information archiving tools,

local computer networks, information manipulation devices, contemporary communication systems, software suites, and others.

The following have gained widespread use for implementing information technologies and ensuring high-quality training of future specialists:

- Computer training programs
- Databases
- Diagnostic and testing systems
- Consulting and information systems
- Computer textbooks
- Expert systems
- Laboratory complexes
- Application programs for managing information processing.

The utilization of information technologies substantially transforms the roles and functions of the teacher and students with the objective of enhancing the quality of training for future specialists, thus significantly improving all components of the educational process (Shchyrbul et al., 2022). This change catalyzes the development of a need for self-learning, self-determination, self-improvement, and an increase in the motivation for cognitive activity among students. The teacher, adopting principles of cooperative pedagogy and new thinking, assists students in designing and redesigning their activities. They help students consider their individual characteristics through the use of information technologies, thus ensuring the personalization of education, taking into account the cognitive capabilities of each student (Derevyanko & Sukhovetska, 2015).

The main applications of information technologies in education are as follows:

- Development of information environments in each educational institution
- Creation of software tools in the pedagogical community
- Utilization of information technologies in conducting research and project-based learning
- Use of multimedia tools in education
- Introduction of distance courses in the educational landscape
- Application of information technologies in managing an educational institution
- Use of internet tools for software and methodological support development in educational institutions, information

- searches, psychological counseling, and professional development
- Creation of websites for educational institutions
- Enhancement of career guidance work in educational institutions
- Development and use of software products for controlling and monitoring educational activities (Kademiya & Shahina, 2011)

Modern application of educational information technologies for educational sector planning is impossible without the following factors:

- Individual's professional development
- Supportive policy
- Coherence
- Availability
- Training of skilled teachers to instruct students
- Student-centered teaching
- Technical support for all staff and educators
- Update of training program resources
- Educational content standards
- Monitoring of educational policy.

E-learning and blended learning are potent tools for aiding the growth of education. To ensure the effectiveness of e-learning and blended learning in self-education and continuous human education, the rules of integrated programs, usage of information technologies, and application of multimedia technologies in education are taken into account.

E-learning and blended learning blend traditional and distance learning methods with the capabilities of information technologies, which can significantly reduce training costs and enhance the efficiency of the educational process. However, e-learning and blended learning are not the only methods for obtaining continuous education—they are just one component of the educational process.

The objectives of utilizing e-learning and blended learning are:

- Conducting conferences and meetings
- Implementing remote monitoring by education experts
- Remote interaction among education participants – Independent work with electronic materials using a computer, mobile phone, etc.
- Creation of a distributed community of education seekers

- Timely delivery of electronic educational materials, which happens continuously
- Popularization, assimilation, and transfer of information technologies
- Increasing the effectiveness of teachers' activities
- Development of educational web resources
- Offering consultations, regardless of time
- Implementation of joint virtual educational activities
- Standardization of electronic materials for education
- Certification of distance learning tools
- Cultivation of an informational culture of the educational process among students
- Opportunity to obtain modern knowledge from any place and at any time
- Provision of quality education for individuals with physical disabilities (Gurevich et al., 2012)

Modern education allows for the creation of an educational environment using e-learning technology, where both teachers and students can access education from any location, independent of a stationary computer, and study at a time that suits them. This has been made possible by modern technology like tablets and iPads.

An analysis of training plans for future specialists in higher education institutions indicates a lack of educational disciplines that form the information and communication competence of future competitive specialists. In most higher education institutions, the development of information and communication competence in students only occurs in the final course of study. This doesn't always facilitate the effective use of information technologies when writing course projects and qualification papers, in extracurricular work, or during pedagogical practice. The formation of information and communication competence should be a consistent and systematic process (Shunkov et al., 2022).

In the professional training of future specialists, the use of information technologies ensures students are prepared to implement computer programs specific to their professional activities (Matsuk, 2018).

The importance of combining pedagogical technologies with information technologies in higher education is becoming increasingly recognized. This approach helps to develop skills, creative thinking, and the ability to creatively approach emerging problems,

navigate information, utilize communication, and expand students' self-education (Kovalenko, 2017).

The use of information technologies in the higher education system allows teachers to alter their methods, educational content, and organizational forms. The digitalization of the educational process in higher education aids future specialists in adapting to competitive professional activity, thereby enhancing the quality of their professional training. As a result, students are better able to navigate modern society and their specific professional activities. A higher education institution acts both as a consumer and an active producer of information technologies. The digitalization of the educational process demands computer literacy from students and teachers, as information technologies are increasingly becoming vital tools in education. They foster innovation in the educational and creative activities of students and promote competitiveness in their future professional endeavors (Kotiash et al., 2022).

Video materials and other multimedia tools are used in higher education institutions to bridge gaps in education. Multimedia teaching tools are versatile as they can be utilized at different stages of the lesson: during problem setting, before learning new material as motivation, during the explanation of new material as illustration, and throughout the process of consolidating material and generalizing students' knowledge. The most effective means of educational multimedia systems in classes include automated educational systems, computer simulators, multimedia presentations, educational films, and demo videos.

The preparation of teachers for classes using computer technologies can be delineated into several stages, each with its significance (Savchenko, 2013):

- Organizational Stage: This involves creating a conducive psychological atmosphere in the class to enhance the success of educational activities.
- Checking Independent Work: This entails assessing students' basic knowledge.
- Topic Announcement: Teachers announce the topic and objectives of the lesson, often through a multimedia presentation.
- Assimilation of New Knowledge: Students are introduced to new information, often supported by multimedia presentations and practical examples.

- Informing Students About Independent Work: Teachers instruct students about the upcoming independent work and provide necessary didactic materials.
- Familiarization with Equipment: Teachers introduce students to the necessary technical and material equipment.
- Summary: The class concludes with a summary of the key points.

The development of classes using information technologies necessitates the availability of software, electronic resources, presentations, and Internet materials (Kovalenko, 2017).

Modern information technologies serve several functions in the education system: modifying, modernizing, and rationalizing the traditional educational process; radically transforming the educational process; and offering a combination of elements from the traditional and innovative educational process.

Computer technology plays a crucial role in the educational process, both for teaching and for assessing knowledge. The advantages of computer-based testing include objectivity, convenience in recording and storing test results, rapid implementation of individualized testing, and automatic processing of results (Kuchai et al., 2022).

The most significant information technology device in contemporary education is a computer equipped with telecommunications and innovative programs. Key uses of information technology in education include visual representation of socio-cultural phenomena and processes, training in the use of educational material, collection and processing of statistical information, modeling, monitoring skill formation levels, and facilitating dialogue and communication through computer networks (Zayarna, 2015).

To integrate information technologies effectively into the educational process, it's necessary to meet certain pedagogical conditions. These include providing higher education institutions with Internet services, multimedia tools, and telecommunications programs, training teachers to work in computerized educational environments, and preparing future professionals to work with electronic database platforms (Burovetska & Polishchuk, 2021).

The primary goals of training specialists, achieved through the application of information

technologies (Litvinchuk, 2015), include the following:

1. Enhancing the efficiency of the educational process through individualization and intensification.
2. Improving training by using available information.
3. Achieving a productive level of professional training by applying information technologies during the study of professional disciplines.
4. Focusing on anticipatory, developmental education, and implementing promising forms of education and methods.
5. Integrating types of educational activities within a single methodology during the study of professional disciplines, based on the application of information technologies.
6. Preparing students for future professional activities in the conditions of the information society.
7. Implementing innovative teaching methods and forms with an orientation towards anticipatory, developing education.
8. Increasing the effectiveness of the educational process based on its intensification and individualization.

Conclusions

Absolutely, information technologies offer a wealth of tools and methodologies that can enhance education, such as creative technologies (e.g., electronic textbooks, hypertext, computer graphics, and geoinformation systems), virtual reality, and computer networks. All these tools play a crucial role in modernizing and enhancing the educational process.

However, as you rightly pointed out, the effective integration of these tools is not without challenges. These challenges can include:

1. Level of Difficulty: Choosing the appropriate level of difficulty for tasks can be a challenge. Not every student learns at the same pace or in the same way, so it can be difficult to ensure that educational materials are adequately challenging but not overwhelming.
2. Monitoring: While technology can make it easier to track student progress, it may not be as effective in understanding the nuances of student engagement and performance as traditional, in-person monitoring methods.
3. Pace Control: Technology can allow students to learn at their own pace, which can be both a benefit and a challenge. It can

be difficult to ensure that all students are keeping up and not falling behind.

4. Visualization: While technology can provide visually appealing and engaging content, the quality and effectiveness of these materials can vary greatly. In some cases, poorly designed materials could even hinder learning rather than help it.
5. Personal Activity and Motivation: It can be challenging to cater to the individual needs, motives, and requirements of students in a computerized environment.
6. Depth of Knowledge: Assessing the depth of knowledge and understanding that a student has gained from computerized learning can be difficult.

While information technologies can greatly enhance the educational process, it's crucial to find a balance between traditional and technological methods. Educators and researchers need to consider how to best incorporate these technologies into existing pedagogical approaches to enhance, rather than hinder, learning. Further research into how to optimize this balance is indeed a vital area for exploration. The goal is to create an educational environment that leverages the best of both traditional and digital tools to deliver engaging, effective, and personalized education for every student.

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Information and analytical support for the State defense order in Ukraine

Інформаційно-аналітичне забезпечення державного оборонного замовлення в Україні

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Abstract

The purpose of the article is to reveal the essence of the information and analytical support for the State defense order in Ukraine. Research results. Theoretical approaches to defining the essence of the concepts of information and analytical activity and information and analytical support are considered, their role and purpose are revealed. Practical meaning. The author's definition of the term «information and analytical support of the state defense order in Ukraine» is proposed as a complex of organizational and legal systematic measures aimed at the collection, processing, analysis and generalization of information materials in order to ensure effective planning, coordination, monitoring and control of the execution of State defense orders, which includes the use of modern information technologies, analytical methods and expert assessments, promoting effective management within the defense sector of the state. Value/originality. It is proven that the role of the investigated institution is to protect territorial integrity and sovereignty, ensure informed decision-making, planning and

Анотація

Мета статті полягає в розкритті сутності інформаційно-аналітичне забезпечення державного оборонного замовлення в Україні. Результати дослідження. Розглянуто теоретичні підходи до визначення сутності понять інформаційно-аналітична діяльність та інформаційно-аналітичне забезпечення, розкрито їх роль і мету. Практичне значення. Запропоновано авторське визначення дефініції «інформаційно-аналітичне забезпечення державного оборонного замовлення в Україні» як комплекс організаційно-правових систематичних заходів, спрямованих на збір, обробку, аналіз та узагальнення інформаційних матеріалів з метою забезпечення ефективного планування, координації, моніторингу та контролю виконання державних оборонних замовлень, що включає використання сучасних інформаційних технологій, аналітичних методів та експертних оцінок, сприяючи ефективному управлінню в межах оборонного сектору держави. Цінність/оригінальність. Доведено, що роль досліджуваного інституту полягає у захисті територіальної цілісності та

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coordination, monitoring and control, development of internal and external potentials, ensuring information security, development of the information base, ensuring effective communication, supporting scientific research, innovation and technological development.

Keywords: activity, defense procurement, information and analytical support, State defense order, Register.

Introduction

The issue of ensuring the appropriate level of defense capability of Ukraine in terms of its resistance to the aggression by the Russian Federation is very acute. In this regard, from the standpoint of the State's stability and sustainable development of all its institutions (Tatarova et al., 2022, p. 215), fulfilling the task of increasing the level of capabilities of the country's defense forces and ensuring the rational spending of budget funds, effective functioning and development of the State defense procurement system is an urgent problem of State importance. In turn, the information and analytical support for the State defense procurement system, as a basic subsystem, plays a decisive role in the organizational and economic mechanism of the state defense procurement system in general (Holota, 2020).

The active development of information and analytical activity in domestic public and commercial institutions has acquired the character of one of the significant trends of recent times. Its actualization is due to a number of objective facts: on the one hand, it is the democratization of social life, the development of market relations, legitimacy, the rapid evolution of entrepreneurial activity, and on the other one – the related increase in the importance of the intellectual component of decision-making in management and other spheres of social life, as well as the constant flow of information necessary for the adoption of administrative decisions and the implementation of other types of social activities.

In recent times, there has been a rather widespread recognition of the information and analytical activity social status, which has a number of characteristics (public awareness of the existence of analytics, recognition of this phenomenon as an instrument for managing complex processes, means of revealing the essence of the events taking place and in

суверенітету, забезпечені прийняття обґрунтованих рішень, плануванні та координації, моніторингу та контролю, розвитку внутрішніх та зовнішніх потенціалів, забезпеченні безпеки інформації, розвитку інформаційної бази, забезпеченні ефективної комунікації, підтримці наукових досліджень, інновацій та технологічного розвитку.

Ключові слова: діяльність, оборонні закупівлі, інформаційно-аналітичне забезпечення, державне оборонне замовлення, Реєстр.

predicting their further development, forming ideas about professional analyst as an expert with exclusive knowledge).

Thus, the purpose of the article is to reveal the information and analytical support for the State defense order in Ukraine on the basis of the theory of administrative and military law, rules of national legislation and the latest works by the scientists.

To achieve this aim, the following tasks should be resolved:

- 1) to understand the essence of information and analytical support in information management of public administration by developing theoretical approaches to the definition of this concept;
- 2) to define the role and purpose of information and analytical support of the defense sphere of Ukraine;
- 3) to investigate information and analytical activity, through which this type of support is carried out;
- 4) to examine the legal nature of the Register of participants in the selection and execution of public contract as the main instrumental component of the information and analytical provision of the State defense order;
- 5) to determine the main aspects of the information and analytical support for the State defense order in Ukraine.

Literature Review

The formation of information analytics as a special field of activity took place in the shortest possible time, in an environment of maximum intensification of all processes and aggravation of many problems. Despite the fact that analytical activity has been used for a long time, its classification and precise definition have not yet been developed. In this regard, Sliadnieva

(2001) proposed the following definition “information analytics deals with the production of new knowledge based on the processing of existing information in order to optimize decision-making. Modern information analytics is a complex activity that relies on both natural intelligence and computer technologies for operating information arrays, methods of mathematical modeling of processes, etc.”

Information provision is an important function in state management activities. In the absence of the necessary information, it is difficult to make objective and timely state management decisions. In this regard, the work of state bodies should be provided with timely information support.

Information and analytical support is the process of creating optimal conditions for meeting information needs and implementing official duties of state authorities based on the formation and use of information resources. The goal of information and analytical support for the State executive bodies is to create conditions for making effective public management decisions (Puhach, 2010).

The term "information and analytical support" consists of two interrelated elements, namely:

- information, which is related to the independent activity of specially trained specialists engaged in searching, selecting, processing, accumulating, summarizing and saving information units (the first stage of the process of information and analytical support in the management system of any mechanism);
- analytical, which is a derivative of the second stage of the process of information and analytical support in the management system of any mechanism: production by specially trained specialists on the basis of available information units and complex mental processes of new knowledge about the phenomenon or event being studied (Koval, 2008).

According to Teleshun et al., (2007) information and analytical support is a set of technologies, methods of collecting and processing information, characterizing the object of managerial influence, specific methods of their diagnosis, analysis and synthesis, as well the assessment of the consequences of making various options for decisions.

Parkhomenko (2006) states that information and analytical support is the system of interrelated methods, measures and tools, implementing the creation and functioning of the technology of the process of collection, transfer, processing, storage and issuance (display), as well as the use of information for the purpose of carrying out effective activities in one or another area.

In the opinion by Pushak (2001), information and analytical support is an organic set of initial data, indicators and methods of their determination and analytical evaluation, which can be a scientific and methodical prerequisite for making appropriate decisions by regional management bodies when determining effective directions for the development of entrepreneurship.

Methodology

The methodological basis for the research is based on an organic combination of epistemological, ontological, deontological, and axiological approaches. The research is based on systemic, structural-functional, sociological, synergistic, hermeneutic, linguistic and logical-semantic approaches.

The basic method is the systematic approach, which made it possible to establish the relationship of social processes and phenomena with the implementation of information and analytical activities and to reveal the essence of information and analytical support of the State defense order in Ukraine.

With the help of dialectical and historical methods, the genesis of scientific works devoted to certain aspects of the investigated issue was studied.

The method of synergistic analysis made it possible to understand the role of information and analytical support in the Ukrainian defense sphere.

Formal-logical and sociological methods helped to reflect the role and place of analytical and information activity in the life of society, to establish its place in the procurement system of Ukraine.

With the help of a linguistic approach and a formal legal method, the legal meaning of the key concepts of the study was clarified (“information”, “information and analytical activity”, “information and analytical support”, etc.)

The structural and functional method contributed to identifying the most important aspects of information and analytical support for the State defense order in Ukraine.

Content analysis method was used to examine the rules of laws and by-laws governing the studied problem.

Using modeling and legal method helped to formulate the main opinions related to the research.

Results and Discussion

Information and analytical activity is undoubtedly a broad and multifaceted sphere. It includes the selection and systematization of facts on a certain issue, their evaluation, selection, interpretation, clear and thoughtful presentation in oral or written form. It is worth noting that obtaining necessary materials, activities related to the acquisition, systematization, translation and distribution of books and documents do not belong here (Varenko, 2014, p. 15).

To understand the essence of information and analytical support in information management of public administration, it is necessary, first of all, to develop well-known theoretical approaches to the definition of this important concept, generalize them and propose a definition that more adequately corresponds to its essence, as well as justify its role and place in general public administration.

The term “informational and analytical support” is quite often used in various spheres of state activity, in particular, in matters of public administration. Overall analysis indicates that information and analysis support in the complex process of information support of the state administration system occupies one of the key places. However, today there is no unified understanding of this important concept; it has a semantic contradiction in scientific and journalistic articles. As a result, there is a problem that prevents both the development of methodological foundations of information support in the state administration system and its practical implementation.

Sarychev (2017, p. 127) proves that information and analytical support is a set of measures to implement documented information products (analytical documents) based on the use of static information resources (documented data and information), conducting calculations, modeling

situations, their analysis and synthesis in order to support the adoption of appropriate decisions at all levels of public administration.

Lytovchenko (2021, pp. 123-124) understands information provision as the presentation and organization of information, which will meet the needs of information system users and the requirements of automated data processing. The management of information provision means clear information flow processes from the moment of its creation to the use, application of classification and coding systems, creation of information and logical models of information arrays, management of changes in existing information systems, solving routine problems on the quality of information systems, etc.

Information and analytical support of the defense sphere of Ukraine is considered by Sokurenko (2016, pp. 29-30) as functionally and structurally dedicated specially organized activity of public administration actors in the sphere of defense, which involves collection, accumulation and processing of data; search, analysis and generalization of information; obtaining special knowledge aimed at quality assurance of their managerial activities. This support system needs immediate improvement by creating a special structural unit in the system of public administration bodies in the relevant field, which would accumulate all information of a defense nature and maintain a communication system with all interested subjects and scientific institutions.

The scientists Snitsarenko and Sarychev (2017, p. 87) proposed a new definition of information and analytical support (in the military sphere) as the set of measures to implement the processes of creating information products (analytical materials) based on the use of static information resources (documented data and information), obtained as a result of monitoring, as well as by conducting calculations, modeling situations, analyzing and synthesizing data and information, in order to support decision-making by military management bodies at all levels.

Accordingly, in our opinion, information and analytical support for the State defense order in Ukraine is a complex of organizational and legal systematic measures aimed at the collection, processing, analysis and generalization of information in order to ensure effective planning, coordination, monitoring and control of execution of state defense orders, which includes the use of modern information technologies, analytical methods and expert assessments,

contributing to effective management within the defense sector of the state.

Regarding the role and purpose of information and analytical support of the defense sphere of Ukraine, Sokurenko (2016, p. 22) indicates that its main goal of is comprehensive scientific, theoretical and informational assistance of the activities of public administration bodies and public organizations of the defense sector based on a complex of organizational, research, legal, technical and other measures.

Its role lies in the production of analytically substantiated and documented information products, which are provided for management decisions that do not require real action in real time, and its place is determined by the sequence of information processes in the general cybernetic circuit of state administration, in particular, the military sphere. The obtained results, subject to their implementation in practice, allow for the best possible division of responsibility and duties of executors in the single contour of government in the military sphere.

The improvement of the defense resource management system and the rapid development of the latest information technologies require the use of new approaches both to the construction of information systems for management of defense resources, and to the administration of their information support. Control of compliance of the provided information with user needs is the key function of information provision managing.

Another principal function is to present technologies, on the basis of which the interests of all parties involved in information activities are coordinated. The complexity of information control in the field of defense resource management is determined by constant changes in the functional environment, the emergence of new goals and the search for new solutions. Changes in the functional environment require relevant shifts in management processes to ensure compliance with the new requirements of the number of participants involved in the creation and use of information resources (Lytovchenko, 2021, p. 123-124).

Information and analytical provision of the defense sphere is performed through information and analytical activity – a specific area of information work related to the detection, processing, preservation and dissemination of information mainly in the field of management, political and economic activities. However, for

the defense sector, it is not so much the timely provision of primary information as early detection of problem situations and prediction of development of events. It is the need to predict, identify and forecast trends in the evolution of the situation that determines the use of various analytical techniques for processing source information. Identifying possible ways of developing the situation requires not only the consolidation of the revealed information, but also its assessment (Sokurenko, 2016, p. 22).

Information and analytical support closely interacts with condition monitoring as a separate type of information support in the state administration system. Its role is to develop analytically substantiated proposals for making effective state management decisions (on the basis of available information resources obtained with the help of information infrastructure), and its place is determined by the nature of the task of assessing and forecasting the state (development) of the object (process) of public administration.

In addition, information technology innovations in public administration in general and public administration in the field of defense in particular should be of a complex nature, be associated with the simultaneous and agreed use of informational, organizational, legal, socio-psychological, personnel, technical and many other factors. All this requires a comprehensive approach, a qualitative change in the system of working with information, as well as in the functional and organizational structure of management, the composition of all management activities in the defense sphere. Formation of modern information and analytical and software support systems for management decisions will provide an opportunity for public administration actors of the defense sector to quickly analyze and assess the situation in all areas of the State's defense activities. To this end, existing information systems should be integrated in the defense sphere of Ukraine, that is, it is necessary to create a unified information and telecommunications system for collecting, processing and transmitting data necessary for making strategically important decisions in the administrative and political sphere of public management (Sokurenko, 2016, p. 22).

The main instrumental component of the information and analytical provision of the State defense order in Ukraine is the Register of participants in the selection and execution of public contracts.

According to the Law of Ukraine No. 808-IX (2020), the Register is created as an automated system. It is maintained for the purpose of monitoring information on executed state contracts (agreements), keeping the information on the participants of the selection up to date and ensuring transparency of information about participants of selection and performers of state contracts (contracts), objectivity of evaluation, selection and re-evaluation of executors of state contracts, taking into account on their ability to produce and supply goods, perform works and provide services in accordance with the needs of government customers.

The Register ensures systematization and retrospective analysis of the data on economic entities in defense procurement according to the following classification features:

- 1) range of goods, works, and services for defense purposes produced by the economic entity, works and services performed by such an actor;
- 2) the price of goods, works, services for defense purposes, including, but not limited to, the fixed price of such products, based on the results of pre-procurement in compliance with the legislation on information protection;
- 3) financial and economic condition of the enterprise;
- 4) presence of certain types of production activity of the enterprise;
- 5) availability of the necessary production and technical capacity of the enterprise;
- 6) presence of necessary objects of intellectual property right;
- 7) performing or participating in research and other work;
- 8) potential statutory grounds for refusal of contract based on the results of trades.

The processing of information with limited access and information constituting a State secret in the Register is carried out in accordance with the laws of Ukraine "On Protection of Information in Automated Systems" (Law of Ukraine No. 80/94-VR, 1994) and "On State Secrets" (Law of Ukraine No. 3855-XII, 1994). The procedure for creating and maintaining the Register of participants in selection and executors of state contracts (agreements) is approved by the Cabinet of Ministers of Ukraine. Responsibility for the administration and ensuring the functioning of the Register rests with the main body in the field of defense procurement planning. Officials of this agency are responsible for improper administration and

operation of the Register in accordance with the Ukrainian legislation.

According to the Resolution of the Cabinet of Ministers of Ukraine No. 233 (2021), the Register is a system of accumulation, processing, accounting, protection and provision of information on the participants of selection and performers of state contracts. The Register is a state information resource. State customers receive information from the register free of charge. The holder and administrator of the Register is the Ministry of Strategy and Industry, which ensures its creation, operation, maintenance and administration. The Ministry within its powers:

takes measures to create, implement, support the software of the Registry using information and telecommunication technologies;
is responsible for technical and technological support, preservation and protection of registry data;
carries out technical and technological measures for granting, blocking and canceling access to the Registry, keeps records of users;
ensures verification of the accuracy of data submitted to the register, compliance by users with technological discipline and information security, training on data entry and use of the register;
carries out systematization and retrospective analysis of data on business entities involved in defense procurement;
forms analytical reporting on certain indicators;
ensures publication of the list of business entities included in the register;
supports the website hosting the Register;
maintains the publication of information on the specified website.

In general, the role of information and analytical support for the State defense order in Ukraine is extremely important and includes the following aspects:

1. Protection of the territorial integrity and sovereignty of the State: information and analytical support of the State defense order in Ukraine is aimed at increasing the efficiency and reliability of the national defense system, ensuring security and sovereignty of the country.
2. Ensuring informed decision-making: information and analytical support provides the necessary information, analysis and assessment, which help military management bodies to make informed, legal and optimal decisions regarding the State

defense order in compliance with priorities, requirements and strategic directions in the development of defense forces and production military equipment.

3. Planning and coordination: information and analytical support helps to ensure effective planning and coordination of the state defense order (identification of needs, allocation of resources, establishment of deadlines and interaction between various subjects involved in the implementation of the order).
4. Monitoring and control: information and analytical support ensures systematic monitoring and control of the execution of the State defense order.
5. Development of internal and external potentials: information and analytical support contributes to the development of internal and external potentials of the State defense order, which includes the search and analysis of new technologies, scientific research, market trends and potential partners to increase the efficiency and competitiveness of defense programs.
6. Ensuring information security: development and application of measures to protect confidential State information, cyber security and counter data leakage.
7. Development of the information base: information and analytical support contributes to the promotion of the information base, which includes the data on the State defense order (creation and management of databases, information collection and analysis systems, as well as the development of methods of information modeling and forecasting).
8. Ensuring effective communication: information and analytical support promotes effective communication between various actors involved in the implementation of the State defense order (exchange of information, common understanding and coordination of actions, which facilitates effective performance of tasks and achievement of set goals).
9. Support for scientific research, innovation and technological development: information and analytical support provides assistance to scientific research and innovation in the field of State defense procurement, promotes technological development in this sphere (implementation of advanced technologies and research to increase the efficiency and competitiveness of defense programs).

Conclusion

The successful operation of the institution is impossible without provision of the necessary information, which contributes to the improvement of the quality of the decisions made. Information provision is one of the types of provision of management processes, which includes a set of information resources, means, methods and technologies for collecting, processing and issuing information used in interests of the organization.

Information and analytical activity is work, which, using the capabilities of the relevant services, is aimed at fulfilling the task of qualitative and meaningful transformation of information, functionally intersecting in this regard with scientific (production of new knowledge) and managerial (development of options solutions, scenarios) operation (Parkhomenko, 2006).

Information and analytical services (subdivisions) began to be established in the structure of government bodies, in ministries and agencies, in the business sphere, and in political parties and organizations. A common distinguishing feature of these services is their organic integration into the relevant spheres of activity, functional and organizational symbiosis with their social institutions and specific organizations. In the activities of data analytical services, which are called to provide management information support in the relevant spheres, the information-supporting nature of information analysis is most clearly visible, which makes the latter akin to other types of information and infrastructure, information and support services that traditionally organize the information space, optimizing and directing traffic information flows that ensure the preservation of accumulated information resources, etc. They include both the oldest inventions of mankind (libraries, archives, bibliographic services), as well as more modern reference services, NTI bodies, and the latest companies that develop electronic (including network) information resources (Zakharova & Filipova, 2013, p. 6).

Information and analytical support for the State defense order in Ukraine plays a crucial role as well. Its role is to protect territorial integrity and sovereignty, ensure informed decision-making, planning and coordination, monitoring and control, development of internal and external potentials, ensuring information security, development of the information base, ensuring

effective communication, supporting scientific research, innovation and technological development. In our opinion, this institution in the investigated area is a complex of organizational and legal systematic measures aimed at the collection, processing, analysis and generalization of information in order to ensure effective planning, coordination, monitoring and control of execution of state defense orders, which includes the use of modern information technologies, analytical methods and expert assessments, contributing to effective management within the defense sector of the State.

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Public administration in the field of national security: Updating content during martial law

Публічне адміністрування у сфері національної безпеки: оновлення змісту під час воєнного стану

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Abstract

The article examines the model of public administration in the field of national security that meets the requirements of martial law. The purpose of the study is to determine the format of the existing public administration in the national security sector, taking into account the challenges of the legal regime of martial law by solving such research tasks as outlining the essence of public administration in the field of national security; research of subjects endowed with administrative powers in the field of national security; determination of the directions of transformation of public administration in the specified area. The research methods are the method of analysis, the method of observation and study of documents, the method of comparison, the method of modeling, and logical methods. As a result of the conducted research, the expediency of Ukraine taking into account the directions of reforming managerial influence on public relations in the field of national security, which are recognized at the level of the European Union, is substantiated. As a condition for the implementation of the necessary changes in the regulation of the security sphere, it is separated from the sphere of defense and the introduction of appropriate changes to the Law of Ukraine "On National Security". The specifics of the institutional support of social relations in the field of national security are identified and the directions for the implementation of the proper doctrine of national security are outlined.

Keywords: public administration, martial law, special period, national security, national identification.

Анотація

У статті досліджено модель публічного адміністрування в сфері національної безпеки, що відповідає вимогам воєнного стану. Метою дослідження є визначення формату наявного публічного адміністрування в секторі національної безпеки з урахуванням викликів дії правового режиму воєнного стану шляхом вирішення таких науково-дослідних завдань, як: окреслення сутності публічного адміністрування в сфері національної безпеки; дослідження суб'єктів, що наділені владно-розпорядчими повноваженнями в сфері національної безпеки; визначення напрямів трансформації публічного адміністрування в означеній сфері. Методами дослідження є: метод аналізу, метод спостереження та вивчення документів, метод порівняння, метод моделювання, логічні методи. В результаті проведеного дослідження обґрунтовано доцільність врахування Україною напрямів реформування управлінського впливу на суспільні відносини в сфері національної безпеки, яких визнано на рівні Європейського Союзу. В якості умови втілення необхідних змін при регулюванні безпекової сфери є її відмежування від сфери оборони та внесення відповідних змін до Закону України «Про національну безпеку». Виявлено специфіку інституційного забезпечення суспільних відносин в сфері національної безпеки та окреслено напрями втілення належної доктрини національної безпеки.

Ключові слова: публічне адміністрування, воєнний стан, особливий період, національна безпека, національна ідентифікація.

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Introduction

The action of the legal regime of martial law transforms both social relations and methods of managerial influence on them. The peculiarities of the arrangement at the specified time are carried out in accordance with the Laws of Ukraine "On the Defense of Ukraine" (Law No. 1932-XII, 1991), "On the Legal Regime of Martial Law" (Law No. 389-VIII, 2015), "On Approval of the Decree of the President of Ukraine "On the Introduction of Martial Law in Ukraine" (Law No. 2102-IX, 2022). Under such conditions, the sphere of national security, within which appropriate conditions are created to ensure the protection of state sovereignty, territorial integrity, democratic constitutional system, and other national interests of Ukraine from real and potential threats, has become important (Law No. 2469, 2018).

In addition, an urgent problem that needs to be taken into account when developing public administration in the field of national security is the issue of adapting national legislation to the standards of the European Union (hereinafter – EU) on security issues. This is due to the fact that Ukraine has undertaken to adapt national legislation to the provisions of the EU acquis, to fulfill Ukraine's international legal obligations in the field of European integration (Resolution No. 2483-IX, 2022). At the same time, the development of a uniform approach to solving security issues in the EU member states is the key to effectively overcoming conflicts and crises, and strengthening the international legal order and security in the region (European Parliament, 2023). That is why improving the levers of power and administrative influence on public relations in the field of national security should be a priority both in peacetime and in the case of a special period.

It is noteworthy that the scientific developments in this direction related to a certain segment of the sphere of national security: methods of regulation, the type of public-private partnership (Mekh et al., 2021); definition of the subject area of national security (Shevchuk, 2021); outline of the management component of the national security sector (Honcharenko, 2020); policy formation in the field of national security (Mekh et al., 2023). Thus, the peculiarities of public relations in the sphere of national security as an object of managerial influence, on the one hand, and the transformation of state administration into public administration, which includes only those methods of organizing the influence of the state on public relations, which are aimed at

ensuring human interests, on the other, influenced: the content of the regulation of social relations related to national security; the system of entities empowered in the field of national security; the type of instruments aimed at the implementation of powers in the field of national security.

Therefore, the relevance of the issue of determination of public administration in the conditions of martial law is undeniable for the Ukrainian state and mediates the timeliness of the scientific analysis of their key components.

Regarding the tasks of this study, we consider it necessary to highlight the following:

- 1) Identify key changes concerning administration in the field of national security, which took place during martial law.
- 2) To analyze problematic issues that arise during management in the field of national security under martial law.
- 3) To find out the ways of transformation of public administration during martial law and to determine the necessary measures to ensure such transformation.

Theoretical Framework or Literature Review

Bilous-Osin (2021) analyzed public administration in the field of scientific activity. In particular, it was established that public administration in the field of scientific activity should relate to the regulation of public relations, which can be subjected to managerial influence and differentiated (conditionally) as follows: public relations regarding the direct conduct of scientific activity; public relations regarding the creation of conditions for increasing the effectiveness of scientific research and the use of their results to ensure the development of all spheres of social life; social relations regarding the creation of conditions for carrying out scientific activities. It was established that regardless of the type of social relations in the field of scientific activity, the goal of public administration in this field will be their proper arrangement in accordance with the existing model of scientific activity and generally accepted international standards to ensure public interest.

The issue of security sector management is considered in the work of Honcharenko (2020). It was established that the security and defense

sector of Ukraine consists of four interrelated components: security forces; defense forces; defense industrial complex; citizens and public associations that voluntarily participate in ensuring national security. It was determined that other state bodies and local self-government bodies carry out their functions to ensure national security in cooperation with bodies that are part of the security and defense sector.

The specifics of state regulation of subsoil use relations as an example of successful public administration were analyzed by Makarenko (2014).

Makushev (2021) analyzed the place of bodies of special competence in the system of public administration entities in the field of intellectual property in Ukraine.

Mangora (2019) investigated the specifics of the activities of bodies of special competence that supervise and control agriculture.

The challenges facing the national security of Ukraine in connection with the presence of a large shadow sector of the economy were investigated by Kolomoiets, Tsybulnyk, Moroz, Prymachenko, & Khashev (2021).

Tkalych & Arbelaez-Encarnacion (2022) analyzed the challenges for the national security of Ukraine and other countries of the world in connection with Russian aggression against Ukraine and the unstable political, economic, social and environmental situation in the world in general.

The article by Shevchuk (2021) examines the peculiarities of regulation of the security sector of Ukraine as an object of public administration. Signs and types of public administration of the security sector of Ukraine have been established. The author states that the implementation and development of the public administration of the security sector of Ukraine are determined by the obligations, which were taken due to the Association of Ukraine with the European Union, the Sustainable Development Strategy "Ukraine-2020" and the Concept of Development of Security and Defense of Ukraine, National Security Strategy of Ukraine (Decree No. 392/2020, 2020) and other legal acts. The author concluded that public administration is the organizational and administrative activity of subjects of public administration, which is regulated by legislation and aimed at ensuring and realizing public interests.

The object of Yakovlev's research (2015) was public administration in the field of state customs affairs. Some problematic issues of public administration are considered by Mekh, Slavytska, Bilak, Georgiievskyi, & Maslova (2023).

Methodology

During the conducted research, the method of analysis was used, which consists in decomposing the subject into its components. This method helped to understand the influence of martial law on changes in public administration in the field of national security and, in general, made it possible to determine the signs and properties of public administration and to highlight the relationship, therefore to consider the peculiarities of solving strategic tasks of state bodies, enterprises, institutions, organizations, taking into account the complex of external and internal influencing factors and development trends in a competitive environment in the field of national security.

The application of the method of observation and study of documents made it possible to understand the peculiarities of public administration and its peculiarities in the field of national security. The method of studying documents was used to get acquainted with the object of the study. In particular, both regulatory and legal acts regulating the implementation of martial law, as well as separate decisions of the National Security and Defense Council of Ukraine, acts of foreign legislation, and international legal acts regulating issues of security and national defense were analyzed. The observation method, as a method consisting of purposeful and organized perception and registration of the behavior of the object under study, made it possible to study public administration directly in new conditions, as well as to compare the implementation of public administration in the pre-war period and in the period of martial law.

The modeling method as a method of researching various phenomena and processes, and developing options for management decisions through the replacement of real objects with their conditional samples, and analogs helped to simulate transformations of public self-government in the field of national security. Thus, the modeling method describes the structure of the object (static model), and the process of its functioning and development (dynamic model), and such a model reproduces the properties, connections, and trends of the

studied systems and processes, which makes it possible to assess their condition, make a forecast and an informed decision.

The use of logical methods played an important role in drawing conclusions at the level of thinking and consciousness, in particular, drawing conclusions about problematic issues regarding public administration under martial law, as well as about mechanisms for ensuring national security.

Results and Discussion

Public administration is a category used to denote a special kind of power-administrative influence. Qualitative public administration is an independent type of state activity, which has an organizing, executive-administrative, sub-legal character, of a special group of state bodies (officials) regarding the practical implementation of tasks and functions of the state in the process of everyday and direct management of the economic, socio-cultural and administrative political spheres to ensure public interests, not state interests (Yakovlev, 2015); activity aimed at ensuring the public interest and which is objectified into those forms that can be applied to regulate various types of social relations in an informationally accessible way for citizens (Bilous-Osin, 2021).

The sphere of national security has a number of features that determine the content of public administration. Among them are the following:

- 1) national security is a concept that reflects the state of protection of national identification within the established sovereignty and territorial integrity of the state, the existing democratic constitutional system and taking into account the national interests of Ukraine;
- 2) national security is a complex elemental phenomenon that includes: state security, military security, public security, cyber security, foreign policy security, environmental security, information security;
- 3) in the legislation of Ukraine, the "sphere of national security" is considered inseparable from the "sphere of defense" (for example, in the Law of Ukraine "On National Security" (Law No. 2469, 2018).

Thus, public administration in the field of national security is the activity of authorized subjects of public authority, the content of which is manifested in the agreed arrangement of social

relations that are formed during the provision of security of national identification within the established sovereignty and territorial integrity of the state, the existing democratic constitutional order and taking into account the national interests of Ukraine through the use of specifically defined methods and forms by sector.

After the unannounced attack of the Russian Federation on Ukraine, our state was forced to radically change its approach to administration in the field of national security.

Ukraine had to decline the traditional principles and methods of public administration and consideration of international standards in the specified sphere. This fact is confirmed by the provisions of the National Security Strategy of Ukraine "Human security – the security of the country" (Decree No. 685/2021, 2021), which determine the priority integration of Ukraine into the European political, economic, security, legal space, acquisition of membership in the European Union and the North Atlantic Treaty Organization; Strategies for ensuring state security (Decree No. 56/2022, 2022), which are among the priority directions for ensuring state security - "...use of all available mechanisms of the UN, Council of Europe, OSCE, other international organizations to consolidate international support for Ukraine in countering Russian aggression, restoring territorial integrity and state sovereignty of Ukraine; development of relations with the United States of America, the United Kingdom of Great Britain and Northern Ireland, Canada, the Federal Republic of Germany, the French Republic, neighboring and other states, as well as with international organizations to ensure international security and counter common challenges and threats, minimizing their impact on Ukraine; development of a special partnership with the North Atlantic Treaty Organization with the aim of gaining full membership of Ukraine in NATO".

In order to achieve the set goals, national legislation should take into account the ideas contained in the Strategic Compass of the European Union on security and defense (European Parliament, 2023). Thus, the main goal of streamlining national security is to ensure political leadership and implementation of "strategic autonomy" in the following directions:

- a) crisis management;
- b) stability;

- c) opportunities, and partnership relations (Access to European Union Law, 2017).

A combination of soft and hard policy is characteristic - security and defense tools are used simultaneously with diplomacy, sanctions, and cooperation.

Specific measures covered by public administration in the field of national security in the context of military escalation should be: increasing defense cooperation to strengthen security in the European region; increasing defense spending, improving the interoperability of forces and joint development of defense capabilities; ensuring cooperation and achieving specific results under PESCO projects aimed at developing new capabilities (for example, in the air and maritime spheres), providing training and support for military forces (for example, medical command) or unifying experience in certain areas (for example, in the cyber domain); creating synergies with other defense initiatives; ensuring cooperation within the framework of individual PESCO projects on specific issues (The Diplomatic Service of the European Union, 2023).

In addition, as a condition for the implementation of the necessary changes in the regulation of the security sphere for the purposes of qualitative managerial influence, it is separated from the sphere of defense and the introduction of appropriate changes to the Law of Ukraine "On National Security".

According to international standards, proper public administration in the field of national security will be considered to be that which meets the following criteria:

- 1) the ability to ensure security is guaranteed by a professional apparatus in compliance with the principle of the rule of law;
- 2) representing the interests of the population in general, taking into account the gender aspect;
- 3) openness of information related to national interests;
- 4) available national program documents that determine the policy in the field of national security and its components;
- 5) accountability of bodies ensuring national security to democratically elected institutions of public power;
- 6) integration of subjects of the national security sector into regional and international security frameworks (Central for Integrity in the Defence Sector, 2021).

We can conclude that management standards in the field of national security have been partially met in Ukraine. However, there are some issues which should be resolved in the conditions of martial law. Thus we should find out the ways of transformation of public administration during martial law and to determine the necessary measures to ensure such transformation.

First, compliance with the principle of the rule of law in the field of national security is possible provided that security institutions meet the expected standards of official activity and behavior in accordance with laws, political foundations, practices, and relevant socio-cultural rules. In order to achieve the idea of the rule of law, it is necessary to use resources in an appropriate and efficient manner with the help of appropriate budget management through the application of the most transparent procedures. At the same time, it is about meeting the security needs of all citizens, regardless of gender, ethnicity, religion, age, or income level.

Secondly, gender equality in the regulation of relations in the field of national security needs national legalization. In general, gender equality involves taking into account the interests, needs, and priorities of both women and men and recognizing the diversity of different groups of women and men. A common feature of all modern security management programs is the inclusion of gender issues in the policies and practices of security structures, which ensures that they have a fundamental readiness to meet the security needs of all citizens. A negative factor is the absence of an indication of ensuring gender equality during service in state bodies as a whole in the State Strategy for Ensuring Equal Rights and Opportunities of Women and Men for the period until 2030 and approval of the operational plan for its implementation for 2022-2024 (Order No. 752-r, 2022). It is appropriate to recognize gender equality as the basis of policy in the field of national security and its implementation.

Thirdly, ensuring the openness of information, among other things, is ensured by the use of information and telecommunication technologies. At the same time, the openness of information must correspond to the information security of the state. At the constitutional level, the stated thesis is confirmed by Article 17, which defines ensuring information security as one of the most important functions of the state (Law No. 254k/96-VR, 1996). Special provisions relating to information security are contained in the Information Security Strategy, the provisions

of which determine existing and potential threats to information security, as well as ways of solution. Specially authorized entities operate in Ukraine to ensure information security, for example, the Center for Combating Disinformation and the National Coordination Center for Cyber Security under the Council of National Security and Defense of Ukraine, the National Center for Reserving State Information Resources. The latter ensures the reliability and uninterrupted operation of state information resources, storage of state electronic information resources, backup of information, and information of state electronic information resources of state bodies, military formations (except for the Armed Forces and the Main Directorate of Intelligence of the Ministry of Defense), formed in accordance with laws, enterprises, institutions, and organizations (Resolution No. 94, 2021).

As for the national program documents that determine the policy in the field of national security and its components, in Ukraine, a significant sectorization of national security has been carried out by distinguishing: the military security strategy of Ukraine, the cyber security strategy, the strategic defense bulletin, the public safety and civil defense strategy of Ukraine, the defense development strategy of the non-industrial complex of Ukraine (Law No. 2469, 2018).

Separately, we note that control over the national security sector should be implemented through parliamentary control (openness of policy in the field of public defense and security, ensuring access to military budgets, the inclusion of civil society in debates on issues covering the security sector, control over intelligence services, arms control, anti-corruption policies, and regulations, as well as international standards and conventions); financial regulators (planning and budgeting, financial management, transparency, regulation of secret budgets, auditing); human resources (for example, personnel management, codes of conduct, conducting training on the education of integrity) (Central for Integrity in the Defence Sector, 2021).

Thus, public administration in the field of national security must follow the general principles of public administration - the rule of law and good governance and international standards in the field of national security - compliance with gender equality, the openness of information about the state of national security, implementation of democratic control over public institutions, sectorization of the sphere of national security, the combination of

globalization trends in the field of national security with national interests.

Subjects of public administration are authorized by public institutions that implement a set of economic, motivational, organizational, and legal means of purposeful influence on a certain sphere of public relations. The set of subjects of public administration forms an institutional mechanism.

Within the scope of administrative executive activity, it is possible to single out:

- a) bodies of general competence that regulate social relations as a whole, for example, the Verkhovna Rada of Ukraine, the President of Ukraine, the Cabinet of Ministers of Ukraine (Mangora, 2019);
- b) bodies of special competence, which perform specific tasks in a certain sphere of public relations (Makarenko, 2014; Makushev, 2021).

The national security of the state is institutionally ensured through the activities of authorized subjects - a system of state institutions formed in accordance with the laws of Ukraine, military formations, law enforcement, and intelligence agencies, state bodies of special purpose with law enforcement functions, civil defense forces, the activities of which are functionally aimed at protecting national interests of Ukraine from threats, as well as citizens and public associations that voluntarily participate in ensuring the national security of Ukraine.

The system of subjects of public administration in the field of national security is formed as follows:

- 1) subjects of general competence that manage the security sector: the President of Ukraine, the Cabinet of Ministers of Ukraine;
- 2) subjects of special competence: the National Security and Defense Council of Ukraine, the Ministry of Defense of Ukraine, the State Special Transport Service, the Ministry of Internal Affairs of Ukraine, the National Guard of Ukraine, the National Police of Ukraine, the State Border Service of Ukraine, the State Migration Service of Ukraine, the State Service of Ukraine for emergency situations, the Security Service of Ukraine, the Court Security Service, the State Security Office of Ukraine, the State Service for Special Communications and Information Protection of Ukraine, the intelligence agencies of Ukraine, the central

body of the executive power that ensures the formation and implementation of the state military-industrial policy.

Specially authorized subjects of power in the field of national security can be classified depending on the specific sector of national security. For example, with regard to information security, the Center for Combating Disinformation, the National Center for Reserving State Information Resources, and the State Service for Special Communications and Information Protection of Ukraine will be included in the subjects of special competence.

Attention should also be paid to the fact that in the system of public administration entities that regulate public relations regarding national security, the role of local public institutions, such as local self-government bodies, is practically minimized. Normatively, they have the possibility of performing the function of ensuring national security exclusively in cooperation with the bodies that are part of the security and defense sector (Law No. 2469, 2018).

According to the internationally recognized principles of organizing the sphere of national security, each of the authorized subjects must have a clear place in the institutional system and implement certain measures (National security policy, 2023). In this context, the status of the Ministry of Defense of Ukraine as the central body of executive power, which ensures the formation and implementation of state policy on national security issues, is questionable. This is related to the predominant consolidation of powers, aimed at defense (for example, ensuring the formation and implementation of state policy on national security issues in the military sphere, the spheres of defense and military construction in peacetime and a special period; implementation of military-political and administrative leadership of the Armed Forces; ensuring the formation and implementation of state policy with issues of national resistance) (Resolution No. 671, 2014). The establishment of a central body of executive power, which will ensure and implement state policy in the field of national security, will contribute to the systematic and orderly performance of tasks covering the policy of protection of state sovereignty, territorial integrity, democratic constitutional order, and vital national interests.

The peculiarity of institutional support in the field of national security lies in the key role of the President of Ukraine as a subject of general competence and regulator of the activities of the

National Security and Defense Council of Ukraine. Determining the status of the National Security Council as a state body that is not assigned to any branch of government does not reduce the role of this body in ensuring national security both in peacetime and during martial law (Law No. 183, 1998). The NSDC's legalization of the practice of using digital technologies in regulating public relations in the field of national security is progressive. For example, regarding the improvement of the network of situation centers and the digital transformation of the sphere of national security and defense (Decree No. 260, 2021), the use of the information and analytical system of the Main Situation Center of the country "SOTA" (National Security and Defense Council of Ukraine, 2023).

The specifics of the institutional support of public relations in the field of national security are the absence of a specially authorized body of the executive power, which exclusively implements policy in the field of national security; the subordination of local public institutions in regulating issues related to national security; the key importance of the role of the President of Ukraine as a subject of general competence and regulator of the activities of the National Security and Defense Council of Ukraine; the possibility of gradation of specially authorized subjects of power depending on the specific sector of national security.

Conclusions

As a result of the research:

- 1) The model of public administration in the field of national security that meets the requirements of martial law has been studied. The task of the article has been fulfilled and it has been determined that public administration in the field of national security is the activity of authorized subjects of public authority, the content of which is manifested in the agreed arrangement of social relations, which are formed while ensuring the security of national identification within the established sovereignty and territorial integrity of the state, the existing democratic constitutional system and taking into account the national interests of Ukraine by applying specifically defined ways, methods, forms on a sectoral basis. The expediency of Ukraine taking into account the directions of reforming managerial influence on public relations in the field of national security, which is

- recognized at the level of the European Union, is substantiated.
- 2) It has been established that management standards in the field of national security are partially observed in Ukraine. It was concluded that public administration in the field of national security should follow: general principles of public administration – the rule of law and good governance; international standards in the field of national security – compliance with gender equality, the openness of information regarding the state of national security, implementation of democratic control over public institutions, sectorization of the field of national security, combination of globalization trends in the field of national security with national interests.
 - 3) It is noted that the specificity of the institutional support of public relations in the field of national security consists in: the absence of a specially authorized body of the executive power, which exclusively implements policy in the field of national security; the subordination of local public institutions in regulating issues related to national security; the key importance of the role of the President of Ukraine as a subject of general competence and regulator of the activities of the National Security and Defense Council of Ukraine; the possibility of gradation of specially authorized subjects of power depending on the specific sector of national security. In order to implement the proper doctrine of national security, it is expedient to form a central body of executive power on national security issues.

From this, it can be seen that the tasks of scientific research have been achieved. Regarding further scientific research, we consider it necessary to study the foreign experience of public administration in the field of national security in martial law and perform a comparative legal analysis.

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International standards of rights in the field of social security

Міжнародні стандарти прав у сфері соціального забезпечення

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Abstract

International standards of rights in the field of social security are a set of norms established in various international legal acts. These standards define decent living conditions for people, ensure personal development and social security, and have a significant impact on national legislation in the field of social security. The implementation of standards established at the international level in national legislation is a tool for the development of national legislation towards implementing the rule of law, equality, and social justice. Therefore, this article examines international standards of rights in the field of social security and analyzes the direction of their influence on the sources of social security law. The purpose of this work is to study international social standards and their legal characteristics. The research methodology includes various methods such as the dialectical method, the systemic method, the genetic method, the logical method, the structural-functional method, the formal-legal method, and the comparative-legal and sociological-legal methods. The research results indicate that international standards in the field of social security play an important role, as they must be observed as the minimum criteria for the protection of rights in the sphere of social security. The guarantees provided by a number of ILO Conventions and other international legal acts have been thoroughly investigated, and norms in current

Анотація

Міжнародні стандарти прав у сфері соціального забезпечення є сукупністю норм, що закріплені в різних міжнародно-правових актах. Такі стандарти визначають гідні умови життєдіяльності людей, забезпечують розвиток особи та соціальну захищеність та мають значний вплив на національне законодавство у сфері соціального забезпечення. Імплементація стандартів, що закріплені на міжнародному рівні в національному законодавстві є інструментом розвитку національного законодавства у напрямку втілення верховенства права, рівності та соціальної справедливості. Тому, у статті досліджено міжнародні стандарти прав у сфері соціального забезпечення, а також проаналізовано напрями їх впливу на джерела права соціального забезпечення. Метою роботи є дослідження міжнародних соціальних стандартів та їх правовій характеристиці. Методологією дослідження є такі методи як діалектичний метод, системний метод, генетичний метод, логічний метод, структурно-функціональний метод, формально-юридичний метод, порівняльно-правовий, соціолого-правовий метод. Як висновок проведеного дослідження можна підсумувати, що міжнародні стандарти у сфері соціального забезпечення відіграють важливу роль, що полягає у їх обов'язковому дотриманні як мінімально можливих критеріїв щодо

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legislation that contradict international social standards have been identified. It is emphasized that it is necessary to consider these standards and create specific legal mechanisms that will enable the implementation of international norms and principles.

Keywords: international standards of rights, social security, social guarantees, European integration, adaptation of legislation.

Introduction

In the modern conditions of the development of social relations, globalization trends affect social life and international processes. These circumstances actualize the issue of the implementation of international standards.

In particular, the political and economic processes taking place in Ukraine testify to the state's desire to integrate into the European and world economic space. In order to further enter the world market, an urgent task is to solve a number of problems, including the issue of harmonizing domestic law with the legal systems of leading economically developed countries, which can be solved with the help of the use of unified norms in national law-making and law enforcement.

The introduction of a single legal regime and the unification of material norms also contribute to the convergence of legal systems. In turn, it is important to gradually solve the complex issues of ensuring international standards of rights in the field of social security. Thus, the international legal regulation of relations in the field of social protection exerts a significant influence on the development of national legislation, on democratic transformations in the state, and on the development of the principle of social justice. The right to social security, as one of the basic rights recognized by the world community and recorded in basic international legal acts, is realized with the help of national efforts and international cooperation. International legal acts, which contain the standards of social and economic rights, are important considering the European strategic course of the state. At the same time, it is important to take into account in national legislation the standards established by international institutions of global importance, such as the United Nations (hereinafter – UN) and the International Labor Organization (hereinafter – ILO).

дотримання прав у сфері соціального забезпечення. Детально досліджені гарантії, що передбачені рядом Конвенцій МОП та інших міжнародно-правових актів, а також виявлені норми чинного законодавства, що суперечать міжнародним соціальним стандартам. Підкреслена необхідність урахування цих стандартів і створення конкретних правових механізмів, які дозволять реалізувати міжнародні норми і принципи.

Ключові слова: міжнародні стандарти прав, соціальне забезпечення, соціальні гарантії, євроінтеграція, адаптація законодавства.

In view of the above, the authors set themselves the goal of providing answers to such research questions as:

- 1) What is the essence of the international legal acts establishing standards of rights in the field of social security?
- 2) Is it possible to identify the problems of implementing international social standards into national legislation?
- 3) What are the ways of implementation of international legal acts in the legislation of Ukraine?

Theoretical Framework or Literature Review

The article by Andrienko (2022) analyzes the international standards of social security law in the context of European integration processes in Ukraine. The author concluded that Ukraine's entry into the world community, and integration into European and world structures is impossible without ensuring an effective process of implementation of the norms of international law in the field of social protection using the generalized experience of European states. It was also concluded that the introduction of a system of social standards in Ukraine, which would really correspond to European standards and ensure a decent standard of living for the population, should involve the development of a single concept of social development that would correspond to the current period of economic transformations in the state and take into account their ultimate goal, and there is an urgent need to ratify the maximum possible number of provisions of the European Social Charter, which will allow establishing clear guidelines for further reforms in the social sphere, taking into account generally recognized international standards.

The concept and types of international standards of the right to social protection are considered by Borychenko (2019). The author determined that international standards in the field of social security law are a set of norms enshrined in international acts, which, as a result of their legalization in the domestic legislation of the state, become mandatory for implementation or are applied voluntarily and determine the minimum necessary content and scope of the right to social protection. The author also proposed different approaches to the classification of international standards.

The question of the essence of the social international standard was considered by Zapara (2011). Zinovatna (2018) analyzed the general provisions of international standards in the field of social security. In particular, the article examines international social standards, and their legal characteristics, as well as an analysis of the directions of their influence on the sources of social security law. The article also examines in detail the guarantees provided for by the ILO Convention on Minimum Standards of Social Security No. 102 and reveals the norms of current legislation that contradict international social standards. The need to take these standards into account is emphasized and the creation of specific legal mechanisms that will allow the implementation of international norms and principles.

Klymenko (2019) investigated the standards and guarantees of social security in the international legal and domestic context. Kostyuk (2018) paid attention to the analysis of European social standards in the context of the modern model of sources of social security law. Thus, the author revealed issues related to the legal characteristics of European social standards and the direction of their influence on the development of the latest model of sources of social security law. The peculiarities of the formation of social standards by the European Community are emphasized and the need to take into account European social standards in the formation of the system of sources of social security law, in particular in the process of codification of legislation in this area, is emphasized.

The ratification of the Convention of the International Labor Organization No. 102 as a vector for improving the social security system of Ukraine on the way to European integration became the object of research by Krasnov (2016).

Malyuga (2017) investigated the process of adapting national legislation in the social sphere to European standards as a component of the modernization of the social protection system of Ukraine. Moskalenko (2012) researched trends in the development of mandatory state social insurance and analyzed international acts on mandatory state social insurance.

Novoselska (2017) investigated the significance of international social standards in the legislation of Ukraine. Shumylo (2012) also carried out a detailed analysis of international standards in the field of social protection.

Kolomoiets, Tsybulnyk, Moroz, Prymachenko, & Khashev (2021) touch on the problem of ensuring human social rights in the event of violations in the fiscal sphere of the state, in particular – in the event of non-receipt of budget revenues due to the presence of schemes that allow tax evasion.

Certain aspects of ensuring the social rights of athletes are studied in the article «To the Peculiarities of Legal and Non-Legal Regulation of Social Relations in the Field of Sport» written by Kharytonov, Kharytonova, Kostruba, Tkalych, & Tolmachevska (2021).

Methodology

The used research methods made it possible to solve the research tasks set by the authors, in particular – to analyze the essence of the international legal acts establishing standards of rights in the field of social security; to identify the problems of implementing international social standards into national legislation; to find out the ways of implementation of international legal acts in the legislation of Ukraine.

During the conducted research, the dialectical method was used in the study of international standards both from the general issues of the sphere of social security and from the practical aspects of the issues of international standards as a partial one. The specified stage plays a significant role in the development of the concept of international standards in the field of social security because of the task of generating new scientific knowledge, which can be solved by moving from the concrete to the abstract (the study of the elements problem allows to identify regularities that are formed with the help of abstraction from details. Therefore, the dialectical approach made it possible to characterize international social standards as a legal phenomenon, to determine the regularities

of their formation in social security law and international legislation on this issue, and to reveal the regularities of their implementation in national legislation.

The application of the system method made it possible to consider international social standards as a complex, versatile, multi-faceted phenomenon consisting of elements and connections between them that form its unchanging structure and ensure its integrity.

The genetic method made it possible to explain the reasons for the emergence of international standards in the field of social security and trace the process of their formation in international legal acts and the practice of international judicial institutions.

The use of the logical method, which involves the application of logical techniques (analysis and synthesis, generalization, comparison, abstraction, induction and deduction, analogy, modeling) and the laws of logic (identity, non-contradiction, exclusion of the third and sufficient basis), allowed to define the concept of international standards in the field of social security as a whole, as well as individual types of them in particular, and also classifying these standards according to various classification criteria.

The structural-functional method made it possible to establish the functional purpose of international standards for ensuring human rights and freedoms. The formal-legal method ensured the definition of the content of the norms of social legislation, which establish international standards for the protection and provision of human rights, including taking into account their interpretation in interpretative legal acts. The comparative legal method made it possible, on the one hand, to compare international standards as a legal phenomenon that existed in the law of social security of one legal system during different historical periods (diachronic comparison), which allows establishment patterns of their development, and on the other hand, to compare international standards as a legal phenomenon that exists in different legal systems during one historical period (synchronous comparison), which will allow to determine the positive experience of foreign countries in their application and to outline the directions of its consideration in domestic social security law.

The use of sociological and legal methods is aimed at establishing the effectiveness of the normative consolidation of the system of international standards for ensuring social rights in domestic legislation, as well as at identifying and eliminating existing shortcomings.

Results and Discussion

Is it possible to identify the problems of implementing international social standards into national legislation?

What are the ways of implementation of international legal acts in the legislation of Ukraine?

The national legislation of Ukraine enshrines the provision that current international treaties, the binding consent of which has been given by the Verkhovna Rada of Ukraine, are part of the national legislation of Ukraine (Law No. 254k/96-VR, 1996).

This proves that international standards of human rights, which are enshrined in international legal acts and ratified by Ukraine, are part of national legislation.

So, what is the essence of the international legal acts establishing standards of rights in the field of social security?

Ukraine's implementation of international social standards is an effective component of our state's participation in international legal institutions and the fulfillment of its international legal obligations in this area. The existing system of international social legislation consists of legal norms, and social standards in the field of social protection of a person, which is decisive for the state social policy regarding the provision of human needs and are a criterion, a standard, and therefore must act constantly and everywhere.

However, today not all international legal acts containing standards in the field of social security law have been ratified by Ukraine. So, this is a big problem, concerning the implementation of international social standards into national legislation. However, we will try to find the ways of implementation of some provisions of the international legal acts in the legislation of Ukraine, analyzing the international standards of rights in the field of social security in more detail (Table 1).

Table 1.
International standards of social security rights

Regulatory Act	Key provisions
The Universal Declaration of Human Rights	Proclaims the right of every person to social security and to the exercise of the rights necessary for maintaining his dignity and for the free development of his personality in the economic, social, and cultural spheres with the help of national efforts and international cooperation and in accordance with the structure and resources of each state. In addition, everyone has the right to such a standard of living, including food, clothing, housing, medical care, and necessary social services, as is necessary for the maintenance of the health and well-being of himself and his family, and the right to security in the event of unemployment, illness, disability, widowhood, old age or other loss of livelihood due to circumstances beyond his control (United Nations, 1948).
International Covenant on Economic, Social, and Cultural Rights	Recognizes that the family is subject to social protection, as the natural and main center of society. It should be given the widest possible protection and assistance, especially during its formation and while it is responsible for the care of dependent children and their upbringing. Special protection should be given to mothers during a reasonable period before and after childbirth. The Covenant also proclaims the right of everyone to an adequate standard of living for himself and his family, which includes adequate food, clothing, and shelter, the steady improvement of living conditions, and the right to the highest attainable level of physical and mental health (United Nations, 1966).
The Convention on Minimum Standards of Social Security	Defines minimum standards for medical assistance, assistance in case of illness, unemployment, old age, occupational disability or occupational disease, pregnancy and childbirth, disability, loss of the breadwinner, and family allowances (International Labour Organization, 1952)
Convention on Assistance in Cases of Industrial Injuries	Determines that the country's legislation on assistance in the event of industrial injuries must cover all employees and provides for such types of assistance as medical care and cash benefits (International Labour Organization, 1964).
The Convention on the Establishment of an International System of Protection of Rights in the Field of Social Security	The Convention applies to the following areas of social security: medical care; assistance in case of illness; maternity benefits; disability benefits; old age benefits; assistance in case of loss of breadwinner; assistance in case of occupational disability and occupational disease; unemployment benefits; family benefits. At the same time, the effect of this Convention does not extend to social systems for employees, nor to special systems for war victims, nor to systems of social and medical assistance (International Labour Organization, 1982).
Convention on disability, old-age, and survivor benefits	According to the Convention, the following persons are subject to insurance: or all those who work for hire, including students; or defined categories of the self-employed population, which make up at least 75 percent of the entire self-employed population; or all residents or those residents whose funds for the period covered by the case do not exceed the limits established by the Convention. Disability benefits in accordance with Art. 10 of the Convention are provided in the form of periodic payments (International Labour Organization, 1967).
The Convention on the Equality of Citizens of the Country and Foreigners and Stateless Persons in the Field of Social Security	The Convention defines that any member of the Organization may undertake to fulfill the provisions of this Convention in relation to one or more spheres of social security: medical assistance; assistance in connection with illness; assistance in connection with pregnancy and childbirth; disability assistance; old age assistance; assistance in connection with the loss of a breadwinner; assistance in case of occupational disability and occupational disease; unemployment benefits; family benefits. In addition, each member of the Organization in respect of which this Convention is in force shall grant in its territory to the nationals of any other member of the Organization in respect of which this Convention is also in force the same rights as its own nationals, both as regards the extension of legislation to them, and as regards the right to assistance in each field of social security in respect of which he has undertaken the obligations arising from this Convention. With regard to survivorship benefits, equal rights apply to dependents of nationals of a member of the Organization in respect of which this Convention is in force, regardless of the nationality of such dependents (International Labour Organization, 1962).
The Convention on Medical Assistance and Assistance in Case of Illness	The terms "medical assistance" are defined, insurance cases are listed in connection with the occurrence of which medical assistance is provided, and the minimum standards of social security are established (International Labour Organization, 1969).
European Convention on Social and Medical Assistance	The member states undertake to provide social and medical assistance to citizens of other member states who are legally present on their territory and do not have sufficient funds (Council of Europe, 1953)
The European Social Charter	Provides general principles by which member states of the Council of Europe should be guided in public social policy and provides legal guarantees of socio-economic human rights. The European Social Charter establishes that the member states of the Council of Europe agreed to provide their population with rights in order to improve their standard of living and social well-being. The Charter mandates a common and coordinated approach to combating poverty and also defines areas of public life to which persons living in situations of material exclusion or poverty and their family members must have access. The following are recognized among the basic rights: the right to social security; the right to social and medical assistance; the right to receive services from the state; the right of the disabled to independence, social integration, and participation in public life; the right of the family to social, legal and economic protection; the right of children and adolescents to social, legal and economic protection; the right of migrant workers and their family members to protection and assistance; the right of the elderly to social protection; the right to protection from poverty and social exclusion; the right to housing (Council of Europe, 1996).

As a result of the analysis of the above-mentioned normative legal acts, it can be concluded that the specified normative legal acts establish:

- 1) general principles of construction, management, and financing of the national social security system, its organizational and legal forms;
- 2) types of social risks;
- 3) types of social security, sizes, scope, and conditions of their appointment.

Regarding Ukraine and its path to the implementation of social standards, it is worth noting that the Law of Ukraine "On the Approval of the Nationwide Program for the Adaptation of the Legislation of Ukraine to the Legislation of the European Union" defines the mechanism for Ukraine's compliance with the third Copenhagen and Madrid criteria for acquiring membership in the European Union, which includes the adaptation of legislation, formation of relevant institutions and other additional measures necessary for effective law-making and law enforcement (Law No. 1629 – IV, 2004).

Therefore, it is fair to note that the international legal regulation of relations in the field of social protection of citizens exerts a significant influence on the development of national legislation in our country. And the application and consideration in the national legislation of the standards defined by the UN and the ILO are important and necessary to ensure social guarantees in Ukraine.

Conclusions

As a result of the conducted study of international standards of rights in the field of social security, the following was established:

1. Social standards in international normative legal acts do not lose their relevance, because the declaration of a state as a social one implies the creation of healthy and dignified living conditions for every person.
2. The main institutions creating minimum standards of social rights are the UN and the ILO. At the same time, the ILO Conventions usually do not have strict provisions regarding the organization of the national social security system, states are suggested to choose the most appropriate organizational and legal forms of social security depending on the level of economic development. At the same time, the UN and EU bodies determine the minimum

acceptable norms that must be fulfilled by the states.

3. European values of Ukraine and devotion to universal values can be realized only on the basis of consistent formation of democratic foundations of social development and adaptation of legislation in accordance with international standards.

This shows that the goal of the article has been achieved and analyzed both directly international legal acts and their impact on the national legal system, including problematic issues and positive developments.

Regarding further scientific research, we consider it necessary to analyze the issue of foreign experience in the implementation of international social standards into national legislation.

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The archetype of a woman warrior in the work of Svitlana Alexievich

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Abstract

Examples of Belarusian writer Svitlana Alexievich documentary prose – novels “The Unwomanly Face of War” and “Zinky Boys” dedicated accordingly to highlighting of German-Soviet (1941–1945) and Soviet-Afghan (1979–1989) wars have been reviewed in the article. The focus of the author is emphasized on the problem of disclosure of woman warrior archetype through the prism of consciousness of writer’s novels characters which still wasn’t the object of literary research. In order to achieve the objective of research general scientific and special literary methods is used: analysis, synthesis, descriptive, cultural and historical, method of archetypal critics, hermeneutic, typological, psychological methods and textual and contextual analysis and elements of comparative analysis of the Svitlana’s Alexievich works. It has been found features of woman warrior archetype representation and its

Анотація

У статті розглянуто документальну прозу білоруської письменниці Світлани Алексієвич – романи «У війни нежіноче обличчя» та «Цинкові хлопчики», присвячені висвітленню німецько-радянської (1941–1945) та радянсько-афганської (1979–1989) воєн відповідно. У центрі уваги авторки акцентується проблема розкриття архетипу жінки-воїна крізь призму свідомості персонажів романів письменниці, що досі не було об’єктом літературознавчих студій. Для досягнення мети дослідження використано загальнонаукові та спеціально-літературознавчі методи: аналіз, синтез, дескриптивний, культурно-історичний, метод архетипної критики, герменевтичний, типологічний, психологічний методи та текстуально-контекстуальний аналіз, а також елементи порівняльного аналізу творчості Світлани Алексієвич. У статті виявлено особливості репрезентації архетипу жінки-

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functioning in the article. It has been defined variations of this archetype in the researched works of writer and defining features of woman warrior archetype. It has been emphasized that in the both works “The Unwomanly Face of war” and “Zinky Boys” – S. Alexievich doesn't just generalized image-archetype of woman warrior but granted to it the modern sounding.

Keywords: Documentary prose, archetype, archetype of woman warrior, woman warrior archetype variations, defining features of woman warrior archetype.

Introduction

In the second half of the XX century in the world literary studies interest in literature of fact, documentary prose, non-fiction and memoirs was activated which was caused by political sociocultural events and their consequences in particular: wars in Vietnam and Afghanistan, birth of hippie movement, sexual revolution etc. Literary scholars emphasized on the formation of new genre modification – conceptually qualitative literary journalism which was implemented mainly in the masterful artistic description of particular facts, deep observations.

According to the definition of Ukrainian researcher L. Shutiak, “literary journalism is the form of documentary prose which connects reportage and certain narrative techniques and stylistic strategies which are typical for the fiction” (Shutiak, 2014, p. 182). Determined genre modification is represented in the works of the world's best writers.

So, in 30s of XX century Nobel laureate Ernest Hemingway joined actively to the formation of documentary prose. He traveled around the world a lot and described his impressions of what he saw in such books: «Death in the Afternoon» (1932), «Green Hills of Africa» (1935), «A Moveable Feast» (1964) etc. Truman Capote and Varlaam Shalamov worked in non-fiction genre. So, in the book «In Cold Blood» (1966) Truman Capote conceals own voice and maximally objectifies narration via stylistic means. «Kolyma short stories» by Varlaam Shalamov (1954–1973) is consists of placed in the special-order short stories in which endured fears of GULAG are revealed with a perfect documentary reliability.

Famous film director of world-class Oleksandr Dovzhenko is related to the creation of documentary prose. During the World War II he published series of publicist and documentary

voyna ta yoho funktsionuvannya. Vyznacheno variatsii цього архетипу в досліджуваних творах письменниці та визначальні риси архетипу жінки-воїна. Підкреслено, що в обох творах – «У війни нежіноче обличчя» та «Цинкові хлопчики» – С. Алексієвич не просто узагальнює образ-архетип жінки-воїна, а надає йому сучасного звучання.

Ключові слова: Документальна проза, архетип, архетип жінки-воїна, варіації архетипу жінки-воїна, визначальні риси архетипу жінки-воїна.

articles in which urged Ukrainian and other nations of then Soviet Union to the armed struggle against Nazi Germany (“To arms!”, “The enemy will be defeated”, “At formidable hour”, “Germans will not master in Ukraine” etc.).

Book of modern Ukrainian writers are marked by special documentary. In particular book O. Zabuzhko “Let my people go: 15 texts about Ukrainian revolution” (2006) is combination of diary entries, non-fiction, letters, reportages, interview, extracts from witnesses conversations. In the works of L. Belei “The evil ninetieth: Love and hate in Uzhhorod” (2014) and A. Chapai “Journey with Mamaiota in search of Ukraine” (2011) characters voice true stories by own voices. Therefore, characters in the books begin to “live” separate of the author who records their words documentary.

However, tendency of depiction of characters life separate of the author, recording their stories, perspectives is represented in the creative legacy of writers in the end of XX century.

Theoretical Framework

The greatest advancement in the development of documentary prose genre reached Byelorussian writer Svitlana Alexievich – Nobel laureate in literature in 2015 year. She is an author of the series of documentary books based on the memories. Fiction and documentary novels “The Unwomanly Face of War” (2016a) and “Zinky Boys” (2016b) are particularly distinguished. Characters of both works are women. The first – former participants of German-Soviet war 1941–1945, second – participants or relatives (mothers, sisters, daughters) of those who participated in the Soviet-Afghan war 1979–1989. Peculiarity of Byelorussian writer is polyphony, polyphony of women characters when author left as if

behind the scenes giving the opportunity to the narrators to express their thoughts freely. Literary scholars offer consider such author's style in the context of "genre of voices" (Ihnativ, 2018; Shchur, 2015), or "genre of testimony" (Lugarić Vukas, 2014).

The writer characterizes it as "history of feelings" (Usmanova, 1998). Works of S. Aleksievych became the object of attention of scientists who analyzed fiction and documentary novels "The Unwomanly Face of War" and "Zinky Boys" of the writer according the subject of own researches. Professional interest for us makes up scientific exploration of B. Waligórska-Oleinichak "On feminine myths and images in Svetlana Alexievich's prose" (Waligórska-Oleinichak, 2016), in which poetics of Byelorussian litterateur is researched carefully, is interpreted images of her characters through the prism of the feminine myths. In the article of D. Lugarić Vukas "Testimony about the inexpressible: about the genre of testimony and trauma in the texts of S. Alexievich "The Unwomanly Face of War" and "Zinky Boys" (Lugarić Vukas, 2014) on the example of above-mentioned novels "genre of testimony" is considered, signs of narrative of traumatic experience in the facts collected by S. Alexievich are considered. Instead, article of J. Rodgers "Making space for a new picture of the world: Boys in Zinc and Chernobyl Prayer by Svetlana Alexievich" is devoted to the research of genre and compositional specifics of fiction and documentary novels of S. Aleksievych (Rodgers, 2019). However, in mentioned scientific explorations authors concern superficially the issue of reproduction of women images in the work of writer.

Issue of fiction and documentary prose poetics of S. Alexievich is considered in the scientific works of K. Górka "Book of S. Alexievich «The Unwomanly Face of War» as cyclical fiction and documentary phenomenon: structure and poetics" (Górka, 2018), "Fictional-Documentary Prose by Svetlana Alexievich (problems of poetics)" (Górka, 2019). Nevertheless, archetype of a woman warrior in which we are interested wasn't the subject of consideration of scientist.

Archetype of a woman mother (woman wife) in the works of the writer was studied by A. Novykov, T. Kleimenova, M. Kushnierova, D. Marieiev, N. Hohol in the article "Genesis of the "Woman's" War in Creativity of Svetlana Alexievich (Based on the Material of the Novels

"The Unwomanly Face of War" and "Zinky Boys")" (Novykov et al., 2021).

At the same time in the scientific works of literary scholars wasn't focused attention on the issue of revelation of archetype of a woman warrior through the prism of characters consciousness of novels "The Unwomanly Face of War" and "Zinky Boys". This led to a choice of the research subject of scientific exploration.

Methodology

To achieve the objective of research totality of general scientific special literary methods are used in the article. In the process of work in highlighting of theoretic material on the researched topic it was found that in the modern literary critical discourse works devoted to the works of S. Alexievich "The Unwomanly Face of War" and "Zinky Boys" are available. They concern mainly issues of its poetics, genre and compositional specifics, interpretation of images, artistic value. In the article we used *general scientific* methods of analysis and synthesis. Using the describing method with its universal techniques of observation and systematization it was found that archetype of woman warrior in the novels of Belarussian writer S. Alexievich wasn't the object of special research. Detailed research of features of the archetype woman warrior operating in the works of S. Alexievich enabled usage of *literary methods*: cultural and historical, archetypal critics, hermeneutic, typological, and psychological. So, *cultural and historical* method contributed to understanding of fiction and documentary novels of writer as organic component of the world literary process. Analysis of works of the S. Alexievich through the prism of archetype of woman warrior is carried out using the method of *archetypal critics*. Characteristics of mentioned image-archetype in the works of writer, its complex interpret became possible due to *hermeneutic method*. Applying of *typological method* for understanding of characters figures, motives of their actions during the war allowed to figure out the common, different and peculiar in the characters temper of novels "The Unwomanly Face of War" and "Zinky Boys". *Psychological method* was directed to the figuring out of the figures of psychological interpretation of the characters tempers by the writer. Furthermore, it was used textual and contextual analysis for the figuring out of means for representation of reality and image creation and components of comparative analysis of S. Alexievich works.

Results and Discussion

In the literary process of XX-XXI centuries internal orientation on the search of archetypes is observed which is caused by authors aspiration to motivate existence of the eternal in unconscious spheres of human psyche what nascent in pre-history and repeat in the form of archetypical situations, states, images, motives.

In the aspect of our research consideration of the notion “archetype” (greek. archē – beginning and typos – image) which was put into academic circulation by Swiss philosopher Carl Gustav Jung in XX century is relevant. Scientist interpreted it as initial, most ancient image is laid down in collective memory, manifested and passed on during the long period of time (Jung, 1991, p. 98–99). In literary studies mentioned notion is interpreted as prototype, initial image, idea which “is derived on the “surface” of the conscious in the form of literary work, actualize general core features immanently is inherent in national mentality and at the same time human race” (Hromiak, Kovaliv & Teremok, 2006, p. 65). Therefore, under the notion archetype we understand repeated true images and motives which constantly back to the literature predetermining its “out” of the boundaries of particular historical time; archetype is presented in the plots, motives, “eternal” images.

On the basis of stories-testimonies in the novels of S. Alexievich we can highlight several female images-archetypes: *archetype of mother, wife and woman warrior*.

Archetype of *woman warrior* has been engraved in the collective folk memory since ancient times and is reflected both on the tablets of history and in folk art. Speaking of women warriors, it is worth mentioning the ancient Greek goddess Athena Pallas (Minerva in Romans). Born from the head of Zeus, she appeared before other gods “fully armed, in a shining helmet, with a spear and shield” (Kun, 1993, p. 28). Athena Pallas was considered the patroness of the heroes of Greece, the protector of cities and fortresses, as well as the goddess of wisdom and knowledge (Kun, 1993, p. 29).

History has preserved many examples of how skilled women warriors could be. Throughout human history, women, along with men, have participated in wars and achieved significant success in this matter. These mentions are placed in chronicles and chronicles of the ancient world. The legendary Amazons mentioned by Herodotus (V century BC) in his “History” where

reality is closely intertwined with myths, we find information that, related to the Amazons, the Scythians made increase a tribe of Sarmatians, who lived between the Don and the Dniester. Women of this tribe wore men's clothing, deftly rode horses and, along with men, participated in both hunting and military campaigns. Additionally, according to ancient tradition, Sarmatian women could not marry until she had killed at least one enemy (Herodotus, 1999, p. 272).

Women warriors also met in ancient Russian epics, where they were called “glades” because, being real heroes, they were not afraid to enter into fights with male knights, which according to ancient tradition took place in a clear field. Notably a woman often emerged victorious from these confrontations. The most famous are the following folk characters as Nastassa Korolevschna, Vasslsna Mskulishna, Nastassa Mskulishna. Colorful portraits of such brave women are described in the epics “Dobrynsa marries” (another name “Dobrynia and the Serpent”), “Star Hodinovich” (another name “Staver”), ‘Ilia Muromets and daughter’ (Songs collected by PN Rybnikov, 1909).

Nowadays, women join the army voluntarily, and in some countries (such as Israel) military service is mandatory for women. It is documented that during World War II, about a million women along with men took part in hostilities.

In the novel “The Unwomanly Face of War”, the writer emphasized that many women wanted to be military on a voluntary basis. However, not everyone was aware of the difficulties of their chosen profession. These were romantic women, whose emotionally uplifted mood usually dissipated after the first impressions of the military routine. “I considered a military uniform” recalls former anti-aircraft gunner Klara Goncharova. “I loved the chic, the clarity, the fragmentary words of the order”. In her memoirs, the woman noted how persistently she appealed to the management of the aviation school to send her admission rules. When the war broke out, of course, she “could not stay at home”, but after it ended, the woman's attitude toward military affairs changed. She no longer wanted to associate her life with a military specialty, even her pants became disgusting, “I wanted to wear something ordinary, feminine...” (Alexievich, 2016a, p. 251).

However, there were also women who consciously went to the armed forces by vocation and remained true to their choice for decades. We

are talking about women for whom military service has become a profession. A striking example of such a life experience was the story of Taisiya Rudenko-Sheveleva, a retired lieutenant colonel who dreamed of serving in the armed forces as a child and persistently pursued her goal. Such devotion to the cause allows us to compare her with the legendary «cavalry girl» Nadezhda Durova, whose history became widely known in the first half of the nineteenth century. Nadezhda Durova served in the Russian army for about ten years under the name of Officer Alexander Alexandrov Alexandrov, and during the war with Napoleonic France, she took part in hostilities, showed unprecedented courage and received a number of military awards and distinctions.

Notably the fate of Nadezhda Durova was decided by Emperor Alexander I when he learned of her unbridled desire to serve in the army, and the fate of Taisia Rudenko-Sheveleva – the first female officer of the Navy of the former Soviet Union – People's Commissar for Defense Clement Voroshilov to whom little girl wrote a letter requesting permission to enter the Leningrad Artillery Military School, closed for women (Alexievich, 2016a, p. 257).

The situation changed significantly during the German-Soviet war, when hundreds of thousands of women expressed a desire to voluntarily join the regular army or partisan unit. Moreover, this desire was dictated not so much by romance or the intention to choose the military profession as it was before the war, but mostly by patriotic or ideological motives associated with the education of unconditional devotion and love for the «socialist homeland», personal responsibility for the fate of the country. Deadly danger. According to the veterans, posters such as “Motherland is calling!”, “What did you do for the front?”.

In this context, it is appropriate to mention the former private, civil engineer Tamara Torop, who was simply in love with the Soviet government, Stalin, Voroshilov, and other leaders of the Soviet Union. It is how her father, an ideological communist, raised her. They sang the songs “International” and “Holy War” together in the evenings. It is logical that the girl did not even ask whether or not to go to war. When she was eighteen, they came to the military registration and enlistment office with her father (Alexievich, 2016a, p. 208).

Former anti-aircraft gunner Klara Tikhonovich guided by patriotic motives when she made every

effort to join the active army. For some time, the girl lived a normal life, but after a neighbor received a letter stating that her husband was hospitalized after a serious injury, she decided that it was her turn to go to the front (Alexievich, 2016a, p. 250).

Something similar can be said about Klavdia Konovalova, who, working at the plant as a hammer thrower, dreamed of benefiting the Motherland much more, and contrary to the plans of the plant management, who did not want to lose a valuable worker, achieved the cancellation of armor and voluntarily went to war the same hard male work, but as a gun commander (Alexievich, 2016a, p. 257–258).

There were cases when whole families went to the front. This story is reflected in the memoirs of Svetlana Katykhina – a former soldier of the field bath and laundry team. First, her father went to the front, followed by his mother-nurse, and then sixteen-year-old Svetlana, who was denied for a long time, but a year later was allowed to go to war (Alexievich, 2016a, p. 100).

Notably when they got into a military unit or partisan detachment, the volunteer girls usually did not look for a «warm town» for themselves there, but on the contrary, tried not to stand out among the male soldiers. These were real virgin warriors, who can be compared to the legendary Amazons or warlike Sarmatians, whose unforgettable images were depicted in his “History” by Herodotus. In this regard, the story of the former commander of the sapper platoon, junior lieutenant Stanislava Volkova, was indicative. After graduating from university, she graduated from sapper school during the war, and at the front, contrary to the command's decision, stubbornly demanded that she not be left to serve at headquarters, and despite the great danger of dying in the first months or even weeks on the front line was appointed sapper platoon commander. It is also noteworthy that, commanding battle-hardened sappers, who first perceived her rather ambiguously (some smiled sarcastically and some spat contemptuously), she gradually gained considerable authority from her subordinates (Alexievich, 2016a, p. 266–268).

Former partisan Halina Dubovik, who served as the second number in the machine-gun service, can also be considered a real woman warrior. Her responsibilities included carrying a handgun. It was too heavy a burden for the fragile girl's shoulders, but she was afraid to admit it to her comrades-in-arms because she understood that then she would most likely be sent to work in the

kitchen. "It's a shame. God forbid that I should spend the whole war in the kitchen" (Alexievich, 2016a, p. 259). The girl considered it a great honor to receive the most dangerous combat mission and constantly tried to prove that she deserved it.

However, even against this background, women warriors stood out, whose psychological state and actions can be explained by a phenomenon that was later defined as Stockholm syndrome. These are the children of politically repressed, so-called "enemies of the people". Former nurse Natalia Kupriyanova recalled how delighted she was to see Stalin before the war in the theater, in the government lodge. She, like the whole hall, "froze with happiness". And this although her father had already been arrested and her older brother had disappeared without a trace in the camps. It is in such a sublime emotional state that Natalia "came to war" (Alexievich, 2016a, p. 384).

The desire of the subjects of political repression to be at the forefront of the defenders of the Motherland often dictated by the desire to prove at all costs their allegiance to the Bolshevik government, which seemed irrational from the viewpoint of common sense. A good illustration of this is the story of a young partisan whose entire family (father, mother and two older brothers), as in the case of Natalia Kupriyanova, was repressed before the war. The girl with the terrible brand of the daughter of the enemies of the people lived with her aunt, mother's sister, and as soon as the war began, she voluntarily joined the partisan unit, where she constantly exposed herself to danger, performing difficult tasks to prove that she is no worse than others. However, the command stubbornly "did not notice" the exploits of the brave partisan. Everyone was rewarded, but never her. Medals were not given because parents are enemies of the people. "And when the girl's leg torn off by a shell explosion, she cried with happiness and assured that now «everyone will finally believe her' (Alexievich, 2016a, p. 115).

The writer did not miss such a not entirely politically correct phenomenon as blood revenge, the origins of which date back to antiquity. In this regard, it is appropriate to mention the cruel retribution to the Drevlians, performed by the order of Princess Olga of Kiev for the murder of her husband Prince Igor, as well as the "vendetta" on the islands of Sardinia and Corsica. Blood revenge also occurred during the German-Soviet war. One of the heroines of "The Unwomanly Face of War", a former partisan, said that in their

detachment of captured Nazis were not shot, considering such a death too easy for these villains. Moreover, she personally went to watch them "cut to pieces" and even waited for the moment "when their eyes will burst with pain...". The veteran explained her behavior at the time by the unprecedented atrocities of the Nazis, which were committed in particular against her family: "my mother and sisters were burned at the stake in the middle of the village..." (Alexievich, 2016a, p. 31).

Such behavior of the people's avengers, fits into the paradigm of blood revenge and against the background of the fact that military women were not usually taken prisoner by the Germans. At best, they were shot immediately. However, not everyone is so "lucky". Particularly, striking was the story of a captive nurse who was terribly mocked (cut off her chest, pierced her eyes) and put on a stake (Alexievich, 2016a, p. 170–171).

The German-Soviet war was overly brutal, and the writer portrayed it through the perception of a woman warrior without any embellishments. The author of the book "The Unwomanly Face of War" constantly emphasized that her heroines had a great psychological motivation: they defended their motherland.

A completely different war appears in the work of S. Alexievich "Zinky Boys". This war was on foreign soil against a people who did no harm to the citizens of the Soviet Union. Awareness of this indisputable truth, of course, seriously demotivated Soviet soldiers in Afghanistan. Apparently, not everyone who entered this war or lost a loved one there was satisfied with the official explanation that the Soviet military was performing a so-called "international duty". One woman whose husband died in Afghanistan remarked, "Forty-first and forty-fifth were in grief all over the country. Everyone has lost someone. He knew what he had lost. The women cried out in unison. In the culinary school where I work, a team is one hundred people. Only my husband died in this war, which others only read about in the newspapers. When I first heard on TV that Afghanistan was our disgrace, I wanted to break the screen. day I buried my husband for the second time..." (Alexievich, 2016b, p. 255).

Something similar was said by those who were directly involved in this unjust war ("I wanted to be at war, but not in this one") (Alexievich, 2016b, p. 65). The notion of "another war" was formed by stories of exploits during the Second World War, of the glorified and partly romanticized in Soviet textbooks on the history

of the heroics of battles. As they recounted their impressions of the war in Afghanistan, women no longer compared what they had been told and what they had seen with their own eyes. The presentation of their views after Afghanistan became logical and structured. Outspokenness and specificity in determining the degree of hatred for the enemy, in characterizing the feeling that was born after the murder of a friend with whom they shared food, who compared his soul – the attributes of the female postwar worldview. The deep emotional wound from the Afghan war lasted a lifetime. The woman ensign, the head of the secret service, recalled how, in response to an appeal to the district executive committee for the promised “thanks”, she heard: “Are you injured? <...> Well, and live like everyone else. We did not send you there” (Alexievich, 2016b, p. 225–226).

The Zinky Boys, in the form of monologue interviews, told the stories of those who had not escaped the war in Afghanistan, whose memory of this armed conflict and its aftermath was constantly exhausted. The stories about the military experience of women who performed the so-called “international duty” there together with men, their impressions of being in a foreign country, patience, moral exhaustion logically arranged by the writer. We share the opinion of researcher Sh. Hovard that “material collected by the writer reproduces real epos of Afghan war – choir of voices who fairly tell about the tragedy” (Howard, 1992, p. 236).

The armed confrontation in Afghanistan in the “Zinky Boys” represented not only by the stories of women (mothers, wives, nurses, employees). However, the war that women see and feel is different, and that is why the female discourse of war added sincerity, volume, and completeness to the masculine image of war.

While men went to war mainly under the direction of the Soviet command, most women employees (typists, hairdressers, cooks, waitresses, cleaners, librarians), nurses went there quite voluntarily, believing the Soviet propaganda carried out by the media. An example of such propaganda was the essay “Afghan Madonnas” published in the newspaper “Pravda”. In Soviet schools, inspired stories about women in war were read to high school students, and at the front, as one of the heroines recalls, women refused to believe the fabricated ‘truth’ (Alexievich, 2016b, p. 122). Thus, the woman-keeper became the most differentiated female role, which was actively used in the

media. The concept of the woman-keeper quickly became part of the official Soviet state discourse.

The romanticism of thoughts described in one of the testimonies of employees: “How did I get here? Very easy. I believed everything that was written in the newspapers...” (Alexievich, 2016b, p. 63). Furthermore, there were hundreds like her. As a rule, the belief in Soviet propaganda, in what was sung in the songs brought by the “boys from Afghanistan”, in the ‘real life’ full of adventures and devoid of mundaneness, which the strong lived there during the war, men and beautiful women, and sometimes just a desire to find themselves and their destiny pushed (motivated) women to go to war. However, as one of the employees summed up, happy women did not go to the Afghan war. The same can't be said for the lonely, divorced, offended, those who did not have a family, husband, children in a peaceful life. They were then said: “They came for the grooms” (Alexievich, 2016b, p. 177). Confirmation of this motivation was the story of one of the heroines of the work – an employee who dared to take such a step because she broke up with her man. She explained women's interest in the war as “the opportunity to earn, and perhaps arrange a personal life” (Alexievich, 2016b, p. 262). However, even here it quickly became clear that women in the war were considered “dirty”, they were not even allowed into the officer's bath, forcing them to wash in the soldier's bath.

We learn from the story of one employee that her departure for Afghanistan was supposed to level the awareness of her own worthlessness, to justify her own presence in the world. The ideas that captivated the minds of young people were not gender-disaggregated. Boys and girls did not hesitate to go to Kabul, trying to test the strength of spirit, strength of will, character.

At first, women in Afghanistan were horrified by what they saw in the war (mutilated corpses, cruelty, cold-blooded killings), but later they developed hatred for the enemy because of their comrades-in-arms killed; women's consciousness changed, they became cruel, and the same employee after a while declared: “I like to go to shoot” (Alexievich, 2016b, p. 65). Although there were others who could not overcome their feminine nature, because they believed that a woman was born first to give life, not to deprive it.

Gradually, the war in Afghanistan ceased to be a purely male affair. Women's first impressions of being in a foreign country were often beaten

down, confusing: barbed wire, soldiers with machine guns, barking dogs, women waiting to be distributed to battalions. Frank selection on the basis of external attractiveness determined the place of women among warring men. Unconquered girls were forced to fight for their own dignity, became more rude and hardened their own character, gaining the traits of masculinity. "I fought for two months", recalls one of the employees. "Once I almost dropped a grenade, and another time I grabbed a knife" (Alexievich, 2016b, p. 64).

The war also made its adjustments in the sphere of personal relations. Employees found their love in the war, although this word was never used there in Afghanistan. The feeling that united the two people was evident in the war because it was limited to a certain time and space – Afghan, and "after Tashkent" he and she parted ways. In her story, one of the women, who had to be an "Afghan" wife, recalled hiding her husband from a bullet, and he did not receive any letters from home for two months when he told the lawful wife.

A woman in war, as well as a man, was not easily tested, especially when it was necessary to kill a man. Fighting your own emotional state, overcoming nervous disorders, trying to understand what provoked aggression and hatred in your soul – it is what women learned while in the male team.

The experience of women in war, and her ideas about war from the beginning were different from men's attitudes. The concept of war was embedded in the minds of every man from childhood. For a woman, the war a priori looked different. Even women's memories of the war were more specific than men's because of the woman's sensibility. "I bring nothing from there except memory", the participant of the Afghan war recalled with pain in her story (Alexievich, 2016b, p. 227). Memories of the experience are full of strong and severe comparisons, but they also have many inconsistencies: "Let the authorities do it, and here people see blood and become beast. They are plagued ... One day you will see how the burned skin is folded into a tube ... It is as if a nylon stocking has cracked ... And it will happen to you ... It is horrible when animals are killed ... A caravan was shot, it carried weapons ... People were shot separately, donkeys – separately. They were equally silent and waiting to die. The wounded donkey shouted as if on iron – something iron. So creaking..." (Alexievich, 2016b, p. 66).

Afghanistan has become a point of no return. In the memory of women who fought, it was forever engraved as a memory of the past, compared with which everything else, every day, seemed small, insignificant, unworthy of attention (Alexievich, 2016b, p. 225). Thus, women's memories are similar to men's, united by the «Afghan syndrome» (Alexievich 2016b, 129). The absence of the past, which will keep in the world and give hope for the future, the devaluation of their own lives, the feeling of loss – the feelings experienced by the heroine of the "literature of fact" created by S. Alexievich.

Women's stories allowed us to see how men in the war perceived them. Yes, women were encouraged and motivated by the masculine "you can also be explored with you" because the usual gender stereotypes were destroyed, and the image of a gentle, shy and needy woman came closer to the archetypal image of a strong and strong-willed Amazon; and at the same time, it was a heartfelt request to let her hair down so that, for the first time in three months, soldiers could see a woman instead of a shaved head (Alexievich, 2016b, p. 65). Simultaneously, feelings of resentment and attachment were especially acute during the war: «Here the best is even better, and the bad is even worse» (Alexievich 2016b, 67).

The war changed life's priorities, made one wonder the facts, banal and familiar in a peaceful life. Young, beautiful and strong officers, who were in the imagination of every girl were associated with nobility, in the war struck by the lack of basic courtesy, undisguised manifestations of contempt for women.

In their stories, women also mentioned «other» women in the war, primarily motivated by money. "There is no one truth, it is different, it is the truth", one of the employees tried summing up the choice of women to go to Afghanistan (Alexievich, 2016b, p. 67). For young men, the image of a woman formed by the Afghan war seemed distorted, low, devoid of a halo of tenderness and chastity. Moral decline, which often became the norm in war, programmed contempt for women after returning home, made it impossible to build healthy relationships in a peaceful life and hindered the creation of a family. "The guys who serve here do not hide: If I hear that the girl was in Afghanistan, for me she disappears" (Alexievich, 2016b, p. 122).

The beauty of a woman, her attractiveness, which played an exceptional role in a peaceful life, replaced in the war with the notions of

accessibility and vulnerability. There was no room for condemnation or contempt in the stories told by women about the moral decline of other women. One of the employees mentioned her surprise at the huge number of women who went to this war. It was no surprise to learn that most of them were of practical interest, but there were also women who sought their happiness in the war: "My eyes went to my forehead when I saw how many women were going to this war. Good and ugly, young and not very young. Cheerful and angry. bakers, cooks, waitresses ... cleaners ... Of course, everyone had their own practical interest – they wanted to earn, maybe, and arrange a personal life. All unmarried or divorced. In search of happiness. Fate. There was happiness ... And they really fell in love" (Alexievich, 2016b, p. 262).

War was not a part of life, it became a separate life, especially for women who return home, were forced to start it anew. The sacred role of women, her high purpose in the war in Afghanistan was devalued. A woman felt a constant fear for her own life if she had the strength to refuse to "perform an international duty in bed" (Alexievich 2016b, p. 122). The facts of rude and outright cynicism toward women in the war contrasted sharply with what Soviet newspapers wrote about the "Afghan Madonnas". The essay, published in Pravda, told a completely different story, romanticized the attitude toward women with weapons, and inflamed the desire of young girls to go to the southern borders of the country (Alexievich, 2016b, p.122). Recalling how she suffered from daily insults, how she bravely endured the same diseases that exhausted men (hepatitis, malaria), the girl-employee told the story that for many women in the war became a reality: "My mother proudly declares to friends: "My daughter is in Afghanistan". My mother is naive! I want to write to her: "Mom, shut up, or you'll hear that!" Maybe I'll come back, I'll understand everything – and I'll leave, I'll warm up. Furthermore, now everything in the soul is broken, plundered. What did I learn here? Is it possible to learn goodness or mercy here? Or joy?" (Alexievich, 2016b, p. 123).

The girls with whom Svetlana Alexievich talked in Afghanistan felt psychologically exhausted. They explained their difficult emotional state by the fact that here, in war, "something happens every day that shakes and turns your soul" (Alexievich, 2016b, p. 124). The horror dreams told the author by one of the employees are permeated with fear of insulted honor and awareness of the possibility of being buried alive

under a "layer of Afghan heavy land" (Alexievich, 2016b, p. 124).

The strength of a woman's character was hardened in war through the ability to resist emotional pain, through the ability to empathize with a man, boy, child, but a woman became weak in war because of loss of dreams, future, inability to believe in something, hope for something, experiencing complete disappointment.

Another reason why the girls went to war was money, "good money", the opportunity to buy a tape recorder, a sheepskin coat, good things and so on. Many pages of S. Alexievich's work were devoted to stories about mercenary women, the so-called "chekists", who earned their living in the war with their own bodies, receiving payment by checks, and sometimes just a can of stew or milk powder. They did not wear awards, even if they have them because others laughed at them, saying that those medals were "For Sexual Merit" (Alexievich, 2016b, p. 67–68). According to the name of the shack in which the officers lived, such women in Afghanistan were called "shacks" (Alexievich, 2016b, p. 122).

Of course, not all women in the Afghan war were sex workers and "chekists". There were more good girls. Some of them went there because of their romantic beliefs. One of the heroines described the sincerity of her feelings as follows: "It is mercy! Work for a woman's heart!" (Alexievich, 2016b, p. 263). Such women considered service in Afghanistan as "a woman's duty to protect our boys, to save them!" (Alexievich, 2016b, p. 159). There were fateful love meetings and weddings, because "happiness is the same everywhere. Especially female happiness" (Alexievich, 2016b, p. 262). However, most of these relationships ended in war, lovers returned home as strangers: "Love was before Tashkent: from there – he is on the left, she is on the right" (Alexievich, 2016b, p. 159).

However, female employees were afraid to return to the Soviet Union because they were "white crows" (Alexievich, 2016b, p. 69). They had a traumatized psyche, could not get used to a peaceful life, it was difficult for them to "believe in something, to love something" (Alexievich, 2016b, p. 124), "nothing was interesting for them after Afghanistan" (Alexievich, 2016b, p. 225). One of the heroines said in this regard: "Men fight at war, and women fight after" (Alexievich, 2016b, p. 191), another added: "This war will never end for me" (Alexievich, 2016b, p. 227).

They could not sleep, they dreamed of the horrors of war, corpses, shelling, they suffered from depression, lost in a peaceful life, they “confiscated the past” (Alexievich, 2016b, p. 265).

In addition, they felt disgust from men. The women cursed Afghanistan, after which they could not live in peace. Without them, their sons and daughters grew up, and other children laughed at them, as if imitating the attitude of adults to employees. After all, women went to war “from a country that needed this war, and returned to a country that did not need this war” (Alexievich, 2016b, p. 264), they were erased from history, placed “between the millstones”.

The image of a woman warrior, which can be considered archetypal for Ukrainian and world culture, in the documentary S. Alexievich appeared as a contradictory image, devoid of solid foundation. The living space of the Soviet woman was not connected with wars and military, and therefore the attitude to the woman who took part in the war in Afghanistan was predicted and formed as frankly and sharply negative: “We all think about home, but say little. I want to come back. Where will we return? We are also silent about this” (Alexievich, 2016b, p. 124).

Crying for a girl who knew about the war only from books became the dominant motive for despair at the experience. Books about war can be misleading, but not tell the truth about the war. For the Soviet women who read a lot, the experience gained in the war in Afghanistan became the limit beyond which there was nothing to tell about the war.

The distribution of socio-gender roles in society dictated its rules of treatment of women and the trials that may befall her. During the war, a woman, despite the burden of her own experiences from everything she saw and experienced, often took responsibility for the pain of others. One of the employees mentioned the confession of a stranger, who, seeing the woman, decided to tell her about his experience, and she, as a mother, listened for a long time and was afraid for him: “A stranger ... It is normal. Saw a woman, wanted to share. He saw that only half of the boys' boots were left... From the stutter of a machine-gun... Familiar guys. I thought he wouldn't stop. Who did he go to next? ” (Alexievich, 2016b, p. 177).

Conclusions

Two wars German-Soviet (1941–1945) and Soviet-Afghan were represented through the prism of woman's perception in the fiction and documentary novels “The Unwomanly Face of War” and “Zinky Boys” of S. Alexievich. Writer accentuates on psychological motives of characters participation in the war and their traumatic military experience. German-Soviet War (1941–1945) is positioned as fair by its participants because they protected their motherland from invaders. Among the motives of participation in the war on the basis of characters narratives of novel “The Unwomanly Face of War” we highlight: emotionally sublime attitude to the war caused by romantic perception of the world which was finally dispelled in the harsh realities; vocation, self-awareness as professional woman warrior; patriotic or ideological motives which predetermine girls to go to war voluntarily; motive of the desire to prove their devotion to Bolshevik regime at any cost is inherent in the daughters of politically repressed “enemies of the people”; bloody revenge.

Thus, in the mind of characters of novel “The Unwomanly Face of War” there are place for the feat frequently (not in vain in the former Soviet Union this war was called Great Patriotic) what considered natural phenomenon in the than society. That is why for performing of combat mission set by commanders, they could quite consciously and voluntarily risk (or even sacrificed) their lives or lives of people dearest to them – their children. In the article mentioned images are compared with legendary Amazon and militant Sarmatians.

Elucidated that Soviet-Afghan War appears completely different in the mind of women warriors in the novel “Zinky Boys”. In this work S. Alexievich reflects military experience of women who performed so called “international duty”. Most women-participants of Soviet-Afghan War were nurses, orderlies, telephonists, typists etc. Except romantic beliefs, motives of women participation in this war were: arrangement of personal life; feeling of lack of implementation in peaceful life; aspiration to try out the will power, temper, improve their own financial position. It must be noted that direct participants of this war in comparison with their predecessors were not motivated to the feats because appeared on the foreign territory and were forced to fight for incomprehensible interests. Images of “women with the weapon” represented through the stories about Afghan war

made distinct the pain and suffering of the whole generation of people who not only got the traumatic experience but appeared among the millstone of life because appeared unnecessary.

On the basis of mentioned by us motives which encouraged women to participate in the war and analyzed narratives-testimonies of characters and their military experience was found out variations of woman warrior archetype in researched works of S. Alexievich. So, in the novel "The Unwomanly Face of War" – women-romantics, women-professional warriors, women-patriots devoted to Bolshevik regime daughters of "enemies of people", women-avengers.

In the novel "Zinky Boys" images of romantics are available too but we distinguish and women for whom participation in the war became the mean of self-realization and those who associated it with reaching of material prosperity.

As result of conducted analysis of works of S. Alexievich, characteristic of characters we highlighted defining features of woman warrior archetype in particular: approval of self-worth, hardening the character, gaining of masculinity signs. After all gained experience on the war didn't allow the woman to continue to be weak and tender. Especially it is manifested clearly during the German-Soviet War when she actually lost her femininity was forced to carry out completely all work is typical for strong sex. In the novels writer emphasizes on characters mental trauma, difficulties in returning to the peaceful life.

It is important to emphasize that in the novels both "The Unwomanly Face of War" and "Zinky Boys" S. Alexievich not only generalized image-archetype of woman warrior but also has provided it with modern sound. Those images quite easily to project on participants of Russian-Ukrainian war which started 24 of February in 2022.

Certainly, our exploration does not claim to completeness of research of woman warrior archetype in the novels of S. Alexievich, although discovers new aspects of studying her fiction and documentary prose.

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Contracts in the commercial law of foreign countries: topical issues of theory and practice

Договори в комерційному праві зарубіжних країн: актуальні питання теорії та практики

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Abstract

Commercial contracts are the main tool for regulating relations between enterprises, regardless of their geographical location.

The purpose of the research is the analysis and study of modern trends, features, and problems related to the conclusion and execution of commercial contracts in foreign countries. The main tasks are: 1. Study of the main principles of commercial law of foreign countries. Consideration of key aspects of commercial law of different countries, such as the principles of contract law, executive law, and other important aspects affecting the conclusion and performance of contracts. 2. Study of current problems and challenges. Consideration of modern problems of conclusion, execution, and disputes under contracts in the commercial law of foreign countries, such as problems of electronic commerce, international trade disputes, protection of consumer rights, and other relevant issues. 3. Study of international trends. Analysis of modern international trends in the field of commercial law, such as the harmonization of legal norms, the development of electronic commerce, the impact of technology on the conclusion and performance of contracts,

Анотація

Комерційні договори є основним інструментом регулювання взаємовідносин між підприємствами, незалежно від їх географічного розташування.

Метою дослідження є аналіз і вивчення сучасних тенденцій, особливостей та проблем, пов'язаних з укладанням і виконанням комерційних договорів у зарубіжних країнах. Основними завданнями є: 1. Дослідження основних принципів комерційного права зарубіжних країн. Розглядання ключових аспектів комерційного права різних країн, таких як принципи контрактного права, виконавчого права та інших важливих аспектів, що впливають на укладання та виконання договорів. 2. Вивчення актуальних проблем та викликів. Розгляд сучасних проблем укладання, виконання та спорів за договорами в комерційному праві зарубіжних країн, таких як проблеми електронної комерції, міжнародних торговельних суперечок, захисту прав споживачів та інші актуальні питання. 3. Вивчення міжнародних тенденцій. Аналізування сучасних міжнародних тенденцій у сфері комерційного права, таких як гармонізація правових норм, розвиток

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international cooperation, and integration. Current theoretical approaches, principles, and general rules related to commercial contracts in foreign countries are studied. The problems arising in the practice of conclusion and execution of such contracts have been identified. Common principles and features of regulation of commercial contracts in various foreign countries are established.

Keywords: international commercial contract, banking services, arbitration agreement, international commercial arbitration, compliance.

Introduction

Contracts in the commercial law of foreign countries in the modern world are the subject of close study, as international trade and business interaction between countries is becoming more and more active. The conclusion and execution of commercial contracts play a crucial role in creating a favorable climate for international business operations. International commercial agreements face a variety of theoretical and practical issues that require careful analysis and research. One of the central topics is the study of theoretical approaches, concepts, and principles that underlie the conclusion and execution of commercial contracts in foreign countries. This covers aspects such as the agreement of the parties, the terms of the contract, the legal regime, and enforcement mechanisms. The practical side of the research is focused on the identification of actual problems that arise in the real business environment when concluding and executing commercial contracts abroad. These may be issues related to jurisdiction, choice of law, dispute resolution mechanisms, and protection of the rights of the parties.

One of the main areas of research was the definition of the main principles of commercial law of foreign countries. Key aspects such as the principles of contract law, executive law, and other important aspects affecting the conclusion and performance of contracts were considered in this study. Analyzing different countries, common and distinctive features of commercial law were established, which contributed to the formation of generalized principles and norms that can be applied in international commerce.

An equally important aspect of the research was the study of current problems and challenges faced by the parties when concluding, executing,

електронної комерції, вплив технологій на укладання та виконання договорів, міжнародна співпраця та інтеграція. Досліджено актуальні теоретичні підходи, принципи та загальні правила, що стосуються комерційних договорів у зарубіжних країнах. Виявлені проблеми, що виникають у практиці укладання та виконання таких договорів. Встановлені спільні засади та особливості регулювання комерційних договорів у різних зарубіжних країнах.

Ключові слова: міжнародний комерційний договір, банківські послуги, арбітражна угода, міжнародний комерційний арбітраж, комплаєнс.

and resolving disputes under contracts in the commercial law of foreign countries. In particular, the problems of electronic commerce, international trade disputes, protection of consumer rights, and other relevant issues were considered. This made it possible to identify the main problematic points and ways to solve them in the context of the commercial law of foreign countries.

Another aspect of the research was the study of international trends in the field of commercial law. Modern international trends were analyzed, such as the harmonization of legal norms, the development of electronic commerce, the impact of technology on the conclusion and execution of contracts, international cooperation, and integration. This made it possible to determine the key areas of development of the commercial law of foreign countries and put forward proposals for the improvement of legal regulations and the practice of concluding and executing contracts.

International trade and economic integration are becoming increasingly important. With a large volume of global trade operations, new issues arise related to the conclusion and execution of international commercial agreements. Special attention should be focused on standardization, harmonization, and regulation of contractual relations, as well as on the use of international standards and rules in commercial agreements. In addition, the importance of e-commerce and the use of the latest technologies in commercial contracts is growing. Related to this are issues of trust, security, and protection of information, electronic identification of parties, signing of electronic documents, and electronic trust certificate. It should also be noted that

international commercial disputes are traditionally resolved through alternative dispute resolution, in particular, through international commercial arbitration. However, there are issues related to the efficiency and transparency of arbitral procedures, as well as the recognition and enforcement of arbitral awards in various jurisdictions.

It is important to pay attention to the role of international treaties in this context. International treaties establish generally accepted norms and standards that regulate commercial relations between countries and ensure their mutual recognition and enforcement. Special attention in the study is paid to international commercial agreements, which include specific conditions and legal principles applied in the field of international trade, banking services, and other commercial transactions. The analysis of these contracts makes it possible to establish common trends and peculiarities of the regulation of commercial relations in different jurisdictions. Particular attention should be paid to the arbitration agreement and international commercial arbitration. Arbitration is one of the most common and effective dispute-resolution mechanisms in international commercial law. Studying the principles and procedures of arbitration helps to understand how disputes between parties operating in an international context are resolved. Compliance, which plays a significant role in modern commercial law, is also an important aspect of the study. Compliance involves complying with the requirements of legislation and ethical standards in business operations, ensuring legal security and meeting established standards. The study of compliance helps to understand how organizations can effectively implement and comply with legal regulations in their operations. In general, this study aims to highlight current issues of the theory and practice of contracts in the commercial law of foreign countries, to reveal their relationship with international contracts, international commercial arbitration, banking services, and compliance. The results of this study are important for the development of legal regulation of international commercial relations and will influence the practice of concluding and executing commercial contracts in the international context.

The purpose of the research is the analysis and study of modern trends, features, and problems related to the conclusion and execution of commercial contracts in foreign countries.

The main tasks are:

- Study of the main principles of commercial law of foreign countries. Consideration of key aspects of commercial law of different countries, such as principles of contract law, executive law, and other important aspects affecting the conclusion and performance of contracts.
- Study of current problems and challenges. Consideration of modern problems of conclusion, execution, and disputes under contracts in the commercial law of foreign countries, such as problems of electronic commerce, international trade disputes, protection of consumer rights, and other relevant issues.
- Study of international trends. Analysis of modern international trends in the field of commercial law, such as the harmonization of legal norms, the development of electronic commerce, the impact of technology on the conclusion and performance of contracts, international cooperation, and integration.

The purpose of the study is to study and analyze current issues related to contracts in the commercial law of foreign countries, to reveal their theoretical aspects, and identify practical trends.

- Identification of current issues and trends. The study is aimed at identifying and analyzing current issues and trends in the field of contracts in the commercial law of foreign countries, such as electronic commerce, international disputes, protection of consumer rights, and other important aspects.
- Development of proposals and recommendations: the goal is to put forward proposals and recommendations for the improvement of commercial law in foreign countries based on the study of current issues and trends. This may include proposals for the harmonization of legal regulation, improvement of dispute resolution procedures and improvement of legal protection of the parties to concluded contracts.
- Analysis of the regulation of international commercial contracts: the study is aimed at the analysis of international contracts and conventions regulating international commerce, to identify their features, influence on national law, and practice of concluding contracts.

The subject of the research is the systematic analysis and study of commercial contracts, their conclusion, and execution in foreign countries.

Theoretical Framework or Literature Review

The degree of research on the topic can be rated as high. The topic of contracts in the commercial law of foreign countries is widely researched and has a significant volume of literature, which covers both theoretical aspects and practical experience of concluding and executing such contracts. In the field of commercial law in foreign countries, many studies have been carried out that deal with different types of contracts, such as sales contracts, supply contracts, subcontracts, service contracts, and many others. Researchers study the legal aspects of such contracts, including their structure, conditions, responsibilities of the parties, and dispute settlement procedures.

In his work, Kumpan (2014) examines the role and peculiarities of transactions, in particular contracts, in the foreign economic activity of economic entities. The author examines various types of contracts used in the field of foreign trade, such as contracts for international sales, services, transportation, franchising, licenses, and others. It analyzes in detail the legal aspects of the conclusion and execution of such contracts, in particular taking into account international standards and legal norms. In his research, Kumpan draws attention to the peculiarities of international agreements in foreign economic activity, such as the determination of delivery terms, payment terms, dispute resolution, and other issues arising in the context of international trade. In addition, the author examines the practical aspects of concluding contracts in the foreign economic sphere, providing advice and recommendations on their effective conclusion and implementation. It also examines the legal aspects of protecting the rights and interests of economic entities in the context of foreign economic agreements.

Issues of international commercial law, which includes aspects of international trade law, international treaties, and international trade practice, are also actively explored. The interaction between different legal systems, the rules of international organizations such as the International Chamber of Commerce (ICC), and national legislation is studied.

Voloshchuk, Makeeva, and Mudryk devoted their papers to International Commercial

Arbitration. In his article, Voloshchuk (2010) explores the main aspects of international commercial arbitration and examines the process of issuing an arbitral award, including the stages of the arbitration process, the rights, and obligations of the parties, as well as the issue of enforcement of arbitral awards. The author also examines the main principles and rules governing international commercial arbitration, such as the principle of party autonomy, the principle of confidentiality, and others. The article provides readers with general information about the main aspects of international commercial arbitration and helps to understand the process and principles of this type of alternative dispute resolution. It can be useful for practicing lawyers as well as for students and academics interested in the field of arbitration and international commercial law.

In their research, Makeeva and Mudryk (2020) focus on the analysis of the main concepts, principles, and mechanisms of international commercial arbitration. They consider the process of formation of the arbitration award, the roles of the parties and arbitrators, as well as issues related to the procedure and means of proof in the arbitration process. The authors also consider important aspects of the implementation of arbitral awards and their enforcement. The work provides an in-depth analysis of the mechanism and principles of international commercial arbitration. It helps readers understand complex legal issues related to the arbitration process and familiarize themselves with the latest theoretical developments in this field.

Research in this area also covers current issues related to the digital economy, e-commerce, electronic contracts, and the adaptation of legal systems to rapidly changing technologies and international trends.

Yashchuk and Yurchyshyn (2013) in their work examine the key aspects and features of concluding contracts related to the transfer of technologies. The authors consider the essence, nature, and significance of technological transfer in the modern economic environment. They study the legal aspects affecting the conclusion of such contracts, as well as consider the principles and conditions that must be taken into account when concluding them. In their study, Yashchuk and Yurchyshyn analyze various aspects of technology transfer, including licensing, transfer of know-how, patents, and intellectual property. They examine the legal and economic aspects of these contracts, taking into

account the risks, limitations, and benefits arising for the parties in the process of technology transfer. In addition, the authors draw attention to the international aspect of technology transfer agreements, taking into account the legal systems and international standards that may affect such agreements. They also address the practical aspects of contracting, providing advice and guidance on how to make them effective and sustainable.

Methodology

The methodology of this research involves a comprehensive approach to the analysis and systematization of information related to theoretical aspects and practical issues of commercial contracts in foreign jurisdictions. Below are the main stages of the methodological research approach:

- Review of scientific literature and sources by topic. An analysis of current sources, scientific articles, monographs, legislative acts, and court practices related to contracts in the commercial law of foreign countries is carried out. This allows you to get an overview of existing research, and theoretical concepts, and analyze the rights of these norms and precedents.
- Systematization and synthesis. The method of systematization of the received data and synthesis of various sources of information is used. This allows you to create a conceptual model for the analysis of current issues and draw conclusions about the theoretical and practical aspects of commercial contracts in foreign countries.
- Study of theoretical approaches. Various theoretical approaches to contracts in the commercial law of foreign countries are analyzed, such as the theory of contracting, the theory of restrictions, and the theory of contractual rules. Systematization of these approaches and identification of basic principles, concepts, and general rules, used in commercial contracts is carried out.
- Analysis of practical issues. Practical aspects of concluding and executing commercial contracts in foreign countries are studied. Problems that arise in practice, such as requirements for the form of contracts, definition of the rights and obligations of the parties, exclusion, and limitation of liability, and dispute settlement procedures are studied.
- Comparative analysis. A comparative analysis of various foreign jurisdictions regarding the regulation of commercial

contracts is carried out. The common principles and features of concluding and executing contracts in different countries are identified, as well as the principles of harmonization and standardization of legal regulation are determined.

- Use of legal analysis. Legal analysis of legislation and international treaties of foreign countries regulating commercial contracts is applied. Normative acts related to the conclusion, content, execution, and termination of contracts are being studied. Court decisions that illustrate the interpretation of legislation and the development of judicial practice are analyzed.
- Studying the international aspect. Attention is paid to international agreements and the impact of international standards on commercial agreements. Aspects such as international trade agreements, dispute resolution mechanisms, and the influence of international organizations on the regulation of commercial contracts are studied.
- Analysis of statistical data. An analysis of statistical data on the conclusion and execution of commercial contracts in foreign countries is carried out. This makes it possible to identify trends, peculiarities, and risks associated with the conclusion and execution of such contracts.
- Interdisciplinary approach. An approach combining different fields of knowledge, such as law, economics, business, sociology, and others, is used. This allows for considering commercial contracts as a whole, taking into account various factors and aspects affecting their conclusion and execution.

The use of these methodological approaches contributes to the comprehensive study of topical issues of the theory and practice of commercial contracts in foreign countries. They make it possible to gain a deep understanding of this issue and make a significant contribution to the development of commercial law. The research methodology combines theoretical analysis, comparative approach, and legal analysis, as well as the use of empirical methods and case studies.

Results and Discussion

Concepts, principles and general rules of commercial contracts in foreign countries are an important component of commercial law, which regulates relations arising in the process of concluding and executing contracts in the field of international business. In the context of foreign

countries, where the globalization of the economy has a significant impact on trade and investment, understanding the concepts, principles and general rules of commercial contracts becomes especially important for the parties to the agreement and their legal representatives. With the help of the defined objectives, it was found that the concept of a commercial contract in foreign countries is based on generally accepted definitions, which include an agreement between the parties for the purpose of carrying out commercial activities. Using a formalist perspective in his book, Morgan (2013) seeks to provide a clear and consistent restatement of the law of commercial contracts, emphasizing the importance of legal formalities and objective manifestations of intent at the conclusion of a contract. Contracts may relate to the purchase and sale of goods, provision of services, franchising, licensing of intellectual property and other commercial transactions. Arbitration agreements in the context of contracts in the commercial law of foreign countries play an important role as a mechanism for resolving disputes between parties. They represent an agreement between the parties to the contract that any disputes or disagreements arising out of this contract will be resolved by arbitration instead of litigation. In his work Malskyi (2011) noted that the American lawyer H. Born characterized arbitration as a means by which a dispute is resolved by a disinterested person, in accordance with the voluntary agreement of the parties. The arbitration agreement establishes the rules, procedures and conditions of the arbitration. It determines the place of arbitration, composition of the arbitration tribunal, legal regulation of the dispute, as well as other aspects related to the arbitration process. The arbitration agreement may be included directly in the text of the contract or may be concluded in the form of a separate agreement between the parties. An important aspect of the arbitration agreement is the choice of the place of arbitration. It can be a specific arbitration institution or a specific country where the arbitration will be held. The choice of the place of arbitration can be of great importance for the efficiency and effectiveness of the procedure. Arbitration agreements may also include important provisions regarding the arbitration procedure, such as time limits for filing claims, the procedure for appointing arbitrators, rules of evidence, and the terms of enforcement of an arbitral award. The use of arbitration agreements in the context of contracts in the commercial law of foreign countries has several advantages. It allows the parties to avoid lengthy and complex litigation, provides greater

flexibility and confidentiality, and facilitates the resolution of the dispute through a specialized tribunal with deep knowledge of commercial law. Arbitration agreements are an important tool for resolving disputes in the context of contracts in the commercial law of foreign countries (Voloschuk, 2010a, 2010b). They provide an efficient, fast and specialized dispute resolution process, promoting the development of commercial relations and providing parties with legal certainty.

The principles of commercial contracts are important regulatory principles that determine the rules for concluding and executing contracts in the field of commercial activity. These principles contribute to the creation of stable and transparent relations between the parties to the contract, ensuring their rights and obligations. They reflect generally accepted standards and practices used in the commercial law of foreign countries. In his work Yefimov (2010) considered these principles and came to the conclusion that in the future they will be used as an independent autonomous regulator of contractual relations. The main principles of commercial contracts include:

- The principle of freedom of contract. Based on the principle of party autonomy, this principle presupposes that parties have free will to enter into contracts and determine their terms. The parties have the right to agree on the scope and terms of commercial agreements, within the limits of legislation and generally accepted norms.
- The principle of good faith and reasonableness. The parties must act in good faith and with reason during the conclusion and execution of the contract. This principle stipulates that the parties must adhere to the principle of honesty, strictly adhere to their obligations and not use deceptive or unreliable actions.
- The principle of equality and equality. Based on the principle of equality of the parties, this principle assumes that the parties have the same rights and obligations, as well as equal opportunities in concluding and executing the contract. This means that no party should have an undue advantage over the other, and both parties should be equal participants in the agreement.
- The principle of compliance with the terms of the contract. The parties are obliged to comply with the conditions specified in the contract. This principle provides that the parties must fulfill their obligations in accordance with the conditions stipulated in

the contract, and in case of violation of these conditions may bear responsibility.

- The principle of reciprocity and benefit. The parties must have a certain benefit or interest in the conclusion and performance of the contract. This principle implies that the contract should be beneficial to both parties, and the parties should have equal opportunities to obtain some benefit from the agreement.
- The principle of good faith and justice. The parties must act in good faith and in a fair manner during the conclusion and performance of the contract. This principle provides that the parties must respect the legal rights and interests of each other and fulfill their obligations taking into account the general principles of justice.

These principles are the basis for understanding and applying commercial contracts in foreign countries. They help ensure fair and stable relationships between business partners and facilitate the resolution of disputes through arbitration or other conflict resolution mechanisms.

The general rules of commercial contracts in foreign countries, or as they say, Incoterms, can be based on various sources of law, such as legislation, international conventions, trade customs and standards. They regulate various aspects of contracts, including terms of the agreement, obligations of the parties, liability for breach of terms, dispute settlement procedures and other issues. The general rules are aimed at creating a transparent and stable legal framework for commercial relations, ensuring their effective functioning and protecting the interests of the parties. In his article Koval (2013) came to the conclusion that the correct use of the Incoterms Rules simplifies the process of drawing up a contract and allows you to get rid of misunderstandings. Analysis of the concepts, principles and general rules of commercial contracts in foreign countries requires a systematic approach and research of relevant regulatory acts, national and international practice, as well as scientific research in the field of commercial law. Understanding these concepts, principles and general rules will help to increase the efficiency of conclusion and execution of commercial contracts, ensure the protection of the interests of the parties and promote the development of international business.

The conclusion of contracts in various fields of commerce requires a careful study and analysis

of the specific features of each field, as they have a significant impact on the relationship between the parties and the requirements related to the contractual conditions. For example, in the field of technology, where the rapid pace of technological change is the norm, the conclusion of contracts requires careful consideration of the peculiarities of intellectual property, in particular patents, copyrights and trade secrets. In addition, contracts in this field must reflect details regarding licensing, transfer of rights and confidentiality, which are of great importance for the successful implementation of technology in commercial activities.

An example can be a technology transfer agreement. The conclusion of technology transfer agreements has its own characteristics compared to other commercial agreements. Technology transfer agreements are an important tool for transferring technological knowledge, know-how, patents and intellectual property from one entity to another. Technology transfer agreements are intended to transfer the rights to use technology, but it is important to ensure the protection of intellectual property. This may include entering into appropriate confidentiality agreements, patent licenses, or legal remedies that ensure that the technology will only be used within the scope of the agreement and will not be shared with third parties. Also, it adds certain requirements for determining the amount of the transfer. Contracts should clearly define the scope of technology transfer, including the specific rights and obligations of the parties. This may include restrictions on the territory, fields of application of the technology, duration and conditions of use. The main features are also: financial aspects of the contract, technical support and training, as well as the transfer of risks and responsibilities (Yashchuk & Yurchyshyn, 2013).

The conclusion of contracts in foreign countries is accompanied by risks and challenges associated with the complexity and specificity of international commercial relations. Due to the set task in the processing of scientific material, it was found that these risks arise as a result of various factors, including the legal system, cultural differences, political instability and language barriers. One of the main risks is related to the legal system of the country in which the contract is concluded. Different countries have their own legal traditions and systems, which can significantly affect the interpretation and application of contractual terms. Differences in legislation and legal practice can lead to unpredictable consequences and disputes

between the parties (Kumpan, 2014). Cultural differences also contribute to the complexity of contracting. Different countries have different approaches to communication, negotiation and definition of commercial terms. Understanding cultural nuances and taking into account cultural characteristics is an important aspect of successful conclusion and execution of contracts in foreign countries. In the conclusions of their work Yeleyko and Danilyuk (2012) noted: "Recognition of cultural differences between countries and building relations on this basis is a prerequisite for achieving positive results in conducting international business". Political instability can also pose a serious risk to contracting in foreign countries. Changes in government policy, political conflicts and unforeseen events can affect the business environment and the fulfillment of contractual obligations. Language barriers are another challenge when concluding contracts in foreign countries. The difference in languages and lack of familiarity with the partner's language can complicate the process of negotiations and agreement of contractual terms. Translation errors and misunderstandings can have serious consequences for contractual relations (Kharchenko, 2020). Generally speaking, the risks and challenges associated with the complexity and specificity of concluding contracts in foreign countries require detailed analysis, professional training and careful study of legal, cultural, political and linguistic aspects. Managing these risks and challenges is an important task for subjects of commercial law. Taking into account different legal systems, cultural characteristics and the level of development of the legal environment, concluding contracts in foreign countries can be difficult and bring certain risks. This involves not only legal analysis and consideration of differences in legal systems, but also strategic planning, cultural understanding, communication and building sustainable relationships between parties. Applying adequate strategies and careful preparation can help reduce risks and ensure the successful execution of contracts in foreign countries.

For example, an effective risk management tool in the provision of banking services by foreign banks is the analysis of the provisions of business contracts concluded by the bank's clients. First of all, supply contracts under which the delivered goods are paid for, contracts for the provision of consulting services, contracts for construction works, etc., which are required from customers to confirm the legality of banking transactions, are analyzed. In his master's thesis, Sergiychuk

(2018) found: "The risk management system includes risk identification, measurement, control and monitoring. Methods of bank risk management include methods of avoiding bank risks, methods of reducing bank risks, methods of transferring bank risks, and methods of independent resistance to bank risks".

One of the tools of corporate governance in financial organizations, in particular in banks, is compliance control, which is quite widespread and legislated in economically developed countries. Compliance is the ability to act in accordance with established rules, norms, requirements and internal standards. Compliance, in the context of contracts in the commercial law of foreign countries, is an important aspect that is becoming more and more relevant in the modern business environment. It means compliance with certain rules, norms and requirements related to the performance of contracts concluded between enterprises and organizations in foreign countries. Compliance aims to ensure compliance with laws, regulatory requirements, safety standards, ethical principles and other business-related requirements. It includes the development and implementation of internal policies, procedures and control mechanisms that contribute to fulfilling obligations, avoiding violations and reducing risks (Zharii & Kufayeva, 2016). The conclusion of contracts in foreign countries is associated with various legal, economic, social and cultural aspects. Compliance in this context involves analyzing and taking into account the specifics of legal systems, legislation, contract performance practices, risks and requirements that may be specific to a specific country. One of the key aspects of compliance is the awareness and implementation of international standards, such as human rights, environmental norms, principles of corporate social responsibility and other international norms. Taking these standards into account can help build long-term and sustainable business relationships with partners from different countries and ensure a high level of trust and confidence in the concluded contract. O. Karpushenko and M. Karpushenko (2023) came to the conclusion that the implementation of compliance in multinational companies and companies that plan to enter the international level increases confidence in them on the part of foreign stakeholders. Therefore, compliance is a necessary element of successful conclusion and execution of contracts in the commercial law of foreign countries. It helps ensure mutual benefit and long-term sustainability in business relationships, avoid violations and conflicts, and adhere to high standards of ethics and

responsibility. Successful compliance management helps to strengthen the positions of enterprises on the international market and creates favorable conditions for business development.

Issues of performance of obligations and compensation for damages in case of violation of contractual terms are one of the most important aspects of commercial contracts in foreign countries. They require careful consideration and research, since stability and trust between the parties to the contract depend on their effective resolution. In case of violation of contractual conditions, there is a need to fulfill obligations and compensate for losses. The problems that arise are to determine the scope and mechanism of compensation, taking into account the different legal systems, principles and practices in different countries. In her work, Martsenko (2023) examined the systems of France, Germany, and Ukraine. In the course of a comparative analysis, she came to the conclusion that the norms of the above-mentioned countries are based on similar legal approaches to the fulfillment of obligations and compensation for damages.

Identifying common trends and features in the regulation of commercial contracts is an important aspect of researching current issues of the theory and practice of commercial law. Finding this positive experience is conditioned by the set tasks and goals. This makes it possible to understand general trends observed in various foreign countries, as well as to identify peculiarities that arise as a result of different national laws, traditions and cultural characteristics. One of the common trends in the regulation of commercial contracts is the growing role of international standards and agreements. Currently, in many areas of commerce, there is an effort to harmonize legal norms and create unified standards that contribute to convenience and transparency in the conclusion and execution of international commercial contracts. However, together with general trends, there are also features that can distinguish countries and regions in the regulation of commercial contracts. These may be differences in the legal system, requirements for the form of the contract, restrictions on content or specific rules for certain branches of commerce. For example, in the field of finance there may be special requirements for the regulation of banking transactions, while in international trade there may be special rules for customs procedures and transportation of goods. Thus, the identification of common trends and

features in the regulation of commercial contracts allows for a broader overview of international commercial law, to reveal the essence of institutions that regulate commercial relations, and to provide a basis for developing recommendations for improving the legislation and practice of concluding and executing commercial contracts in foreign countries.

Conclusions

1. The goal of analyzing the regulation of international commercial contracts was achieved. Thanks to this, it became clear that contracts in the commercial law of foreign countries are complex and multifaceted legal instruments that require a deep understanding of theoretical approaches and practical aspects.
2. The task of researching the basic principles of commercial contracts was achieved. It was revealed that the actual issues of the theory of commercial contracts consist of the systematization of approaches, concepts, principles, and general rules that regulate the conclusion and performance of contracts in foreign countries.
3. The task of studying current problems and challenges was completed. It became clear that the execution of contracts in foreign countries includes the identification of problems that arise in practice and the search for optimal solutions to solve them. Understanding the common principles and peculiarities of regulation of commercial contracts in different countries helps enterprises to avoid conflicts and ensure the successful fulfillment of obligations.
4. The goal of identifying current issues and trends was accomplished. It was found that the peculiarities of concluding contracts in various fields of commerce, such as technology, finance, and international trade, require a specialized approach and consideration of sectoral regulations, standards, and practices.
5. The goal of developing proposals and recommendations was fulfilled. Issues of the fulfillment of obligations and compensation for damages in case of violation of contractual terms are of great importance for ensuring long-term and stable business relations. Effective methods of dispute resolution and the use of alternative mechanisms such as arbitration and international commercial arbitration were suggested. In addition, ideas were proposed regarding the issue of legislative regulation of compliance.

6. The task of studying international trends was completed. Identifying common trends and peculiarities in the regulation of commercial contracts in various foreign countries helps to create a knowledge base and develop recommendations for improving the legislation and practice of concluding and executing contracts.

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Legal principles of ensuring social security in the conditions of digitalization of Ukraine

Правові засади забезпечення соціального захисту в умовах цифровізації України

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Abstract

The transformation of society is due to the development of the information society and the gradual transition to the knowledge society, the impact of digitization on all spheres of life of society and citizens. Recently, the issue of the transformation of social security in the context of the development of digitalization of all spheres of the life of the state and society has been brought up to date.

The purpose of the article is to analyze the legal framework for ensuring social security in the context of digitalization in Ukraine with a view to developing the ways to improve the policy in this area.

The methodology of the article is based on a complex, interdisciplinary approach, the principle of historicism for conducting a legal analysis of normative legal acts in the field of social security of Ukraine for 1990-2022 in the conditions of digitalization.

The results demonstrate the dynamism of technology development and digitalization of society with slow legislative changes in the field

Анотація

Трансформація суспільства зумовлена розвитком інформаційного суспільства та поступовим переходом до суспільства знань, впливом цифровізації на всі сфери життя суспільства та громадян. Останнім часом актуалізується питання трансформації соціального забезпечення в контексті розвитку цифровізації всіх сфер життєдіяльності держави та суспільства.

Метою статті є аналіз правової бази забезпечення соціального захисту в умовах цифровізації в Україні з метою розробки шляхів удосконалення політики у цій сфері.

Методологія статті побудована на комплексному, міждисциплінарному підході, принципі історизму для проведення правового аналізу нормативно-правових актів в сфері соціальної безпеки України за 1990-2022 роки в умовах цифровізації.

Результати демонструють динамічність розвитку технологій та цифровізації суспільства з повільними законодавчими змінами в сфері соціальної безпеки. З початку

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of social security. Since the beginning of 2007, legislative provisions in the researched field and conceptual principles of digitalization of the socio-economic system have been implemented in Ukraine. Complex digitization is aimed at comprehensive and deep transformation of existing analogues of economic and social systems and spheres into new value and quality to ensure social security of the state, society and citizen. Therefore, the authors note the importance of introducing key legislative acts regarding the effective implementation of digital technologies in the further development of social security in accordance with the strategic goals of the state and modern technological trends.

Keywords: social security, digitalization, information society, legal consolidation of digitalization in Ukraine, principles of digitalization.

Introduction

At the stage of Ukraine's formation as an independent state, considerable attention is paid to the development of the state's social policy, the social sphere, in particular, social security issues, which are reflected in the state regulations. Modern digital technologies are significantly changing our lives, namely the way of production of products and services, methods and forms of education, and affect the social structure of society, the economy, politics, and the development of socio-cultural institutions. Moreover, the development of digital technologies has not only generated various social effects, but also contributed to the emergence of a new humanitarian knowledge, known as the concept of the information society. For this purpose, the state has developed social rules, laws, regulations, and standards that have become the cornerstone, on which the entire social security system of the country, society, and citizen is built. These are state social standards, i.e., social norms and standards established by laws and other regulatory legal acts, on the basis of which the basic state social guarantees are determined. This study is devoted to the analysis of regulatory documents, legislative acts, and laws on the legal framework for the formation of social security in the context of digitalization in Ukraine.

The purpose of the article is to analyze the legal framework for ensuring social security in the context of digitalization in Ukraine with a view to developing the ways to improve the policy in this area.

2007 року в Україні впроваджуються законодавчі положення у досліджуваний сфері та концептуальні засади цифровізації соціально-економічної системи. Комплексна цифровізація спрямована на всебічну та глибоку трансформацію існуючих аналогів економічних і соціальних систем і сфер у нову цінність та якість для забезпечення соціальної безпеки держави, суспільства та громадянина. Тому автори відмічають важливість приведення ключових законодавчих актів щодо ефективного впровадження цифрових технологій у подальшому розвитку соціального забезпечення відповідно до стратегічних цілей держави та сучасних технологічних трендів.

Ключові слова: соціальне забезпечення, цифровізація, інформаційне суспільство, правове закріплення цифровізації в Україні, принципи цифровізації.

Literature Review

Analysis of the recent research and publications. The legal, organizational, economic, political, and other dimensions of social security are studied by scholars in the context of digital transformations and the introduction of technologies in the economy's various sectors. Ilchuk (2016) provides general proposals for public policy measures in forming countermeasures to threats to the social security system. Lyndiuk (2022) pays attention to theoretical interpretations of the "social security" concept in Ukrainian scientific discourse, approaches to understanding its unity, and analyzes the genesis of its formation. Davidyuk (2002) reveals significant theoretical, methodological and practical issues of ensuring social security, drawing attention to the fact that "Ukraine continues to be on the dangerous edge in almost all the most crucial social indicators of world civilization development". Separately, it is necessary to identify scientists who analyze modern trends, such as digitalization, digital technologies, and the information society (Karpenko et al., 2020). In particular, Karpenko et al., (2020) analyzed the history of digitalization in Ukraine. The scholars presented the major modern approaches to the definition of the concept, and showed ways and forecasts of further use of digital technologies in various spheres of community life. Lopushynskyi (2010) analyzed the latest scientific approaches to the "digitalization" of public administration and regulatory legal acts of the Ukrainian state, international treaties and program acts of the Ukrainian state, and international treaties and

program documents on implementation in the field of public governance. Yevsyukova (2021) studied the digital capacity of territorial communities in the current conditions of Ukraine's development, drawing attention to the positive aspects of the digital capacity of territorial communities in Ukraine. In addition, the author explored the key aspects of the digitalization of territorial communities based on the seven principles of the "Good Governance" concept and identified the challenges of implementing digital information and communication technologies in the territorial communities' activities. Yevsyukova (2021) characterized the prospects and proposed several measures aimed at overcoming the identified problems. The scholar drew attention to the need to form a progressive "digital" community as a result of strengthening the digital capacity of territorial communities in Ukraine, which in turn will reduce public distrust of the modern digital state. In the scientific work of Tarakanov, Inshakova & Dolinskaya (2019), the authors provide a detailed, comprehensive analysis of the issues related to transforming modern legislation in the context of developing the information society. Kuziemska & Misuraca (2020) discuss the impact of automated decision support systems on public services in public governance and the crucial role of government in the digital society, considering the need to protect citizens from the potential negative consequences of technology (e.g., data security, cybercrime). The study by Fatima, Desouza & Dawson (2020) examines the transformative impact of technology on various aspects of society, in particular, the national strategic plans of governments of different countries on the possibilities of modernizing the public sector through technology.

In the existing literature, the issue of ensuring social security in the conditions of digitalization is considered in the context of legal problems related to the need for legislative changes due to the emergence of new forms of employment. On the one hand, technologies contribute to expanding the potential of remote employment; while on the other hand, problems arise related to social security and employee protection.

In the conditions of automation and digitalization, new forms of employment are emerging in various professions and sectors, such as the digital platform economy (Behrendt, Nguyen & Rani, 2019).

Atypical forms of labor relations used by numerous online platforms (multilateral, hyper-

temporary, autonomous, off-site) are emerging and developing, often defined in the agreement as independent contracts. Such forms of employment cause problems with the application of labor and occupational safety and health legislation and employee protection in many countries. The latter automatically affects the social welfare of the population. The application of legal norms and principles generally depends on the existence of an "employment relationship". Specific legal measures have been introduced in some European Union (EU) member states (e.g., France), to respond to these challenges (Garben, 2019). New forms of employment and work also pose social risks and negative consequences for the middle class in the age of digital technologies (Palier, 2019). In general, the emergence of new forms of employment requires the adaptation of existing social protection systems to the specific situation and workers' needs to implement the human right to social security for everyone (Behrendt, Nguyen & Rani, 2019). For instance, platform workers face problems with access to effective social protection schemes. Consequently, they are not always able to obtain reliable social protection rights, even if they are able to participate in the schemes (Schoukens, 2020). In light of these problems, legal norms in the field of social security in the context of digitalization should be inclusive and adapted to all (new) types of labor (Schoukens, 2020).

At the same time, while paying tribute to the above-mentioned specialists and the results of their scientific research, the issues of legal regulation of digitalization as a factor of social security in Ukraine remain insufficiently studied in public administration science.

Methodology

The academic paper uses the method of legal analysis and interdisciplinary, comprehensive approaches to identify the system of legal principles for ensuring social security in the conditions of digitalization. The principle of historicism is used as a basis for considering the dynamics of legislative changes at the international and national levels in the field of social security. The comprehensive approach contributed to the perception of the place and role of social security in the national security of Ukraine and in the context of digital changes. The interdisciplinary approach provided a way to explore legal principles in the conditions of changing legislation in the field of social security and digital transformation. The authors analyze the legal acts of Ukraine for the period 1990 -

2022 posted on the website of the Verkhovna Rada and formulate a system of legal principles of social security in the conditions of digitalization.

Results

As a scientific concept, «social security» began to emerge in the late 1990s. At that time, this concept was associated with a number of factors that had an impact on the main spheres of human existence (biological, physical, psychological, material), thus identifying it with the concept of quality of life. In 1994, the United Nations Development Program (UNDP) identified seven components of human security: economic security (guaranteed minimum income); food security (physical and economic availability of food, health security (prevention of diseases); environmental security (access to clean drinking water, unpolluted air, land use system that preserves soil fertility); personal security (freedom from physical violence and threats); minority security (preservation of cultural identity); political security (protection of fundamental human rights and freedoms).

The World Social Declaration, 1995, ratified at the World Conference on Social Development (Austria), first declared the concept of World Conference on Social Development (Austria), for the first time declared the concept of «social security» was first declared, although it was not separated from the national security of the country (United Nations, 2023).

The Declaration formulates the basic principles of social aspects of sustainable development, which address the problem of social security in the world, in particular (Bilorus & Lukyanenko, 2001, p. 541):

- broad participation of civil society in the development and implementation of decisions that determine the functioning and well-being of society;
- large-scale models of stable economic growth and sustainable development and integration of the demographic aspect into economic development strategies that will accelerate the pace of sustainable development and poverty eradication, contribute to the achievement of demographic goals and improve the quality of life;
- fair and non-discriminatory distribution of the national product;
- interaction of market forces that promote social efficiency and social development;

- political and social processes characterized by the prevention of isolation and respect for the principle of pluralism and diversity, including religious and cultural diversity;
 - strengthening the role of the family, as well as the role of the community and civil society and civil society;
 - public policy that creates opportunities for people to lead healthy and productive life
- Domestic science and practice have not developed one generally defined concept of social security. The concept is interpreted from «the state of protection against threats to social interests, as well as a result of the implementation of social policy» (Libanova & Palii, 2004) to the definition of social security as «the social ideal of a stable society, its vital social interests and values, as well as social norms, as a set of conditions for stable development, which include: ensuring a high level of employment, formation of a resource base for development for future generations; ensuring an adequate standard of living and income of the population; providing social guarantees to employees» (Varnaliy, 2008).

The main domestic legal documents that have become the basis for the formation and implementation of an appropriate level of social security of the state, society and citizens are:

Declaration of State Sovereignty of Ukraine (Declaration No. 55-XII, 1990),
 Constitution of Ukraine (Law No. 254к/96-BP, 1996),
 Concept (basis of state policy) of national security of Ukraine (Resolution No. 3/97-BP, 1997),
 On the Fundamentals of National Security of Ukraine (Law No. 964-IV, 2003),
 On the National Security Strategy of Ukraine (Decree of the President of Ukraine No. 105/2007, 2012),
 Sustainable Development Strategy «Ukraine – 2020» (Decree of the President of Ukraine No. 5/2015. 2015),
 On the National Security of Ukraine (Law No. 2469-VII, 2018),
 National Security Strategy of Ukraine (Decree of the President of Ukraine No. 393/2020, 2020).

According to these documents, the state has ensured the formation of favorable conditions for the realization of the interests of citizens, society and the state, further development of Ukraine as a democratic country with a stable and growing market economy, a state guided by European political and economic values, where respect and

protection of the rights and legitimate interests of all citizens, territorial communities, social strata, ethnic groups is a guarantee of independent, free, sovereign and democratic development of a united Ukraine.

At the same time, it should be recognized that despite the importance and relevance of the adopted laws, the concept of «social security» was not separately defined in legislative acts, or it was mentioned only in the sense of social protection or social policy in general. Only in 2007, the government approved the «Methodology for Calculating the Level of Economic Security of Ukraine», which for the first time at the legislative level defined the concept of «social security» as «a state of development of the state in which the state is able to ensure a decent and high-quality standard of living of the population regardless of the impact of internal and external threats» (Order No. 60, 2007). In 2015, the «Methodological Recommendations for Calculating the Level of Economic Security of Ukraine» were approved, which clarified the concept of «social security» (Order No. 1277, 2013). It was defined as «the state of development of the state, in which the state is able to ensure a decent and high-quality standard of living for the population, regardless of age, gender, or income level, promote the development of human capital as the most important component of the country's economic potential» (Order No. 1277, 2013).

The modern period of Ukraine is associated with the formation and development of a digital state and society. Today, Ukraine faces the need to conceptualize the introduction of an information-based way of organizing society. This means, according to Politsanskyi (2017, p.143), that «the strategy of forming the foundations of the information society should be considered in the context of the overall strategic priorities of social, economic and institutional development of the country as an organic component of large-scale transformations in society and government institutions».

The digital society makes it possible to increase national competitiveness in the most efficient and timely manner (Politsanskyi, 2017):

- to increase national competitiveness through development of high-tech sectors of the economy and human potential, primarily in highly intellectual areas of labor;
- to improve the quality of life of citizens through economic growth, providing easy and universal access to information,

knowledge, education, services health care facilities and administrative services of state and local governments, and enhancing social protection of vulnerable groups through the widespread use of information and communication technologies;

- to promote the establishment of an open democratic society that will guarantee the observance of the constitutional rights of citizens to participate in public life (Politsanskyi, 2017, p.145).

Among the first regulatory documents on the development of the digital society in Ukraine were the Law of Ukraine «On the Basic Principles of the Development of the Information Society in Ukraine for 2007-2015» (Decree No. 653-p, 2007) and the corresponding action plan approved by the Order of the Cabinet of Ministers of Ukraine (Decree No. 653-p, 2007), the Resolution of the Verkhovna Rada of Ukraine «On Recommendations of Parliamentary Hearings on the Development of the Information Society in Ukraine» (Resolution No. 3175-IV, 2005). At the same time, it should be emphasized that these legal acts failed to fully implement their provisions and fully meet the expectations of Ukrainian society, since technological transformations in real life were already at a different, next stage of development.

Currently, Ukraine, along with other countries, is actively implementing digitalization policy in various aspects.

In particular, the Law of Ukraine «On Electronic Trust Services» came into force in 2017 (Law No. 45, 2017). The purpose of state regulation and management in the areas of electronic trust services and electronic identification is to: conduct a unified and effective state policy in these areas; ensure interoperability and technological neutrality of national technical solutions, as well as prevent their discrimination; ensure equal opportunities for access to electronic trust services and protection of the rights of their subjects; prevent monopolization and create conditions for the development of fair competition in the field of electronic trust services; ensuring the protection of personal data in accordance with the relevant legislation; taking measures to popularize electronic trust services and electronic identification among the public and legal entities; monitoring transparency and openness in the areas of electronic trust services and electronic identification; promoting Ukraine's integration into the global electronic information space (Law No. 45, 2017).

The national cybersecurity system has been established and is functioning in Ukraine. The national cybersecurity system is a set of cybersecurity entities and interrelated political, scientific, technical, informational, educational, organizational, legal, operational, investigative, intelligence, counterintelligence, defense, engineering and technical measures, as well as measures for cryptographic and technical protection of national information resources, cyber protection of critical information infrastructure (Law No. 2163-VIII, 2017).

In order to meet the interests and needs of individuals and legal entities, improve the public administration system, increase competitiveness and stimulate the country's socio-economic development, the Cabinet of Ministers of Ukraine approved the Concept for the Development of Electronic Democracy in Ukraine (Order No. 797-p, 2017).

One of the first breakthroughs in the legislative consolidation of digitalization in Ukraine was «Concept for the Development of the Digital Economy and Society of Ukraine for 2018-2020» (Decree No. 67-p, 2018). The Concept regulates the concept of digitalization as the concept of digitalization as «saturation of the physical world with electronic and digital devices, means, systems and establishment of electronic communication exchange between them, which actually makes possible the integrated interaction of the virtual and physical, in other words, creates a «cyber-physical space» and defines the concept of digital infrastructure as «a set of technologies, products and processes that provide computing, telecommunications and networking capabilities on a digital basis».

Recently, the issues of social security development in the context of digitalization of all spheres of state and society have become relevant. High-quality and effective social security in the current conditions of informatization should be one of the main development priorities. This requires not only political and socio-economic conditions, but also proper legal support.

The mentioned Concept (Order of the Cabinet of Ministers of Ukraine «On the approval of the Concept of Development of the Digital Economy and Society of Ukraine for 2018-2020 and the

approval of the plan of measures for its implementation», Decree No. 67-p, 2018) formulates the basic principles of digitalization. Adherence to these principles is crucial for creating a new legislative framework, implementing and taking advantage of the benefits provided by digital technologies in the formation and implementation of social security of the state, society and citizen. Let us focus on those principles that are directly related to improving social security.

These principles have already been partially implemented in practice. A great success in the introduction of digital technologies was the creation of the Ministry of Digital Transformation of Ukraine in 2019, one of the main goals of which is to transform all public services into convenient online services and transfer 100% of public services to the «Diia» portal by 2024 (Resolution No. 856, 2019). Almost half of Ukrainians are actively using the «Diia» state application, which has significantly improved the security of citizens and changed attitudes toward the state and the public administration system.

In 2020, President of Ukraine V. Zelensky launched the concept of the «State in a Smartphone», which significantly expanded and simplified online public services. The single online public service portal «Diia» provides administrative services for citizens and businesses in many areas, including: benefits and assistance; employment; health, including COVID certificate; certificates and extracts; licenses and permits; security and law enforcement; transport; land, construction, real estate; environment; documents and citizenship; entrepreneurship. Services related to the birth of a child have been optimized (e-Maliatko is a comprehensive service based on only one application, which includes up to 10 state services related to the birth of a child (registering the birth of a child, his or her place of residence, applying for financial assistance, etc.); pensions (e-Pension is a project of electronic interaction with state registers for the appointment, recalculation of pensions, surcharges, compensations); adoption of a child (the ability to submit an online application for consultation and an application for adoption, learn about further steps, required documents, frequently asked questions etc. (Diia, 2023).

Table1.*Principles of digitalization as a basis for social security of the state, society and citizen*

Principles	Impact on social security
1. Digitalization should ensure that every citizen has equal access to services, information and knowledge provided through information, communication and digital technologies.	This principle determines the creation of digital infrastructures as a key factor in expanding citizens' access to the global information environment and knowledge. Since 2011, free access to the Internet has been recognized by the UN as a fundamental human right - a digital right that significantly increases the social security of citizens.
2. Digitalization should be aimed at creating benefits in various areas of everyday life.	This principle means increasing the level of social security of citizens, society and the state through the quality of healthcare and education services, creating new jobs, developing entrepreneurship, agriculture, transport, environmental protection and natural resource management, improving culture, helping to overcome poverty, preventing disasters, ensuring public safety, etc.
3. Digitalization is carried out through the mechanism of economic growth by increasing efficiency, productivity and competitiveness through the use of digital technologies.	This principle implies comprehensive digitalization, which aims to comprehensively and deeply transform existing analog economic and social systems and spheres into new value and quality to acquire new competitive qualities and properties, their efficiency, development, usability, etc. Economic growth through digitalization directly or indirectly leads to an increase in the level of social security of citizens, society and the state.
4. Digitalization should contribute to the development of the information society and the media.	Information transparency, pluralism of information sources, efficiency and quality of information provision contribute to the development of social security of citizens, society and the state.
5. Digitalization must be accompanied by an increase in trust and security.	This principle states that social security of citizens, society and the state is impossible without an adequate level of information security, cybersecurity, protection of personal data, privacy and rights of digital technology users, and without strengthening and protecting trust in cyberspace.
6. Digitalization as an object of focused and comprehensive public administration.	The main tasks of the state on the way to digitalization of the country are to correct the shortcomings of market mechanisms, overcome institutional and legislative barriers, launch national-level digital transformation projects and attract relevant investments, stimulate the development of digital infrastructures, create the need for citizens to use digital technologies and develop relevant digital competencies, create appropriate incentives and motivations to support digital entrepreneurship and the digital economy, which will have a positive impact on the social security of individuals, society, and the state.

Source: based on (Decree No. 67-p, 2018).

A number of other digital tools in the area of social security have been introduced in the last few years. These include platforms such as «Electronic Petitions», «Electronic Consultations», «e-DEM», «SVOI», «Electronic Sick Leave», etc. A catalog of educational programs for university entrants has been developed with information on training specialists in artificial intelligence (data analysis, machine learning, computer vision, pattern recognition, natural language processing).

One of the most recent important laws that directly affects the development of social security of the state, society and citizens is the Law of Ukraine «On Amendments to Certain Laws of Ukraine on the Functioning of Integrated Information Systems in the Field of Education» (Law No. 2457-IX, 2020). According to the adopted Law, Ukraine is launching digital interaction between educational authorities of all levels, institutions, institutions and participants in the educational process, which will be implemented on the basis of the software and

hardware complex «Automated Information Complex of Educational Management» (Law No. 2457-IX, 2020). The Law is aimed to accelerate the digital transformation of education, which will significantly increase the level of social security.

Today, Ukraine is already being put on a par with Estonia and South Korea, the world's most effective digital democracies, where technocrats are working to make political activity more transparent and improve public services with the help of technology.

Despite these positive developments, there are still a number of strategic priorities in the field of digitalization, the achievement of which, in our opinion, should be a priority for the Ukrainian state in the medium term. In the context of improving social security in a digital state, it is important to:

to overcome the imperfection (obsolescence) of both the relevant legislative framework and the institutional model of management/regulation of a particular industry;

to avoid attempts to make point-by-point changes to bylaws that do not solve the problem, as they mostly correct legislative acts that are fundamentally outdated and refer to technological platforms, strategic objectives and public management practices (both managerial and regulatory) that have long since lost their relevance in developed societies;

to create mechanisms for the accessibility of e-platforms of digital services for different categories of citizens and socio-demographic groups, i.e., so that all citizens of Ukraine, without restrictions and difficulties of a technical, organizational, mental and financial nature, can use digital opportunities regardless of their location and other circumstances.

Therefore, the issue of bringing key legislative acts in line with the strategic goals of the state and current technological trends becomes relevant. That is why Ukraine still needs to do a significant amount of work to understand and adapt the concept of digital society, comprehensive informatization in the Ukrainian context, and develop and implement the National Strategy for Modern Information and Communication Development.

Special attention should be paid by lawmakers and other actors to aligning the digitalization of the state and society with an appropriate level of social security for citizens, protecting their digital rights, minimizing digital inequality,

which is closely interrelated to digital accessibility and digital competence, ensuring the inclusiveness of public digital services, etc.

Conclusions

The analysis of the national regulatory and legal framework has led to the conclusion that it is expedient to enshrine the concept of social security at the legislative level, and it is important to give the concept of social security a digital dimension which significantly expands the boundaries of the interpretation of social security of an individual, society and the State.

The study conducted in the field of legal regulation of social security in the context of digitalization allows us to assert that Ukraine needs to correlate existing legislation with modern digital requirements, to develop a concept of information (digital) legislation that will regulate all spheres of the country's life, taking into account the peculiarities of ensuring the social security of the State, society, and the individual in modern conditions and taking into account existing challenges and threats.

We believe that it is time to create a Digital Code of Ukraine, which would include all regulatory documents, standards and amendments to civil, administrative and criminal legislation to ensure the social security of the state and civil society in the field of digital technologies.

It is important to bring key legislative acts on the effective implementation of information (digital) technologies for the further development of social security in line with the strategic goals of the state and current technological trends, which are the main criteria for Ukraine's approximation to democratic European values and are a demanded reality of society.

Thus, the ongoing social and digital transformations require a prompt response from the state's legal system to ensure effective legal regulation of social relations in all areas of life without exception.

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Self-assessment of well-being and individual attitudes towards inequality

Самооценка благополучия и индивидуальные установки по отношению к неравенству

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Abstract

The problem of social inequality is a relevant subject of research, since in many ways all kinds of protest movements arise in the society when its different segments and groups feel and experience social injustice. The individual's disadvantaged position in the society at present and his/her willingness to change it against the inability to do it is an important indicator of social instability. However, people's perception of social injustice and inequality is different. The purpose of the present study is to explore the causes of economic inequality in Russia, as viewed by the population, as well as the attitudes to fairness of economic inequality and subjective assessment of one's own chances of material success. The paper identifies the factors that influence subjective assessment of a person's own chances. In the opinion of the population, it is non-meritocratic forms that are predominant in the Russian society. It was found that dissatisfaction with inequality is lower among the people who are poor today but contemplate to

Аннотация

Проблема социального неравенства является актуальной темой научных исследований, так как во многом различного рода протестные движения в обществе возникают, когда различные его слои и группы чувствуют и испытывают социальную несправедливость. Несоответствие нынешнего положения в обществе индивида и желание изменить его, а также неспособность это сделать является важным индикатором нестабильности в обществе. Однако, восприятие социальной несправедливости и неравенства происходит у людей по-разному. Целью данного исследования является изучение причин экономического неравенства в России по мнению населения, а также справедливость экономического неравенства и субъективная оценка собственных шансов на материальный успех. В работе выявляются факторы, от которых зависит субъективная оценка собственных шансов. По мнению населения, в российском обществе преобладают

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become rich in the future than among those who apprehend of becoming poor both now and in the future. It is shown that the individual's subjective rank in income distribution is more important for one's subjective well-being than the relative wage level.

Keywords: economic inequality, meritocratic and non-meritocratic factors of economic success, income distribution, subjective well-being.

Introduction

The interdependence between subjective well-being and wealth inequality is the focus of many scientific works. To explore the above-mentioned correlation, one typically has to obtain data regarding the subjective well-being of a subject denoted as 'I' living in a territory denoted as 'j' (the letter 'j' in many, although not all, cases, means a country) at a certain moment 't'. Researchers also take into account the array of typical demographic determinants. The above-mentioned determinants can include age, family situation, level of education, gender, the region's labour market indicators, family or personal income).

An essential parameter used in many works is the interrelation that exists between the individual's well-being and the degree of economic disparity in the territory 'j', with the consideration of the total array of variables in the well-being vector. This indicator shows how, under otherwise equal conditions, people assess their well-being in territories with different degrees of economic disparity. It is suggested that the "inequality value" results from the actual correlation between the economic segregation people see in their lives and their subjective well-being. To evaluate the latter, researchers typically use questions regarding a person's degree of satisfaction with his/her earnings and life in general, as well as other indicators of mental well-being.

Such an approach is proposed, for example, by Park et al., (2017). Other variables used can include unemployment and inflationary pressure (Di Tella et al., 2001; Di Tella & MacCulloch, 2008), environmental contamination (Luechinger, 2009), as well as aviation noise, as indicated in (Van Praag & Baarsma, 2005).

немеритократические формы. Обнаружено, что недовольство неравенством ниже среди тех, кто сегодня беден, но рассчитывает стать богатым в будущем, чем среди тех, кто ожидает бедности в оба момента времени. Показано, что субъективный ранг индивида в распределении доходов более важен при определении его субъективного благополучия, чем относительный уровень заработной платы.

Ключевые слова: экономическое неравенство, меритократические и немеритократические факторы экономического успеха, распределение доходов, субъективное благополучие.

The present study aims to examine the reasons for economic disparity in the Russian Federation perceived by the population and examine if people evaluate the fairness of economic disparity as their chances for prosperity.

Literature Review

One of the first works devoted to the economics of happiness was the research by Morawetz et al., (1977), considering two Israeli communities and demonstrating that the degree of happiness is higher when the distribution of material wealth is more equal. The findings of this work are of a certain interest, but they are based on only two cases without taking into account other possible discrepancies that may exist between communities. Tomes (1986), drawing upon the Quality of Life Survey held in two hundred Canada's electoral districts in 1977, compared the statistics of material wealth distribution and demonstrated that the level of earnings received by the lower forty per cent of the population was inversely related to the feelings of life satisfaction demonstrated by male participants in the census. At the same time, these factors were not as essential for female participants. It can be concluded that the correlation between the level of earnings and the subjective well-being of men is positive.

Hagerty (2000), relying on the data of the GSS (General Social Survey) for the years 1989–1996, revealed that the highest community income and community income disparity had a negative and positive correlation with the feelings of happiness, respectively. Studies by Blanchflower & Oswald (2003) and Oishi et al., (2011) indicated that there were inverse relationships between the life satisfaction degree and income disparity. Meanwhile, Alesina et al.,

(2004), based on the same GSS data, found no consistent interrelation between income and happiness. Based on the long-term data for the USA and Europe provided taken from the GSS (1972–1997), as well as Eurobarometer ¹ (1975–1992), the authors of the above-mentioned study suggested that wealth disparity affected the subjective well-being of the European population, but it was the other way in the USA. This difference can be explained by the (perceived) higher social mobility in the U.S.

In the study by Schwarze and Härpfer (2007), income disparity was assessed using data on gross family income taken for an area and a year. The data for this research were provided by the Socio-Economic Panel (SOEP²). It was found that life satisfaction was inversely related to income disparity (at the same time, the index of the redistribution of material wealth was not essential in this study). Some other studies (Biancotti & D'Alessio, 2008; Ebert & Welsch, 2009; Brodeur & Flèche, 2013; Van de Werfhorst & Salverda, 2012; Oshio & Kobayashi, 2010; Verme, 2011; Winkelmann & Winkelmann, 2010) also revealed a negative interrelation between income disparity and well-being.

At the same time, several papers demonstrated a direct interrelation between income disparity and well-being. For instance, Ball (2001) showed that life satisfaction and economic disparity positively correlated with the World Values Survey (WVS³) data for 1996. Knight et al., (2009), relying on the data of the China National Household Survey, 2002, identified a direct association between country-level income disparity and life satisfaction.

Grosfeld and Senik (2010) attempted to find a similar correlation, analysing the data from Poland during the time of transition from socialism to capitalism (1992–2005). They determined a turning point in the hypothesised correlation between subjective well-being and income disparity. This correlation was positive and essential in the first period of the transition period, but then became significantly negative. The turning point was found to be 1996. This change is explained by the fact that economic segregation was first perceived as ensuring opportunities for obtaining higher incomes in the

future, but then, it became clear that not each person can take advantage from opportunities offered by this more pronounced inequality, which resulted in a more negative assessment of existing differences.

Along with assessing the magnitude of the measured effect, some researchers also analyse quantitative information. Alesina et al., (2004) demonstrated that a 1% increase in the Gini coefficient corresponded to a \$2,950 increase in the annual income level in the USA (8.7% of the total income) and \$474 in Europe (4.2% of the total income level). Schwarze and Härpfer (2007) estimated the SOEP data and found that the effect was more moderate. At the same time, in all of the above-mentioned studies, the scale of the effect is measured as a percentage of the subjective well-being range. Nevertheless, while the SOEP well-being scale has 10 points from 0 to 10, the British Household Panel Survey (BHPS⁴) offers a scale ranging from 1 to 7. Hagerty (2000), Schwarze and Härpfer (2007), Winkelmann and Winkelmann (2010), and Rozer and Kraaykamp (2013) offer five different scales for estimating the levels of subjective well-being, which makes comparative analysis more complicated.

Some studies dealing with economic disparity and happiness also analysed the role of mediate variables to determine subjective groups with the greatest inequality correlation, aiming to better understand the specific conditions under which income disparity can influence subjective well-being. Alesina et al., (2004), based on data for Europe, note that inequality has a greater impact on the poor population and the left (since it exerts a more pronounced influence on their well-being) as compared to the right and better-off part of the population. This finding was also confirmed by Vandendriessche (2012). At the same time, Grosfeld and Senik (2010) found a direct relationship between well-being and economic segregation only for the right.

Regarding the role of individual earnings, Oshio and Kobayashi (2010) revealed that the effect of income disparity on life satisfaction was negative and was essential only for the two lowest quintiles of material wealth distribution.

¹ Eurobarometer is a panel survey of European households, held annually since 1974.

² SOEP (socio-economic panel) is a panel survey of German households held annually since 1984.

³ World Values Survey (WVS) is a research project that brings together social scientists from all over the world who study values and their impact on social and cultural life.

⁴ British Household Panel Survey (BHPS) is a panel survey of British households, which represents a review of social and economic research. The British households sample was first drawn up and surveyed in 1991.

Clark (2003) showed that the dependence between regional income disparity and personal well-being was stronger and more positive for individuals whose earnings were becoming more mobile over time. According to Oshio and Kobayashi (2010), the interdependence between life satisfaction and economic disparity is more negative for youth, women, people with vulnerable positions in the labour market, and the politically centred part of the population.

Some researchers note the mediating role of personal values instead of demographic determinants. Biancotti and D'Alessio (2008) note a more negative impact of inequality on individuals reporting moderation values. The researchers Rozer and Kraaykamp (2013) show a more negative (or less positive) influence of the Gini coefficient on well-being in Europe for people who promote equality and rely on a higher degree of social and institutional trust. As expected, if the income distribution offers information about a person's future potential status, as demonstrated by Ferrer-i-Carbonell and Ramos (2014), the impact of inequality is more pronounced for people with higher (self-estimated) risk avoidance factors according to the 1997–2007 SOEP data. The impact of the Gini index on overall life satisfaction is twice as negative for persons with the highest risk avoidance scores (on a 10-point scale) in contrast to those reporting a modal score of five.

An essential personal value is the perceived degree of fairness of the economic system. According to Oshio and Kobayashi (2010), the influence of economic segregation on life satisfaction is alleviated by fairness toward other people, as perceived by a person, and the degree of trust in others. Bjornskov et al. (2013) showed that the perceived fairness of income acquisition ways had a certain impact on the relationship between the inequality of earnings and subjective well-being.

The diversity of the considered samples makes it difficult to conceptualise the obtained results. Another reason is that researchers have not accepted a uniform measure of inequality. Most authors suggest using the Gini coefficient, but still, there is no uniform opinion regarding the level at which this coefficient should be used (a region or a country). The majority of studies analyse data providing only rough information on the distribution of earnings. Some studies

assess inequality at the local level relying on data for Great Britain, Japan, Russian Federation, and Germany (Senik, 2004; Clark, 2003; Schwarze & Härpfer, 2007; Oshio & Kobayashi, 2010).

A valuable study by Brodeur and Flèche (2013) involves large-scale data to analyse inequality indicators at the local level; the authors analyse information from the American Behavioral Risk Factor Surveillance System (BRFSS¹). Winkelmann and Winkelmann (2010) investigate the data from the 2002 Swiss Household Panel and show correlations between inequality factors at different levels, including municipalities, cantons, and regions.

The aggregation degree is important since the Gini coefficient typically changes only insignificantly over time. Thus, Graham and Felton (2006) demonstrate for Chile that the Gini coefficient values in the 2000s were similar to those in the 1960s regardless of the essential socio-economic changes that occurred in this period.

However, the above-mentioned non-essential changes in the inequality degree do not cancel the assumption that it is closely interrelated with some other variable essential for happiness. The inequality of earnings at the local or state level can be indicative of the level of unemployment or the industry structure, which can also impact subjective well-being. Further examination is required to determine individual contributions of economic disparity and other variables. However, satisfactory observations are not always available at the aggregate level. The array of potentially relevant variables of the aggregate level is frequently too close to the formal quantity of independence degrees used for the analysis. For example, when analysing GSS or Eurobarometer data, the inequality of earnings provides a negative but non-essential coefficient. The reason for this is a certain linear dependence between the considered variables (Oishi et al., 2011): if one disregards unemployment benefits as a variable closely associated with inequality, the inequality coefficient turns out to be negative and significant. Verme (2011) states that the relative invariance of the assessed Gini coefficient makes it predisposed to multicollinearity with other variables at the aggregation level.

¹ BRFSS (Behavioral Risk Factor Surveillance System) is a US health survey programme that considers behavioural risk factors.

The present study, although not claiming to suggest a universal solution to the above-mentioned problems, reveals the correlation between subjective well-being, the level of earnings and subjective perception of economic disparity, based on the data for forty-four Russian regions obtained in October-November 2019.

Methodology

The research methods applied in the paper involve focus groups and quantitative survey. A total of 1,745 persons aged 18 to 74 were interviewed during the quantitative survey, those from 44 regions of the Russian Federation, including Moscow, regional centres and small towns in Central Russia. The survey was carried out by telephone interviewing. In addition, 9 focus group meetings were held in Moscow, Vladimir and Gus Khrustalny, with a total number of the respondents being 90 (30 persons – aged 20-30, students and specialists with higher education, 30 persons – aged 35-55 having secondary education, 30 persons – aged 56+, having secondary education).

Results

1. Economic inequality as perceived subjectively

The economic metrics of inequality measured with the help of economic statistics are not fully compatible with those measured by sociological surveys. However, even a rough comparison shows that subjective perception of inequality has increased substantially more than that measured objectively. According to the quantitative survey results, now, 30 years after the collapse of the USSR, 82% of the respondents expressed their resentment of economic inequality. Only 18% reported that they felt no indignation at economic inequality (4% “causes no revolt” and 14% “more likely, does not cause revolt”).

The survey results show that the vast majority of the respondents across all demographic groups are outraged by the economic inequality. This form of inequality is somewhat less resented in the younger age group (79% of the respondents are indignant), while it is most resented in the 41-60 age group (85% of the respondents).

Table 1.

Assess to what extent you are indignant about the economic inequality.

Age, years					
	Total for the array	18-30	31-45	46-60	61+
Does not cause any revolt	4%	4%	4%	3%	3%
More likely, does not cause revolt	14%	12%	17%	12%	15%
More likely, makes you feel indignant	40%	47%	41%	36%	40%
Causes strong revolt	42%	37%	38%	49%	42%
Gender					
	Total for the array	Men		Women	
Does not cause any revolt	4%	5%		3%	
More likely, does not cause revolt	14%	13%		15%	
More likely, makes you feel indignant	40%	37%		43%	
Causes strong revolt	42%	45%		39%	
Place of residence					
	Total for the array	Moscow	Regional centres	Small and medium-sized cities	
Does not cause any revolt	4%	5%	2%	4%	
More likely, does not cause revolt	14%	16%	14%	12%	
More likely, makes you feel indignant	40%	43%	40%	38%	
Causes strong revolt	42%	36%	43%	46%	
Education					
	Total for the array	Higher education		Secondary, specialised secondary education	
Does not cause any revolt	4%	4%		4%	
More likely, does not cause revolt	14%	15%		11%	

More likely, makes you feel indignant	40%	41%	40%	
Causes strong revolt	42%	40%	45%	
<i>Monthly income, thousand roubles</i>				
	Total for the array	Up to 20	20–60	60+
Does not cause any revolt	4%	3%	4%	5%
More likely, does not cause revolt	14%	11%	15%	18%
More likely, makes you feel indignant	40%	36%	43%	45%
Causes strong revolt	42%	50%	38%	32%

Source: received by the authors

As expected, the economic inequality is less resented in Moscow (79% of the respondents, of which 43% “rather resent economic inequality” than “strongly resent it”), while it is most resented by the residents of smaller towns and cities (84%). As it was also expected, people with high income resent economic inequality least of all (77% of the respondents), while the greatest indignation is shown by people with low income (86%).

In order to properly assess the perception of economic inequality, it is necessary to assess the source of its origin. This aspect was particularly

emphasised in the focus groups. The thing is that the sources of high incomes, as expressed by the respondents, can be “earned or deserved” or “corruption-ridden”. Labour income, even if subjectively deemed as high, is viewed by the population as fair and not subject to expropriation or criminal prosecution of its owners.

Further, based on a loosely rephrased Pierre-Joseph Proudhon’s statement ¹ “La propriété, c’est le vol!” (Property is robbery!), we obtained the following survey results (figure 1).

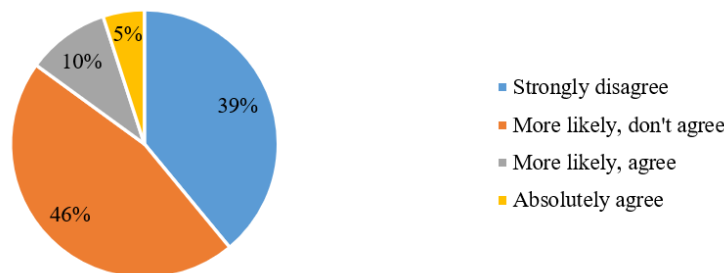


Figure 1. Agree or disagree with the following statement: “Having property other than a single dwelling and a car is a sign of unearned income”.

Source: received by the authors

It is important to note that different elements of corruption are not perceived equally by the population. A significant circumstance is – according to the predominant opinion of the respondents – that it is virtually impossible to get a serious order without a kickback, since corruption is an integral part of the existing economic system.

Thus, according to the vast majority of the respondents, the main cause of economic

inequality in the country is corruption, i.e. inequality is unfair.

2. Subjective assessment of current financial well-being, life satisfaction and chances of material success

We got the following answers to the question “Do you think you have a good chance to improve your standard of living? Rate on a scale from 1 to 5 where 1 is no chance, 5 – very high” (Table 2).

¹ Pierre-Joseph Proudhon was a French anarchist socialist who put forward a basic thesis “Property is Theft!” in his book “What is Property? An Inquiry into the Principle of

Right and of Government” in 1840, which became a slogan of the 1793 revolution in France.

Table 2.

Do you think you have a good chance to improve your standard of living? Rate on a scale from 1 to 5 where 1 is no chance, 5 – very high.

Age, years					
	Total for the array	18-30	31-45	46-60	61+
very low	23	7%	10%	30%	44%
2	22	16%	21%	27%	25%
3	31	36%	37%	29%	19%
4	18	31%	24%	11%	18%
5 – very high	6	11%	8%	3%	1%
Gender					
	Total for the array	Men	Women		
1 – very low	23	20%	26%		
2	22	24%	21%		
3	31	31%	31%		
4	18	18%	18%		
5 – very high	6	7%	4%		
Place of residence					
	Total for the array	Moscow	Regional centres	Small and medium-sized cities	
1 – very low	23	22%	24%	24%	
2	22	20%	23%	25%	
3	31	32%	29%	31%	
4	18	19%	19%	16%	
5 – very high	6	7%	6%	4%	
Education					
	Total for the array	Higher education	Secondary, specialised secondary education		
1 – very low	23	21%	27%		
2	22	22%	24%		
3	31	31%	29%		
4	18	21%	13%		
5 – very high	6	6%	6%		
Monthly income, thousand roubles					
	Total for the array	Up to 20	20-60	60+	
1 – very low	23	31%	19%	13%	
2	22	25%	21%	22%	
3	31	29%	32%	29%	
4	18	12%	22%	24%	
5 – very high	6	3%	6%	12%	

Source: received by the authors

It is expected that with age the chances of future wellbeing are assessed to be increasingly reduced (only 7% of young people and 44% of elderly respondents assess their chances as very low, while 11% of the former and 1% of the latter deem them to be very high). The gender-specific result seems somewhat unexpected: only 4% of women compared to 7% of men assess their chances as very high, at the same time 26% of women and 20% of men believe that their chance of material wellbeing is neglectful. Probably this is explained by the gender discrimination in wages. The residents of small towns are less likely to assess their chances as very high, compared to the opinions of those residing in regional centres and in Moscow (4% versus 6% and 7%, respectively).

Irrespective of the educational level, 6% of the respondents both in the group with higher education and the group having secondary and secondary specialised education assessed their chances as very high. However, education does not influence the views when assessment of chances is declared to be very low – 21% in the respondents with higher education and 27% in the respondents having no higher education. And, as expected, the chances of success are assessed to be higher as the income level increases. A total of 12% of the respondents with the income level above the average assess their chances of success as very high; the same expectations are specific of 6% of the respondents with the average income and only 3% of the respondents with low income.

Similarly, the chances are rated as very low in 13% versus 19% versus 31% respectively.

The assessment of chances of material success depends mainly on the age and income level. The younger the respondents, the less they rate their chances to be very low; the higher their income level, the more they rate their chances as very high.

Highly illustrative is the fact that 45% of the respondents assess their chances of improving their plane of living as low and extremely low, which is indicative of a very high level of social pessimism which may escalate into social

tension. Considering that 23% of the surveyed young people, 57% of the pre-retirement-age respondents and 69% of the retirement-age respondents assessed their chances of life quality improvement as low and very low, it can be safely assumed that this dramatically narrows the planning horizon and draws the perception of the future in rather gloomy colours. The perception of the future as threatening, in turn, leads to stress and intense emotional crisis in the society.

At the same time, 48% of the population state that their current wages do not allow them to cope with material distress and they experience regular financial difficulties (figure 2).

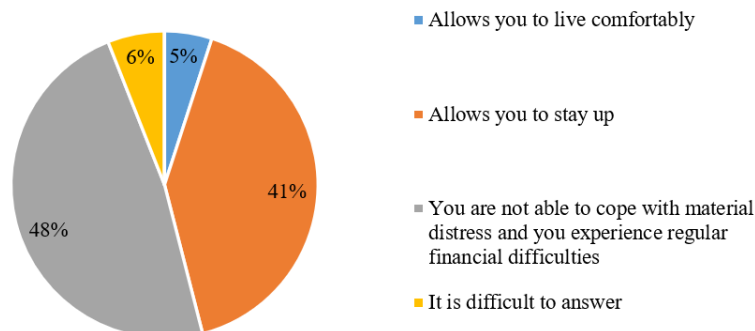


Figure 2. Your current salary.
 Source: received by the authors

One can state that income inequality is perceived as high in the society; 82% of the respondents resent it. A total of 48% perceive their income level as low, causing them to experience financial difficulties on a regular basis. At the same time, 48% of the population perceive their chances to improve financial situation as high or very high, while 45% deem them to be low or very low. The chances of success are treated as lowest in small and medium-size towns, being

the highest in Moscow. At the same time, the opinion that economic success is reached through political ties is most popular in Moscow; this approach is not favoured in small cities where the need for hard work for getting money is a preferable option; the latter position (hard work) is valued least of all in Moscow. Moreover, as the distance from the capital increases, the people are more likely to demand a salary cap (coefficient 0.38) (Tables 3-4).

Table 3.

Assess the extent to which the "Political connections" factor can influence a person's material success in Russia, on a scale from 1 to 5 where 1 is for 'does not influence at all' and 5 is for 'influences greatly'.

Age, years					
	Total for the array	18-30	31-45	46-60	61+
1 – does not influence at all	2%	2%	2%	1%	2%
2	3%	2%	4%	3%	3%
3	12%	9%	12%	13%	12%
4	27%	25%	28%	27%	32%
5 – influences greatly	58%	63%	55%	55%	52%
Gender					
	Total for the array	Men	Women		
1 – does not influence at all	2%	2%	1%		
2	3%	2%	4%		
3	12%	10%	12%		

4	27%	25%	30%	
5 – influences greatly	58%	60%	53%	
Place of residence				
	Total for the array	Moscow	Regional centres	Small and medium-sized cities
1 – does not influence at all	2%	2%	1%	3%
2	3%	3%	4%	3%
3	12%	10%	13%	11%
4	27%	29%	25%	29%
5 – influences greatly	58%	56%	58%	55%
Education				
	Total for the array	Higher education	Secondary, specialised secondary education	
1 – does not influence at all	2%	1%	2%	
2	3%	3%	3%	
3	12%	12%	11%	
4	27%	29%	26%	
5 – influences greatly	58%	55%	57%	
Monthly income, thousand roubles				
	Total for the array	Up to 20	20-60	60+
1 – does not influence at all	2%	2%	2%	3%
2	3%	2%	4%	3%
3	12%	12%	12%	8%
4	27%	28%	26%	34%
5 – influences greatly	58%	56%	57%	53%

Source: received by the authors

Table 4.

What do you think is the government's role in setting a wage ceiling?

Age, years					
	Total for the array	18-30	31-45	46-60	61+
1 – the government should not be engaged in this	16%	19%	14%	17%	14%
2	10%	13%	9%	10%	9%
3	19%	20%	22%	18%	16%
4	17%	16%	21%	15%	17%
5 – the responsibility for this lies entirely with the government	38%	32%	35%	40%	44%
Gender					
	Total for the array	Men		Women	
1 – the government should not be engaged in this	16%	18%		14%	
2	10%	10%		10%	
3	19%	19%		19%	
4	17%	17%		17%	
5 – the responsibility for this lies entirely with the government	38%	36%		39%	
Place of residence					
	Total for the array	Moscow	Regional centres	Small and medium-sized cities	
1 – the government should not be engaged in this	16%	18%	15%	13%	
2	10%	12%	9%	9%	
3	19%	19%	18%	20%	
4	17%	18%	18%	15%	
5 – the responsibility for this lies entirely with the government	38%	32%	40%	42%	
Education					
	Total for the array	Higher education		Secondary, specialised secondary education	
1 – the government should not be engaged in this	16%	17%		14%	

2	10%	12%	6%	
3	19%	19%	19%	
4	17%	17%	19%	
5 – the responsibility for this lies entirely with the government	38%	35%	43%	
Monthly income, thousand roubles				
	Total for the array	Up to 20	20-60	60+
1 – the government should not be engaged in this	16%	13%	16%	29%
2	10%	7%	11%	15%
3	19%	18%	20%	16%
4	17%	17%	18%	12%
5 – the responsibility for this lies entirely with the government	38%	44%	35%	28%

Source: received by the authors

Thus, one can conclude that in big cities people count on themselves, while in small towns – on the government, since they consider the chances of success to be low.

Figure 3 shows the results of subjective life satisfaction opinions.

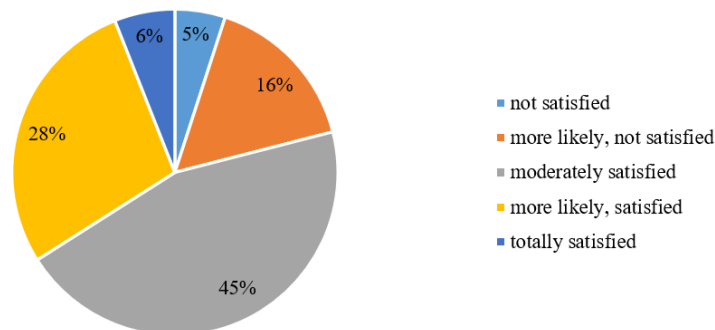


Figure 3. Rate to what extent you are satisfied with your life on a scale from 1 to 5 where 1 is not satisfied, 2 is more likely not satisfied, 3 is moderately satisfied, 4 is more likely satisfied, 5 is satisfied.

Source: received by the authors

Predictably, life satisfaction is lower among people with low incomes. However, although economic inequality is perceived as unfair due to corrupt incomes and causes strong revolt of the population (82%), the authors were unable to find a correlation between subjective well-being and inequality. A total of 34% of the respondents are satisfied or rather satisfied with their life and only 21% are not satisfied or more likely not satisfied.

The higher the respondents' assessment of their chances of success, the more frequently they state that their salary allows them to stay up – 0.31, that they consider their salary to be fair – 0.38, the more satisfied they are with their life – 0.33, the less frequently they believe that unemployment benefits should be increased and/or a salary cap should be imposed (negative coefficients 0.34 and 0.3 respectively) and the less frequently they think that poverty is a result of injustice (negative coefficient 0.38).

That is, dissatisfaction with inequality is lower among those who are poor today but expect to become well-to-do in the future than among those who expect to be poor at both temporal points.

3. Mechanisms of financial success as perceived by the population

The subjective assessment of both – one's own well-being and the possibility of its improvement – depends to a large extent on two circumstances:

- 1) the factors perceived by the individual as mechanisms of success;
- 2) the individual's rank in his/her reference group.

In the course of the survey, the respondents were asked to consider both meritocratic and non-meritocratic factors in terms of influence on material success. Among the non-meritocratic factors, the following were suggested (Table 5).

Table 5.
Non-meritocratic factors influencing material success.

Factor	% of respondents who rated this factor as substantial and very strong
Origin from a wealthy family	88
Acquaintance with the right people	92
Political connections	85
Ethnicity	33
Religious affiliation	14
Gender	28
Engaging in corruption	58
Political preferences	46

Source: received by the authors

Thus, according to the respondents, the non-meritocratic factors that have the greatest impact on material success in Russia are: (a) acquaintance with the right people, (b) origin

from a wealthy family, (c) political connections. Among the meritocratic factors, the following are presented in Table 6.

Table 6.
Meritocratic factors influencing material success.

Factor	% of respondents who rated this factor as substantial and very strong
Good education of the individual	52
Professional ambitions	64
Inborn aptitudes	54
Hard work	47

Source: received by the authors

In general, the following meritocratic factors are viewed as relevant for economic success: (a) professional ambitions, (b) education and (c) inborn aptitudes.

Thus, in the opinion of the population, the Russian society is dominated by non-meritocratic forms of inequality connected with corruption and affiliation to certain political circles. These forms of inequality are assessed by the population as unfair, but do not influence the subjective attitudes to well-being.

4. Individual's rank in a reference group

With half of the population experiencing financial difficulties, people compare their

situation with that of others. The older the respondents, the less frequently they compare themselves with reference groups (65% of young people and 45% of elderly people resort to comparing their situation with others). The vast majority of people compare themselves with their friends, neighbours and relatives. The reference group next in importance is the colleagues, followed by celebrities (about 7% of the respondents in all demographic groups compare themselves with the latter). People with secondary education and low income compare themselves with celebrities somewhat more frequently, which cannot but worsen their psychological condition which is reflected in their subjective assessment of own chances of success (figures 4 and 5).

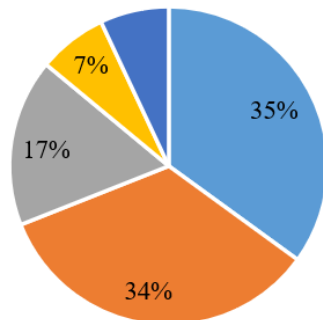


Figure 4. Do you compare your financial well-being with others?
 Source: received by the authors

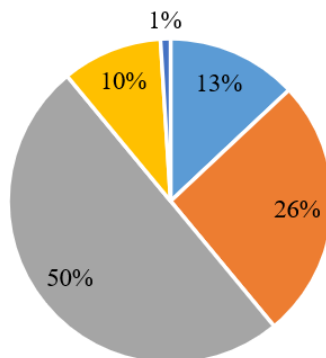


Figure 5. If you compare your financial well-being with that of your environment where do you rank yourself on a scale from 1 to 5.
 Source: received by the authors

A total of 50% of the surveyed people having no higher education, those with low income, more often rate their position in their own environment as low and very low. Meanwhile 4 per cent of the low-income people, 14 per cent of the middle-income people and 24 per cent of the people with above-average income rate their position as high or very high.

Thus, the main reference group is friends, neighbours and relatives; the number of respondents who assess their position in the reference group as low and very low is 3.5 times more than the number of those who assess their position as high and very high (39% versus 11%).

The number of people who compare their well-being with a reference group is 1.7 times more than the number of those who do not compare themselves with anyone else (58% vs. 35%). The problem is that the process of comparison always forces an individual to make efforts – if not to win, then at least not to lose out in the competition with representatives of a reference group. This is one of the factors shaping debt burden of the population (the American version: “Keeping up with the Joneses”). At the same

time, the higher the individual evaluates himself/herself in his/her environment, the higher his/her life satisfaction – the correlation coefficient is 0.26.

Stated differently, the information about the individual’s revealed rank in income distribution is more important in identifying his/her satisfaction than the relative wage level. It is also interesting to note the match between the number of people who are satisfied with their life (34% in our sample) and the people who do not compare themselves to anyone else – 35%.

Discussion

Despite the findings of numerous studies that revealed a correlation between subjective well-being and perceived inequality, this match was not found in the survey of our – sufficiently representative – sample; nor could we find any correlation between the perceived fairness/unfairness of the economic system and subjectively treated high/low well-being. The only match we obtained was a quite evident overlap with the work of Oishi et al., (2011) stating that the impact of inequality on subjective

well-being being is negative for low-income individuals.

Two explanations are possible for this. Firstly, it is the use of different methodologies and scales (the described-above sources represent socio-economic studies and use the scales ranged from 6 to 10, while the present research is of socio-psychological nature using the scale with the range of 4). Secondly, one should take into consideration the impact of serious socio-economic upheavals that have taken place in the country since 1991, when the population, totally unprepared for the market economy, found itself immersed in capitalism, with capitalists unprepared for the same. As stated above, Grosfeld and Senik (2010) revealed, using Poland as an example, that the relationship between inequality and subjective well-being was positive and significant in the early years of transition from socialism to capitalism, but, starting from 1996, it became substantially negative. The reason is that originally it was viewed as a platform providing opportunities for future higher incomes, but subsequently it led to negative comparative assessment of differences, when it became clear that not everyone would be able to exploit the opportunities promised by the growing inequality. Similar processes are likely to have taken place in the Russian society. However, from 2000 onwards, the country embarked on a course towards state capitalism, which resulted in considerable improvement of state employees' financial well-being versus deterioration of the financial health of small business. This considerably reduced the economic inequality of the population, shifting it to the status of political inequality between the state (and business structures fused into it) and the population. After that, the economic crisis, which broke out in 2014 and continues to this day, intensified this inequality, though did not lead to economic stratification of the population. All of these political-economic processes may have influenced the public perception of inequality, with the greatest resentment caused by corrupt incomes. Further research is needed to identify the reasons of differences in the derived data.

In addition, as mentioned above, it is highly likely that inequality is strongly correlated with some other variables having an independent impact on subjective well-being. Further socio-psychological research could shed light on whether such correlation between inequality and people's values exists.

Conclusions

The following conclusions can be drawn from the present research. The absolute majority of the respondents believe that the main cause of economic inequality in the country is corruption, i.e. inequality is unjust and is strongly resented by 82% of the respondents.

Subjective assessment of a person's chances of material success depends mainly on the age and income level. The younger the respondent, the less often he/she assesses his/her chances as very low; the higher the respondent's income level, the more often he/she assesses his/her chances as very high.

The chances of success are valued as the lowest in small and medium-sized cities, and as the highest – in Moscow. At the same time, the need for political connections in order to achieve economic success is deemed to be the most important factor in Moscow, being the issue of least concern in smaller cities. At the same time, the need for hard work is valued most highly in smaller cities, not being an issue of priority in Moscow. In addition, a negative correlation of 0.38 was found between the city size and demand for a salary cap. These data are evident of acutely perceived inequality between different regions of the country and its administrative/territorial units – when people living in small and medium-sized cities can only rely on working hard in the absence of useful connections, but still fail to achieve financial success, which makes them demand a wage ceiling for others.

Finally, proceeding from the people's subjective assessment of own chances of economic success, it can be assumed that people in big cities rely more on themselves, while in small and medium-sized cities – on the government.

Despite the fact that, according to the opinions of the population, the Russian society is dominated by non-meritocratic forms of inequality associated with corruption and affiliation with certain political circles, no correlation was found between the perceived unfair inequality and subjective well-being. However, negative correlation (with a coefficient of 0.33) was revealed between the resent of inequality and assessment of own prospective mobility. This means that dissatisfaction with inequality is lower among those who are poor today but expect to become prosperous in the future than among those who accept poverty as inevitable both now and in the future.

The information about the individual's revealed rank in income distribution is more important in identifying his/her satisfaction than the relative wage level. A positive correlation of 0.26 was found between the individual's rank in a reference group and his/her subjective well-being.

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Formation of civil society in Ukraine in the post-soviet period

Становлення громадянського суспільства в Україні у пострадянський період

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Abstract

The article analyzes the main stages of formation of civil society in Ukraine since independence. Formation of the third sector, shown by the authors against the background of state policy in this area and political events in Ukraine. Based on the analysis of Ukrainian legislation, the study identifies the main stages of state policy in the field of promoting the development of civil society institutions. The analysis of statistical sources helped to establish not only the quantitative characteristics of the development of civil society institutions, but also to identify the main areas of their activities. Researchers conclude that civil society in Ukraine has developed over a long period of time against the background of sometimes contradictory state policy in this area and the lack of a broad social base for the activities of public organizations. As large masses of active, purposeful, motivated citizens who were not members of public

Анотація

У статті аналізуються основні етапи становлення громадянського суспільства в Україні за роки незалежності. Формування третього сектору, показане авторами на тлі державної політики в цій сфері та політичних подій в Україні. На основі аналізу законодавства України визначено основні етапи державної політики у сфері розвитку інститутів громадянського суспільства. Аналіз статистичних джерел дозволив встановити не тільки кількісні характеристики розвитку інститутів громадянського суспільства, а й визначити основні напрямки їх діяльності. Дослідники дійшли висновку, що громадянське суспільство в Україні розвивалося протягом тривалого часу на тлі подекуди суперечливої державної політики у цій сфері та відсутності широкої соціальної бази для діяльності громадських організацій. Однак, на думку авторів, маси активних, цілеспрямованих,

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organizations, became not only the driving force of the two revolutions to return to the ideals of freedom and equality, but also hinder the emergence of authoritarianism, and now the occupation of the country in Russian-Ukrainian war.

Keywords: Ukraine, civil society, public institutions, development, stages of formation, state policy.

Introduction

The main problem of our research is the analysis of the process of formation of civil society in Ukraine in the post-Soviet period.

The purpose of the study is to prove that civil society in Ukraine has specific features of its formation, which are largely determined by the general features of the formation of a political nation, the features of the democratization of society in the post-Soviet period and the features of state policy in this area.

Ukraine, like other former Soviet republics and other post-Soviet countries of Eastern Europe, began to form civil society only after the collapse of the Soviet regimes. The formation of civil society in Ukraine had and has common challenges and contradictions with other post-Soviet republics, which often led to the identification of these processes in scientific thought. Despite the common features of our historical past, we claim that the formation of civil society in the post-Soviet period in Ukraine has not only certain features, but also significant differences, on which we emphasize our attention.

To achieve the goal of the study, we focused on several provisions:

1. Ukrainian civil society in the post-Soviet period is characterized by excessive politicization.
2. The unstructured politicized civil society, which very often acted spontaneously, became the main driving force behind the formation of Ukrainian democracy and the newest Ukrainian democratic state.
3. The activities of civil society institutions were mainly directed at resistance to the state, opposition to attempts to restore authoritarianism, protection of human rights and broad charitable activities.
4. It was the pressure of civil society that led to changes in state policy regarding the forms

вмотивованих громадян, які не входили до громадських організацій, стали не лише рушійною силою двох революцій, повернення до ідеалів свободи та рівності в республіці, а й перешкоджали появі авторитаризму, а тепер і окупації країни в російсько-українській війні.

Ключові слова: Україна, громадянське суспільство, громадянські інститути, розвиток, етапи становлення, державна політика.

of participation of civil society institutions in making political decisions.

Literature Review

The theoretical basis of our research was the concepts of civil society of the late 20th – early 21st centuries. In this period, representatives of Western democracy faced certain crisis phenomena of the functioning of civil society, and the collapse of post-communist authoritarian regimes in Eastern Europe and the emergence of new democratic states prompted the process of searching for a new effective model of cooperation between the state and institutions of civil society. It is important to emphasize that civil society in developed democracies and civil society in countries that do not have a historical tradition of civil society have certain differences. Likewise, the role of civil society in Western countries today will be somewhat different than it was a few decades ago. As Philippe C. Schmitter rightly points out, “Today’s citizens – even in polities that have long suffered under authoritarian rule and have no prior history of civil society – have quite different organizational skills, are less likely to identify so closely with partisan symbols or ideologies, and defend a much more variegated set of interests” (Schmitter, 1993, p. 7).

The concept of “civil society” is multidimensional. For example, one of the Ukrainian researchers singled out 57 definitions of this concept (Berchenko, 2014, p. 21). John Keane believes that the proliferation of meanings of the term “civil society” is beginning to proliferate to such an extent that it, like the all-too-common advertising slogan, may “self-destruct” from overuse. There is a growing general belief in the importance of civil society, but there is also growing inconsistency regarding the meaning of this concept (Keane, 2000, p. 42).

The work uses the research of Jürgen Habermas, Jean L. Cohen, Andrew Arato, John Keane,

Marc M. Howard, Nancy L. Rosenblum and a number of Ukrainian researchers.

Thus, the ideas of civil society participation in the democratic legitimization of state actions by Jürgen Habermas (Habermas, 2012), the understanding of civil society as the voluntary character of a non-political association by Jean L. Cohen and Andrew Arato (Cohen & Arato, 1994) are important to us. We are interested in Nancy Rosenblum's thoughts on the disordered, unsystematic "electoral civil society" and the need for the government to create an appropriate climate for the constant formation of new associations and for the dynamic exchange of members between them (Rosenblum, 1994). The position of the Ukrainian researcher Antonina Kolodii is particularly consonant for us, who argued that since there was a pre-revolutionary or revolutionary social reality in the societies transitioning to democracy in the 1980s and early 1990s, the politicization of public life and politicization became characteristic of Ukrainian civil society concepts of civil society. It is precisely the problems of civil society's resistance to the state that began to be given more attention, to the detriment of emphasizing its socializing functions (Kolodii, 2001).

Methodology

Our research is built on an interdisciplinary approach using methods of history, political science, sociology and law. Thus, following the historical methods of periodization, historical-comparative, chronological, the development of civil society is shown taking into account various stages in the formation of democratic Ukraine in the post-Soviet period.

The formation of civil society in Ukraine was closely related to taking into account the general political processes in society, which in some cases either inhibited the development of civil society or became catalysts of this process.

Using sociological methods of collecting and analyzing data on the total number of civil society organizations and content analysis of legal acts, the development and functioning of Ukrainian civil society was shown, taking into account the peculiarities of state policy at various stages of the development of democracy.

The main legal research methods were comparative legal and institutional, which allowed to consider the civil society of Ukraine as an institution of the state legal system of

Ukraine, which is recognized by the state at the official level.

Results and Discussion

1. Formation of civil society in the conditions of defective democracy (1990s – 2004)

In our understanding, civil society is a social element that exists between the state, society itself, the economy and the political sphere of the state and is a set of various institutions, associations and organizations that represent the interests and will of citizens, represent the public initiative, control the authorities and oppose the dominance of the state. Jean L. Cohen and Andrew Arato understand "civil society" as a sphere of social interaction between the economy and state, composed above all on the intimate sphere (especially the family), the sphere of associations (especially voluntary associations), social movements, and forms of public communication (Cohen & Arato, 1994, ix). Here, the question immediately arises whether the concept of civil society should include the intimate sphere (especially the family). In our opinion, the family should not be considered the element a civil society. Likewise, we do not include in this concept elements of socio-political relations – political groups.

At the same time, we share the opinion of John Keane, who believed that for the complete independence of civil society, it cannot do without political institutions, including the state. Since it is impossible to do without regulating social relations, overcoming conflicts with the help of laws (Keane, 1988, p. 1).

The development of civil society in Ukraine has been going on for a long time along with the transformation of the political model of the state and continues today. Sometimes, for the next stage of its development, it was even necessary to go through political and social upheavals. The Velvet Revolution of 1989-1991, the Orange Revolution of 2004 and the Revolution of Dignity at the turn of 2013-2014 became significant catalysts for the formation of civil society and launched new approaches of public policy in this area.

The first sprouts of civil society institutions emerged in the late 1980s, when the authoritarian Soviet regime partially weakened ideological and party control.

The formation of public activity and self-organization of citizens directly depended on state policy in this area. Unfortunately, we can say that the state did not have the will to create an appropriate climate for the development of civil society. That is, the conditions that, according to Nancy L. Rosenblum, the government should create for the constant formation of new associations and for the dynamic exchange of members between them, simply did not exist (Rosenblum, 1994). However, it was at the beginning of the 1990s that the Law of Ukraine "On Association of Citizens" was adopted, which defined the legal status of public organizations (Law of Ukraine No. 4572-VI, 1992).

Also, the development of civil society was largely determined by the type of political regime that functioned in the republic. The fall of the Soviet Union and the proclamation of Ukraine's independence do not mean the final victory of democracy. Thus, the presidency of L. Kravchuk (1991 – 1994) was spent looking for prospects for the development of society and ways to combine market mechanisms with state methods of protecting the population, ways to combat the economic crisis, market formation and democracy in a country that has long been unaware of these institutes.

The political regime of L. Kuchma (1994 – 2004) was undemocratic for most researchers, but there were significant differences in determining its type. Yu. Matsievsky, who studied different approaches to characterizing the regime of this period, believes that the political regime in Ukraine under Kuchma's presidency is defined by most researchers as undemocratic in the range from neo-totalitarian to competitive semi-authoritarian (Matsievsky, 2006, p. 22). M. Minakov and M. Rojansky believe that "through the 1990s, the country's political system developed along two parallel paths, combining a liberal democratic facade with post-soviet oligarch-controlled distribution of power and resources" (Minakov & Rojansky, 2015).

During this period, the state took several steps to bring civil society institutions out of the shadows, but their participation in the formation of public policy was minimal. They were not heard or noticed. In the period before the early 2000s, the authorities showed almost no interest in these forms of self-organization of the population (apparently, not seeing them as particularly useful or threatening). Normative acts legally regulated the activities of various organizations, which were registered an masse,

but did not determine their place in the systems "state – society", "state power – people".

In addition, the crisis was in civil society itself. There were several reasons for this. The first reason was that Ukrainian civil society was highly politicized. The first wave of its politicization took place when the independence of Ukraine was fought for and consolidated, and the second was aimed at protecting democracy. Therefore, the most of the NGOs that emerged in the late 1980s and early 1990s were primarily focused on democracy, the restoration of Ukraine's statehood, and the protection of national-cultural life. With the proclamation of independence in 1991 and the beginning of democratic transformations, these tasks were fulfilled for them. A. Kolodii believes that the reasons for the politicization of Ukrainian civil society are not only the youth of Ukrainian democracy, but also the so-called "catch-up model" of the development of the country, in which the spiritual and intellectual elite – the intelligentsia, which seeks to "tighten up" its people to the achievements of world civilization (Kolodii, 2001).

The second reason that hindered the active development of the civil sector in the 1990s was the preservation of the post-Soviet mentality in a large part of the citizens. There was also a significant mistrust of various kinds of organizations, since in the previous communist period they were all necessarily connected to the state and official ideology.

In the context of low civic activity found almost everywhere in post-communist Europe, the main argument, according to Marc M. Howard, remained three factors. 1) Past experience of citizens' participation in organizations and traces of distrust in all formal organizations. 2) The stability of the informal circle of communication, which replaces participation in official organizations. 3) Disappointment with the current democratic and political systems, which pushes many away from the public sphere (Howard, 2009, p. 45). In general, confirming the author's conclusions, we would like to emphasize the importance of the Ukrainian Maidans. We consider the Ukrainian Maidans (revolutions) as a certain phenomenon not only in the recent history of Ukraine, but also as a special stage of the formation of democracy in Ukraine in comparison with other post-communist countries. Ukrainians protested not so much against someone, but for something – for certain values. It is important for Ukrainians to prevent the spread of authoritarianism. When

liberal and democratic institutions cannot cope with it, it is political non-indifference that prompts Ukrainians to go to the streets and protest, defending their rights and freedoms (Yakovliev & Haran, 2015, p. 24).

The socio-economic crisis has also significantly affected the development of the “third sector”. NGOs were forced to seek foreign financial support for their activities. Funding from abroad was important and supported the existence of certain public organizations, but did not significantly change the ways of civil society formation. Sometimes, the use of foreign aid had certain disadvantages. Public organizations were formed that lived on foreign aid. They were contemptuously called “grantoids”. S. Henderson described this problem in detail. He noted that instead of forming developed horizontal networks and supporting grassroots initiatives, vertical, isolated public communities were formed (Henderson, 2002, p. 140). These organizations rented offices, bought equipment, hired accountants, translators, etc. In other words, the funds went to the maintenance of the organizations themselves, and not to the development of civil society itself. However, it is worth noting that often the word “grantoids” was also used to form a negative opinion about the role of public organizations.

Nevertheless, despite all the challenges, the network of public organizations, as one of the largest segments of civil society, was constantly growing.

If in 1991 there were about 300 all-Ukrainian public organizations, in 1997 their number grew to 800 (Tokar, 2020, p. 127). In 2000, the number of public organizations with all-Ukrainian status reached 1267 (State Statistics Service of Ukraine, 2011).

Thus, in the period of the 1990s, the legal framework for the activities of civil society institutions was formed. However, the state authorities did not actually notice its existence. On the other hand, NGOs themselves have not yet gained sufficient influence on social processes. This can be explained by the fact that with the creation of a strong state apparatus of Ukraine and overcoming the socio-economic crisis in the second half of the 1990s, their role has significantly decreased. Moreover, non-governmental institutions did not attract public attention during this period. Confidence in them

was extremely low. In fact, despite the growth in the number of registered public associations, the number of people involved in the work of the organizations actually remained at the same level. Yes, on the question “Which public or political organization are you a member of?” answered negatively: 1994 – 82.2%, 1996 – 86.7%, 1998 – 86.6%, 2000 – 82.9% of respondents (Reznik, 2019, p. 99).

What was missing for the full development of civil society? Here we absolutely share M. Howard’s conclusion: stabilization of the economic situation, growth in the well-being of the population and a reassessment of the role of the state and its relationship to civil society organizations (Howard, 2009, p. 171-172).

In the early 2000s, a growing socio-political crisis in Ukraine led to an increase in the level of politicization of the social movement. The establishment of oligarchic governance and the attempt to establish an authoritarian consolidation of power in the last term of Kuchma’s presidency provoked mass opposition in civil society.

Between 2000 and 2001 in the republic was protest campaign “The Ukraine Without Kuchma”, organized by the political opposition. The protest was joined not only by opposition political parties but also by some non-governmental public organizations. After the aggravation of the situation and a series of violent confrontations between the police and the protesters, Kuchma for the first time at the national level took some steps to meet non-governmental organizations. In our opinion, the beginning of the dialogue with the institutions of civil society was aimed, on foot, at removing the degree of political tension. This calls into question the sincerity of the government’s intentions to promote the development of an independent civil society that would influence public policy and control government activities. The government’s attempts to level and limit the role of non-state institutions in the processes of governing the state by supporting only the activities of third-sector structures loyal to the regime were also noticeable (Ivaniuk, 2013, p. 44).

However, even under these conditions, the number of public organizations was constantly growing.

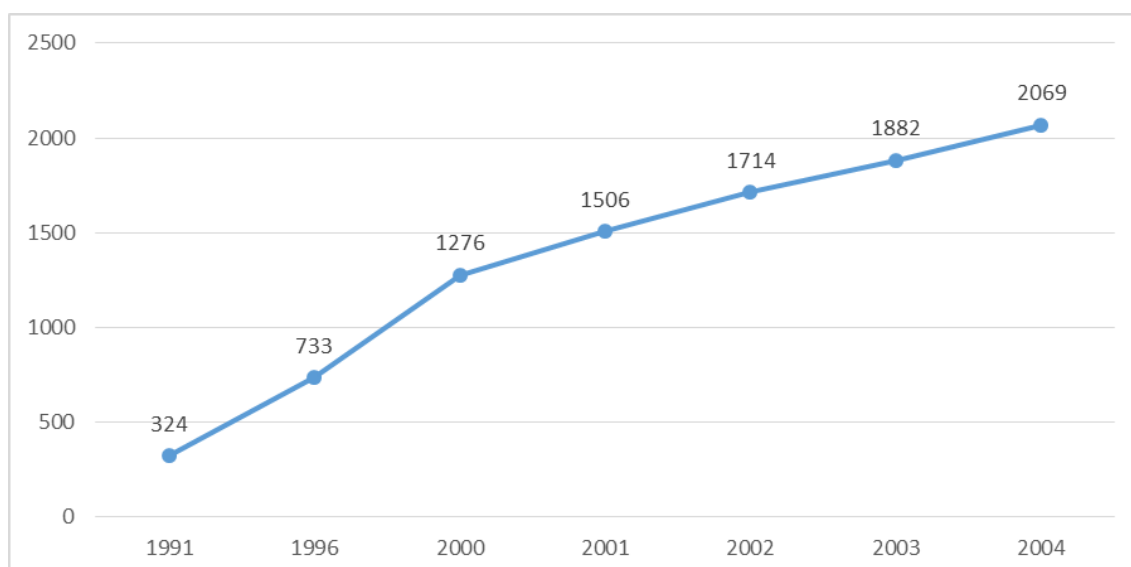


Figure 1. The number of officially registered civil organizations by the Ministry of Justice of Ukraine. Source: Formed by the author based on the research of M. Tokar (Tokar, 2020, p. 127) and the statistical bulletin of the State Statistics Service of Ukraine (State Statistics Service of Ukraine, 2011).

Even with an unfavorable legal framework for NGOs and the government's efforts to discredit foreign-funded organizations, the overall rating of civil society has improved over the years. According to the study "Nations in Transit" (Sushko, 2005) of the Freedom House, if in 1998 it was 4.25, in 1999 – 4.00, in 2001 – 3.75, in 2002 – 3.75, in 2003 – 3.50, in 2004 – 3.75, then in mid-2005 – 3 (Sushko, 2005).

It is important to note that even in these conditions, Ukrainian civil society has shown a fairly high level of maturity and organization, which came as a surprise for many political experts. The main locomotive at that time was non-governmental organizations that existed with international support and were focused on the development of democracy, protection of human rights and freedom of journalism. A new impetus was achieved through self-organization citizens, the development of youth and student movements and journalists' associations (Kurt et al., 2005, p. 27).

2. Development of civil society in Ukraine after the Orange Revolution

The Orange Revolution of 2004, as a mass public resistance to the falsification of the presidential election in Ukraine, was a new impetus for the establishment of civil society institutions. The new state policy on the development of the independent civil sector also contributed to this. The ideals of the Maidan, among which the main postulates were freedom, justice, independence and unity of Ukraine, prompted the state authorities to start an open dialogue between the

government and society. In our opinion, the Orange Revolution can be called a revolution of civil society, even if the level of political participation of Ukrainian citizens remained low during this period. For example, in 2007 83.7% of Ukrainian citizens were not members of public, political organizations and movements, while in 1994 such citizens were 82% (Panina, 2005, p. 26). However, it was during this revolution that the middle class took an active part in political events. Entrepreneurs, managers, and company employees not only provided material support to the protesters, but also provided food, clothing, housing, and so on.

On September 15, 2005, the Decree of the President of Ukraine Viktor Yushchenko "On Ensuring Public Participation in the Formation and Implementation of State Policy" was issued (Decree of the President of Ukraine No. 32/2012, 2005). It was aimed at establishing effective mechanisms of the state with the institutions of civil partnership, improving the activities of public authorities and local governments, ensuring its transparency and openness. It was during Yushchenko's presidency that a list of civil society institutions was formed. For the first time at the level of normative acts it was determined that civil society institutions include: public organizations, trade unions, employers' organizations, charitable and religious organizations, self-organization organizations, non-governmental media and other non-profit associations and institutions legalized.

In the post-revolutionary period, the number of political parties and public organizations grew

steadily. In 2007, 141 political parties and 2,678 public organizations were registered in Ukraine, of which 2,086 had an all-Ukrainian status and 592 an international one (Osaulenko, 2008, p. 22). As of January 1, 2011, 185 political parties and 3,344 public organizations were already registered in Ukraine, of which 2,619 had an all-Ukrainian status and 725 an international one (Osaulenko, 2011, p. 22). In total, in 2010 the number of all non-governmental organizations was about 52 thousand.

In general, in 2010 the Civil Society Organizations Sustainability Index (CSOSI) was 3.5. It was higher than the index of former post-Soviet countries, except for the Baltic countries (Lithuania, Latvia, Estonia). For example, in Armenia it was 4.0, in Azerbaijan – 4.7, in Belarus – 5.9, in Georgia and Moldova – 4.2, in Russia – 4.3, while in Estonia – 2.0 (USAID, 2010, p. 4).

At the end of 2010, Viktor Yanukovich was elected the new President of Ukraine. On the one hand, in the first years of Viktor Yanukovich's presidency there was a positive trend of cooperation between the government and civil society. The slogan of his election campaign is “I will hear everyone!” contributed to the spread of faith in society in the further development of civil society, and Viktor Yanukovich himself at the beginning of his presidency repeatedly stressed the need for cooperation between government and civil society. At least outwardly it was so perceived by society. On the other hand, at the beginning of his term, he began a gradual concentration of power in his hands, which in turn negatively affected the functioning of civil society in the future. Already in April 2010, two months after Yanukovich was elected president, former PACE Co-Rapporteur on Ukraine Hanne Severinsen was struck by the level of coagulation of democracy in Ukraine (Ukrinform, 2010). Here it is worth mentioning the words J. Keane: “The birth and revival of civil society is always associated with dangers. It grants freedom to despots and democrats equally” (Keane, 2000, p. 51). During this period, the main shortcomings of the young democracy were clearly manifested: the immaturity of the democratic political system, the lack of a system of deterrence against the usurpation of power, and the weakness of civil society institutions. However, we fully agree with the view that resistance to authoritarianism has already been embedded in the political consciousness of Ukrainian society and “this is a bottom-up phenomenon, spurred on by Ukraine's vibrant civil society, the rising class of independent journalists and local activists who

have strengthened their voice and power since the Orange revolution” (Jarabik & Shapovalova, 2010, p. 2). In our opinion, the Maidan phenomenon should be considered as a form of civil disobedience of civil society in a democratic society. This is what Jean L. Cohen, Andrew Arato considered possible and desirable for radical institutional reforms. They thought “civil disobedience, aimed at further democratization of the institutions of constitutional democracy, strengthens the principles of majority rule” (Cohen & Arato, 2003, p. 519, 546).

At the beginning of his presidency, Viktor Yanukovich repeatedly stressed the need for cooperation between the government and civil society. However, in our deep conviction, since 2012, cooperation and the level of trust between third sector institutions and public authorities has significantly decreased, which later led to a political crisis, new social upheavals, revolution and war.

In 2013, on the basis of the Law of Ukraine “On Public Associations”, there were 67,155 in the republic, of which 409 had all-Ukrainian status (Kalachova, 2014, p. 7). The increase in the number of public organizations is due to partial liberalization of the creation and registration of organizations. On the other hand, Ukrainian society remained politicized. In general, citizens were poorly informed about the activities of the non-governmental sector. With the report U.S. Agency for International Development in 2013 only 15 percent of Ukrainians say that they know of CSOs that are active in Ukraine, while 59 percent say they do not know any, and a further 19 percent said that they do not know what a CSO is (USAID, 2013, p. 230).

Civil society reacted sharply to socio-economic problems and the collapse of democratic processes. In addition, the most active public organizations, whose activities were aimed at protecting democratic procedures and upholding the rights and freedoms of citizens, were formed at the expense of international and private donors.

With the victory of the Revolution of Dignity 2013-2014, a new stage in the formation of state policy in the field of civil society development began. It is connected, first of all, with the legislative consolidation of Ukraine's movement towards the European Union, where the role of civil society institutions in public administration is extremely high. In 2016, the “Strategy for promoting the development of civil society in

Ukraine for 2016-2020” was adopted (approved by the Decree of the President of Ukraine “On promoting the development of civil society in Ukraine”). She noted Strategy for Promoting Civil Society in Ukraine for 2016-2020” noted that “The Revolution of Dignity opened a new stage in the history of civil society, demonstrated public influence on socio-political transformations, was the impetus for the renewal and reformatting of power” (Decree of the President of Ukraine, 2016).

In 2005-2021 the CSO Sustainability Index that measures the strength and overall viability of

civil society sectors, constantly grew. We will remind that seven different dimensions of the CSO Sustainability Index: legal environment, organizational capacity, financial viability, advocacy, service provision, infrastructure, public image. The assessment is based on a scale from 1 to 7, with a score of 1 indicating a very advanced civil society sector with a high level of sustainability, and a score of 7 indicating a fragile, unsustainable sector with a low level of development.

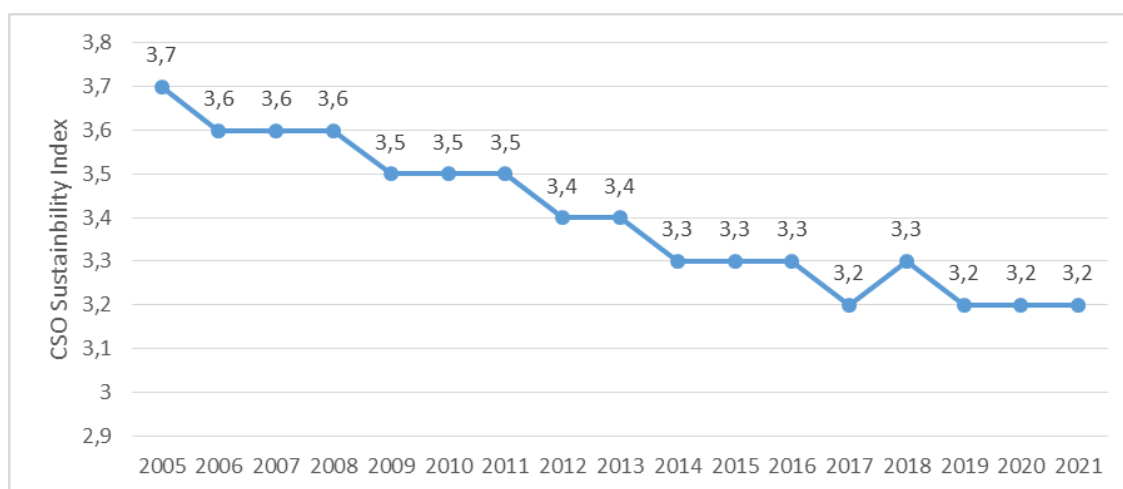


Figure 2. USAID’s Civil Society Organization Sustainability Index (the Index or CSOSI).

Source: The graph is based on the annual reports of the United States Agency for International Development (USAID, 2013).

We believe that after the revolution in Ukraine, a strong civil society began to form, which was a participant or even an initiator of positive changes in recent years. It influences the agenda of the state, controls the activities of the government, as well as formulates its own reform proposals.

While writing this article, Ukraine and the Ukrainian people faced a new challenge – the war with the Russian Federation. We can say with confidence that the tragic events of the war showed the maturity of Ukrainian civil society. Forgetting about political disputes and dissatisfaction with the lack of rapid change in certain areas, political parties and NGOs have united around the government to defend the homeland.

According to a poll conducted by the Rating Sociological Group on March 1, 2022, 93% of Ukrainian citizens support the activities of President Zelensky, and 84% support the actions

of heads of local governments (Sociological group Rating, 2022, p. 9-11). Also, support for the foreign policy vector of public policy, in particular Ukraine's accession to the EU and NATO, is extremely high. Thus, 86% of respondents supported joining the European Union, and 76% supported membership in the North Atlantic Treaty Organization (Sociological group Rating, 2022, p. 16).

Today, in response to the challenges of wartime, many NGOs are reformatting their activities and setting themselves other goals and objectives than those set out in their founding documents. The most common are, for example, financial and organizational assistance to the Armed Forces of Ukraine and Territorial Defense, organization of assistance to injured people and animals, coordination of assistance centers for internally displaced persons, organization of humanitarian assistance, car volunteering and more.

The Orange Revolution of 2004 and the Revolution of Dignity of 2013-2014 were turning points in defining state policy on civil society development, determining the place of civil society institutions in the country's political system and creating a real opportunity to influence state policy and ensuring system of public control.

Since the early 1990s, civil society in Ukraine has gone from an expression of public interest to a truly influential political institution.

Conclusions

Thus, we can say that the civil society of Ukraine has developed over a long period of time against the background of sometimes contradictory state policy in this area and the lack of a broad social base for the activities of public institutions. For a long time, the government not only did not promote the formation of civil society institutions, but also tried to suspend the formation of the third sector, take it under control, contributed to the formation of "manual" public organizations. First of all, the public sector was deprived of the functions of real influence on public policy and effective control over government activities. In the absence of true democracy, the only thing that NGOs could hope for in their activities was to outline the range of issues that needed to be addressed. At the same time, with the gradual resolution of socio-economic problems since the late 1990s, the number of active middle-class members has grown, becoming the social base of civil society and the driving force behind future revolutions. The existence of these citizens outside public associations has led to a low assessment of the development of civil society by Ukrainian and foreign experts on the eve of the Orange Revolution. However, it was the pressure of millions of representatives of small entrepreneurs, business, officials, intellectuals, students, not only led to significant changes in the socio-political sphere, but also gave the opportunity to talk about the formation of civil society.

The Orange Revolution of 2004 and the Revolution of Dignity of 2013-2014 were turning points in defining state policy on civil society development, determining the place of civil society institutions in the country's political system and creating a real opportunity to influence state policy and ensuring of public control.

In our opinion, it was the strength of civil society institutions that hindered the country's attempt to return to the oligarchic authoritarianism of the Yanukovich era and moving away from the pro-European course of development of country. The period from 2014 was marked by a rapid increase in the number of citizens and public associations involved in charity, charitable and volunteer activities, and monitoring, analytical practices.

Today, civil society in Ukraine has become a cementing intermediate link between the political power and society, which by all means contributes to the fight against the aggressor and the struggle for the preservation of statehood. At the same time, even in wartime, civil society institutions actively monitor the government and demand that it be cleansed of corruption.

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Formation of the system of financial support of higher education institutions in Ukraine

Formación del sistema de apoyo financiero a las instituciones de enseñanza superior en Ucrania

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Abstract

In the conditions of a military challenge, the financial system of Ukraine is under significant pressure, which also affects the supply of universities. The purpose of the article is to analyze the formation of the system of financial support of higher education institutions in Ukraine. System analysis, comparison, modeling became the main methods for writing research. The research used indicators of expenditures of the consolidated budget of Ukraine. In the results, the role of the inflationary challenge in the financial support of higher education institutions of Ukraine was traced, and it was established that in fact the real volumes of budget financing of the industry (at the level of 7% of GDP) were never reached. Ensuring financial diversification is an important aspect for overcoming negative manifestations of lack of funds. The article traces separate methods: the introduction of a targeted tax, independent financial

Resumen

En las condiciones de un desafío militar, el sistema financiero de Ucrania se encuentra bajo una presión significativa, que también afecta a la oferta de las universidades. El propósito del artículo es analizar la formación del sistema de apoyo financiero de las instituciones de educación superior en Ucrania. El análisis del sistema, la comparación, la modelización se convirtieron en los principales métodos para la redacción de la investigación. La investigación utilizó indicadores de gastos del presupuesto consolidado de Ucrania. En los resultados, se rastreó el papel del desafío inflacionario en el apoyo financiero de las instituciones de educación superior de Ucrania, y se estableció que, de hecho, nunca se alcanzaron los volúmenes reales de financiación presupuestaria del sector (al nivel del 7% del PIB). Garantizar la diversificación financiera es un aspecto importante para superar las manifestaciones negativas de la falta de fondos. El artículo traza distintos métodos: la introducción de un impuesto específico, la actividad

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activity and the help of patrons, implementation of joint projects with private structures, receiving international financial assistance. With the help of content analysis, the strengths and weaknesses of all the proposed paths were determined. The conclusions state that in the conditions of martial law, the last two items are the most relevant sources of filling university budgets.

Keywords: higher education, financing, Ukraine, inflation, Russian aggression.

Introduction

The current challenges of a globalized society dictate new ways of solving problems. Financing of the education sector in Ukraine also faces national challenges related to a chronic lack of resources and an imperfect legislative framework, as well as the destruction of infrastructure during the war. Strengthening and developing educational opportunities is a key prerequisite for further social progress in every country and an integral element of achieving social well-being. The validity of this judgment can be seen in the increased attention to the education sector by governments, international institutions, academia, and intellectuals.

Higher education can be perceived as the basis of human capital, helping to acquire the necessary theoretical knowledge, skills, and competencies that create a future specialist and deepen the manifestations of the country's social potential. This makes it possible to effectively use the opportunities for progressive innovative development of society, scientific and technological progress, to achieve increased productivity, and to improve the overall quality of life. At the same time, the gradual progressive development of the university education system is possible only if the sector is properly funded, and a sound, efficient, and effective financial policy aimed at achieving realistic goals is implemented.

The purpose of the article is to analyze the formation of the system of financial support for higher education institutions in Ukraine. This task is realized by revealing several issues related to the formation, status, and prospects for further development of the system of financing university education in Ukraine.

Theoretical Framework or Literature Review

Many modern European, American, and Asian scholars have been interested in the specifics of financing the education sector. In particular,

financiera independiente y la ayuda de mecenas, la realización de proyectos conjuntos con estructuras privadas, la recepción de ayuda financiera internacional. Con ayuda del análisis de contenido, se determinaron los puntos fuertes y débiles de todas las vías propuestas. Las conclusiones afirman que, en las condiciones de la ley marcial, los dos últimos puntos son las fuentes más relevantes para llenar los presupuestos universitarios.

Palabras clave: educación superior, financiación, Ucrania, inflación, agresión rusa.

Rosinger et al., (2022) analyzed key aspects of public funding of higher education during the Covid-19 pandemic. These researchers noted that modern countries provide significant support to the higher education system through the prism of allocations to colleges and universities. However, according to Rosinger et al., (2022), higher education also tends to receive disproportionate cuts during recessions, and it faces potentially unprecedented cuts. Mgaíwa (2018) examined the main sources of funding for public university education. This paper also characterizes key trends in the financing of other expenditures and capital development of public universities. Chakrabarti Gorton & Lovenheim (2020) studied the problem of public investment in higher education and characterized its impact on the long-term financial performance of universities. The main trends and prospects for the financial capital of higher education institutions are characterized in the study by Dowd, Rosinger & Fernandez Castro (2020).

At the same time, Hnydiuk et al., (2021) conducted an audit of budget programs in the EU countries to identify the features of minimizing possible deviations and characterize the main causes and factors that may affect violations in the use of budget funds. Nelipa et al., (2018) identified the peculiarities of managing higher education institutions in Ukraine against the background of global information challenges. The main challenges of higher education development are analyzed in Sokol & Melko (2022). The situation and key opportunities for educational development in Ukraine are analyzed in the national report by Anishchenko et al., (2021). Oleksiienko et al., (2022) characterized the importance of digitalization for the development of the university of the future. At the same time, Londar et al., (2021) in their collective monograph study characterized the problem of improving the financial system of education in Ukraine. Levchenko et al., (2022) studied the peculiarities of organizing the

financial system of enterprises of the future. On the other hand, Lysiak, Petrova & Tsiupiak (2020) described the state and prospects of reforming the financial support of higher education in Ukraine.

Nevertheless, the analysis of problems and prospects for improving the financial support of higher education institutions in Ukraine remains an under-researched issue. Further analysis is also needed to identify the significance of the inflationary challenge, the realities, and opportunities for diversifying the financing of higher education in Ukraine.

Methodology

The study is based on the principles of systematicity, objectivity, and scientificity. The system analysis was used to characterize the peculiarities of the formation of the financial structure of the budgetary support of higher education institutions, in particular, decentralization of funding, implementation of the principles of "funds follow the student," etc. The systemic analysis decomposed the system into separate elements and considered how these parts interact to achieve the overall goal of efficient use of funds to meet the needs of higher education in Ukraine. The study also used the method of comparative analysis, in particular, to demonstrate the indicators of state funding of universities in Ukraine and Central and Eastern Europe. The existing mechanisms for ensuring the financial stability of Ukrainian universities are evaluated from the point of view of the modeling method.

The article is also based on the expenditures of the consolidated budget of Ukraine (Expenditures of the consolidated budget of Ukraine, 2023) and the Inflation Index in Ukraine (Inflation index in Ukraine, 2023).

Results and Discussion

Financing higher education in Ukraine: the inflationary challenge

Due to the reforms of financial decentralization and strengthening of the financial capacity of administrative units, the share of local budgets in financing student education in higher education institutions has increased. This reflects an increase in budget allocations for colleges, technical schools, and vocational schools (Anishchenko et al., 2021; Ovcharova, 2022). Universities, academies, and institutes are

usually funded from the state budget. In the 2019-2020 academic year, the total amount of funding for higher education in Ukraine was 43.2%, which is the same as in the previous academic year. However, this figure is 5% lower than in the 2015-2016 academic year (Lysiak, Petrova & Tsiupiak, 2020). The slow transformation of the mechanism of financial support for higher education, in particular the practice of financing the network of educational institutions, has led to the state restraining the development of higher education institutions, limiting their independence and financial autonomy (Londar et al., 2021). In the structure of sources of funding for education at universities, academies, and institutes, individuals account for a significant share. In the 2010/2011 academic year, this figure reached a maximum of 60.3%, and in 2015/2016 it reached a minimum of 51.0% (Lysiak et al., 2020). This is high compared to Lithuania and Slovakia, where private funding and private investment in higher education accounted for more than half of the total funding.

Financing of higher education and its regulation are components of the overall mechanism of education financing. They include relevant financial relations, sources, forms, methods, instruments, and levers (Cummings et al., 2021). The assessment of government influence and financing of education is usually carried out by determining the total expenditures on education relative to the country's GDP. According to the Law of Ukraine "On Education", the state is obliged to allocate at least 7% of GDP to education, using state, local and other sources of funding (Lysiak et al., 2020). Financing of education from the general budget of Ukraine and its share in relation to GDP show that the normative requirements for financing education, in general, are approaching the maximum amount but have not yet reached it.

Taking into account the absolute figures, it can be concluded that in 2019, education spending in the general budget of Ukraine increased by almost UAH 29 billion (over USD 1 billion) compared to 2018. At the same time, the financial support of higher education is not financially stable and generally shows a downward trend (even taking into account the 2019 figures). It is estimated that in 2019, in percentage terms, financial support increased by 0.05%, but compared to 2015, there is a significant drop in the level of support by 0.27% (See Figure 1).

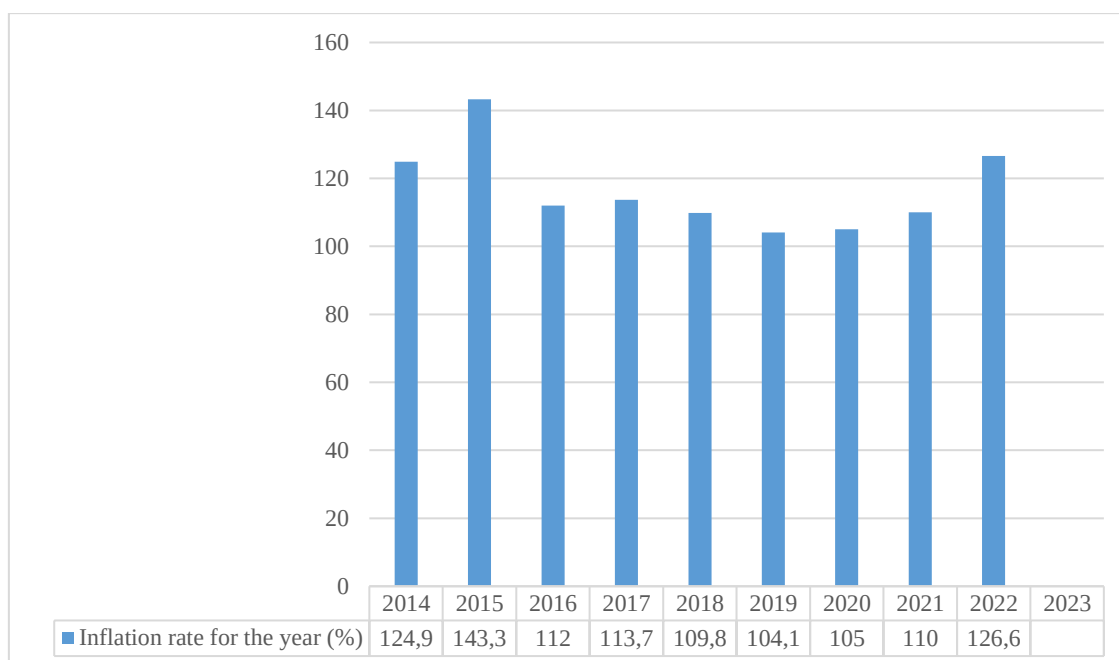


Fig. 1. Summary chart of the inflation index.

Source: Adapted from Inflation index in Ukraine, 2023

Even taking into account the fact that GDP has almost doubled since 2015 (i.e., over the past 8 years), inflation has also been extremely sharp over this period, causing the purchasing power of the Ukrainian hryvnia to decline rapidly. The first stage of the decline occurred in 2014, and the second in 2022. The reason for both was Russian aggression. At the same time, even during periods of temporary stabilization, including 2019, the growth of Ukrainian budget expenditures on higher education was offset by inflation. In fact, given the inflationary processes of depreciation of the national currency, over the past decade, budget expenditures have not been able to meet the needs of higher education institutions for affordable funding.

In 2022 and 2023, the funding situation became more complicated due to the deployment of Russian military aggression and the emphasis on defense spending (See Figure 2).

In particular, the national budget indicators for education in 2023 have undergone some changes.

The draft budget for 2023 proposes to reduce funds under the main budget program for financing the training of personnel by higher education institutions for the Ministry of Education and Science of Ukraine. It is about cutting spending by more than UAH 4 billion (about \$100 million) - from UAH 21 billion to UAH 17 billion, compared to the figures of the previous year, 2022. Similarly, it was said that funding for the Taras Shevchenko National University of Kyiv would be reduced, which would lose more than UAH 400 million (\$10 million), from UAH 1.7 billion to UAH 1.3 billion, according to budget allocations. In addition, the Fund for the Development of Professional Higher Education Institutions will not receive funding for 2023 at all, although in 2022, despite cost savings, more than a quarter of a billion hryvnias were allocated for these expenses under the relevant budget program. On the other hand, it is important to note the increase in funding for certain budget programs related to military training (Oleksiienko et al., 2022).

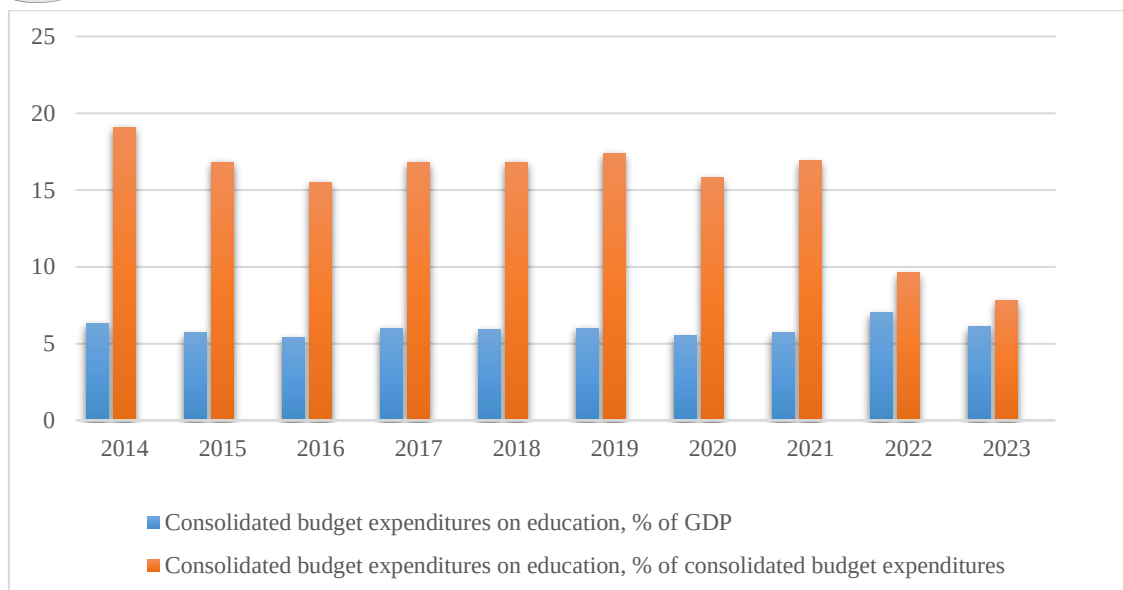


Fig. 2. Dynamics of expenses of the consolidated budget of Ukraine.

Source: Adepted from Expenditures of the consolidated budget of Ukraine (2023)

For example, expenditures on higher education institutions with "specific conditions of education" (under the Ministry of Internal Affairs of Ukraine), on the contrary, increased - both from general and special budget funds (Sokol & Melko, 2022). In particular, in 2023, spending on higher law enforcement education increased by almost UAH 600 million (about \$12.5 million), which can be explained by the need to train additional specialists under martial law. At the same time, it is difficult to determine to what extent this increase in costs (given the inflationary challenge) compensates for the losses from the issue of the Ukrainian hryvnia.

Expenditures on education in Ukraine as a percentage of GDP are significantly higher than the average in some countries of Central and Eastern and Southern Europe (e.g., Austria, Slovenia, Czech Republic, Poland, Hungary, Slovakia, Lithuania, Turkey). However, in the Ukrainian context, the total amount of funding is generally lower, which is explained by the wider diversification of sources of funding for higher education (Nelipa et al., 2018). International experience shows that the diversification of sources of financial support for higher education institutions and diversification of opportunities for its attraction are important elements of the introduction of market mechanisms in the functioning of the education sector in general and higher education in particular (Rosinger et al., 2022; Miningou, 2019).

Some worthwhile decisions in this direction have already been made. Expenditures for the Ministry of Education and Science of Ukraine decreased

in 2023, but funding for higher education will continue at the expense of international funds. In particular, under the budget program No. 2201610, which aims to improve the energy efficiency of higher education institutions, the amount of funding in 2023 will increase by more than UAH 1.8 billion (USD 40 million) - from UAH 650 to almost UAH 2.5 billion. Another important program is the budget program No. 2201680, aimed at improving the conditions for quality assurance and transparency in the Ukrainian higher education system and attracting international assistance (Zhdan et al., 2022). According to the latter, funding will increase by almost UAH 100 million (USD 2.5 million) in 2023.

Diversification of higher education financing in Ukraine: realities and opportunities

In order to ensure appropriate conditions for the development of the national system of higher education in Ukraine and to implement the constitutional rights of Ukrainian citizens to receive free higher education in state or communal institutions of higher education since 2015 there is a system of targeted distribution of applicants. This allowed an orderly disposition of the possibilities of the state order for the provision of educational services to entrants to educational training programs for bachelors (as well as masters of medical, pharmaceutical, and veterinary training areas) on the basis of a complete general secondary education (Järvis et al., 2021). The receipt of high scores as a result of high school education and successful completion of an external independent

assessment (from 2022, a nationwide multidisciplinary test) has shaped the relevant recommendations for enrollment in higher education institutions with state or regional budgets (Report on the review of state budget expenditures, 2021). Also, since 2016 a funding model has been proposed, according to which funds for training future specialists are distributed unevenly among universities - the best high school graduates have an advantage (Anishchenko et al., 2021). The introduction of the principle "budgetary places go to the best applicants" and the implementation of formulaic calculations in the order at public expense allowed the MES of Ukraine to allocate the most popular universities and, accordingly, to finance them in a more targeted way (Report on the review of state budget expenditures, 2021).

The implementation by the Ministry of Education and Science of Ukraine of the principle of "broad competition" and targeted allocation of state-funded places, even under current martial law conditions, can be considered significant and progressive innovations in the financing of higher education institutions. On the one hand, the use of a broad competition is currently the only mechanism to guarantee transparent and fair conditions for admission to higher education institutions, which helps to realize the constitutional rights of applicants to

receive free higher education (based on competitive assessments) (Lysiak et al., 2020).

The model of targeted use of funds for capacity building under the budget order made it possible to use the possibilities of the principle of "funding follows the applicants", i.e. the local budget does not finance the state order for universities as a whole, but allocates funds for the training of applicants who have demonstrated the best results in the external independent evaluation (or national multi-subject test) (Londar et al., 2021). The introduction of this mechanism has finally eliminated the possibility of using corruption schemes, when funding was provided to universities "close to the authorities" by distributing resources in a "manual mode" (Report on the review of state budget expenditures, 2021). Targeted placement of the state order has significantly increased the opportunities for creating a competitive environment among Ukrainian higher education institutions.

In general, the updated practice of funding allocation has led to the selection of the best universities, whose funding, at the same time, provides additional opportunities for the development of financial support for higher education institutions in Ukraine. Conditionally, the analyzed methods can be depicted in the form of a special figure (See Figure 3).

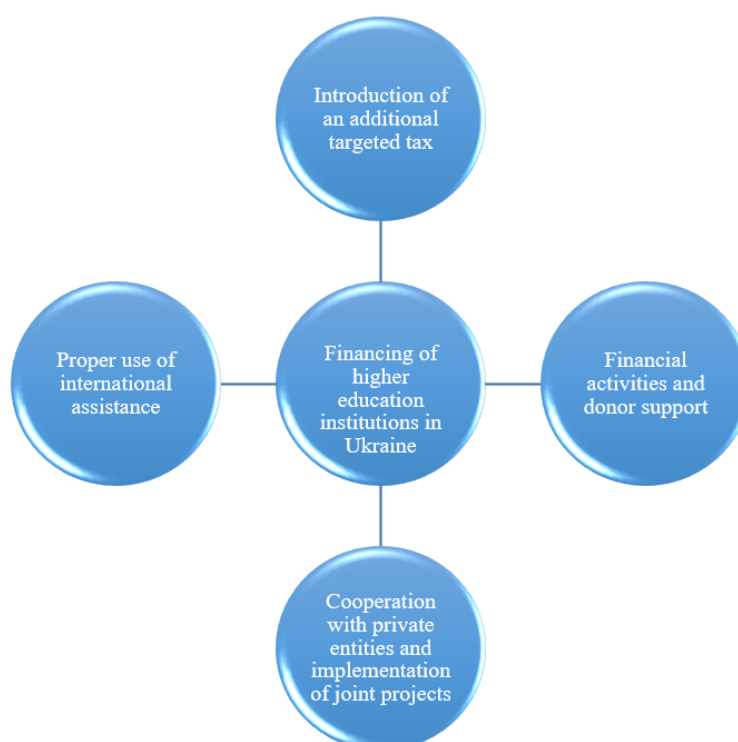


Fig. 3. Opportunities for the development of financial support for Ukrainian universities.
Source: Article authors' development

A fairly simple way to help universities is used in France, where there is a separate law on the payment of a fixed tax by private employers to higher education and retraining funds. Stakeholders have the opportunity to activate the option to pay this tax to specific educational institutions that have trained specialists of the appropriate level (Levchenko et al., 2022). However, this method is also difficult to use, as firms can pay these funds themselves for specialized training of their employees, refusing to pay to higher education institutions (Mgaiwa, 2018).

The next source of additional financial resources for higher education is the implementation of contracts for training and information services of universities for private business or the public sector. This path is important in circumstances where business interests do not dominate pedagogical ones, and the work of higher education institutions is not limited to the implementation of commissioned projects. An independent offshoot of this area is research commissioned by companies (Rosinger et al., 2022). The creation of "science parks" and clusters makes it possible to attract additional resources both from customers and from the sale of joint products. The way of obtaining funds from copyrights, real estate, sales of territory or buildings, securities transactions, or other use in financial activities is relevant in the US financial services market. Probably, donations from philanthropists, primarily well-known graduates of higher education institutions, have also become popular in the United States.

To develop this area in the Ukrainian context, legislative changes to the laws on charitable activities and the formation of a positive perception of philanthropy in society are important. Another source is the use of international assistance provided by developed countries. Unfortunately, in the realities of wartime, this is the only way to fill the budget of higher education in Ukraine. However, it can play an important role in the future - the use of European experience in reforming higher education and the implementation of joint projects will further identify competitive higher education institutions and provide them with financial support.

The implementation of any scenario, however, requires a transformation of the structure of higher education institutions. Real diversification of funding sources will require managerial decisions, the use of managerial experience, and marketing techniques. In the

Ukrainian reality, only a few universities are ready to implement such practices.

Conclusions

Ensuring the financial stability of higher education institutions is an important element of Ukraine's reconstruction after the end of hostilities. The preservation of the country's potential development directly depends on the state of university education, so finding solutions in times of crisis is a very urgent problem that needs to be understood. The considered inflationary challenges demonstrate the lack of financial resources for the full functioning of the sector, as the fall of the real exchange rate of the Ukrainian hryvnia against the background of almost unchanged costs (per GDP) leads to a certain stagnation. The military challenge (Russia's armed aggression against Ukraine) actualizes the increase in defense spending, which takes into account expenditures only for military and law enforcement higher education, while civilian universities receive a reduction in financial support. The considered methods of diversifying financial support can be conditionally divided into: the possibility of introducing a targeted tax, intensifying independent financial activities and assistance from patrons, implementing joint projects with private entities (or public sectors of the economy), and receiving international financial assistance. In the context of martial law, the last two points are the most relevant sources of filling university budgets. At the same time, the mechanisms (including legislative ones) for implementing such methods have not been fully developed.

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Algorithmic means of ensuring network security and websites: trends, models, future cases

Алгоритмічні засоби забезпечення мережевої безпеки та веб-сайтів: тренди, моделі, кейси майбутнього

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Abstract

The purpose of the study is to establish probable trends in the development of algorithmic means of network security and the protection of web resources in the future. The research methods used in this publication are a bibliometric analysis of 500 relevant publications, which allowed us to establish probable trends in the future development of the subject field. The study found that currently the most likely algorithmic means of network security and website protection that will be intensively developed in the future are blockchain technologies (to protect inter-resource contact), deep and machine learning (to analyze and detect attacks and digital anomalies), artificial intelligence and neural networks (to develop complex security algorithms), and predictive analysis (to prevent possible attacks and malicious data injections). At the same time, technological development makes it possible to identify alternative security tools, including quantum and post-quantum cryptography (which is possible due to the development of quantum

Анотація

Мета дослідження – встановлення ймовірних трендів розвитку алгоритмічних засобів мережевої безпеки та захисту веб-ресурсів у майбутньому. У якості методів дослідження в даній публікації використаний бібліометричний аналіз 500 релевантних публікацій, що дозволив встановити ймовірні тренди майбутнього розвитку предметного поля. За результатами дослідження встановлено, що наразі найбільш ймовірними алгоритмічними засобами мережевої безпеки та захисту веб-сайтів, що отримають інтенсивний розвиток у майбутньому є технології блокчейну (для захисту міжресурсного контакту), глибинного та машинного навчання (для аналізу та виявлення атак та цифрових аномалій), штучного інтелекту та нейромереж (для розробки складних безпекових алгоритмів), а також предиктивного аналізу (для попередження ймовірних атак та ін'єкцій шкідливих даних). Разом з тим, технологічний розвиток дозволяє визначити альтернативні безпекові засоби, серед яких квантова та пост-

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computing), augmented reality (which is the next iteration of the development of the interface between machine-human interaction), biometric identification (which is the next iteration of authentication and recognition systems) and DevSecOps (which is a promising technology for the production of digital tools and systems that have a relatively lower level of vulnerability to known digital threats). The correlative impact of Industry 4.0 technologies and solutions on the studied aspects of the security sector of the World Wide Web has been established. The growth of the network of devices requires the improvement of security algorithms in the paradigm of Industry 4.0 technologies, which will allow more effective detection and prevention of cyberattacks and protection of user data.

Keywords: artificial intelligence, neural networks, machine learning, quantum cryptography, Industry 4.0.

Introduction

The information component is becoming increasingly important in civilizational development, forming a virtually digital twin of the real world, and the direct consequences of the financial and material ties between digital and physical reality are increasingly blurring the line between them. Given the progressive intensification of digitalization in virtually all areas of human activity, the issue of ensuring digital, network, and cyber-physical security is a constantly relevant and urgent task, the solution of which is largely in the realm of scientific research (Sharma et al., 2023; Hasan et al., 2023; Yang et al., 2023).

Statistical studies of specialized organizations prove the importance of researching and developing protective algorithms, tools, and systems, as cyber-digital threats are intensifying with the development of the digital sphere: in particular, in 2022, more than 25 thousand digital threats and vulnerabilities were detected, and identified, which is 20% more than in the previous year; in 2022, the average cost of data loss in the world was \$ 4.35 million. The largest losses among digitalized industries in 2022 were in the healthcare sector, with the average cost of data loss in the world amounting to USD 10.1 million. Among the vulnerabilities that caused the largest financial losses in 2022 are phishing (\$4.91 million with a 16% increase in data compared to 2021), losses in business correspondence (\$4.89 million with a 6%

квантова криптографія (що є можливою внаслідок розвитку квантового обчислення), розширена реальність (що є наступною ітерацією розвитку інтерфейсу машино-людської взаємодії), біометрична ідентифікація (що є наступною ітерацією систем автентифікації та розпізнання) та DevSecOps (що є перспективною технологією виробництва цифрових засобів і систем, що мають відносно нижчий рівень вразливостей до відомих цифрових загроз). Встановлений корелятивний вплив технологій та рішень Industry 4.0 на досліджувані аспекти безпекового сектору Всемережжя. Зростання мережі пристроїв вимагає вдосконалення безпекових алгоритмів в парадигмі технологій Industry 4.0, що дозволять ефективніше виявляти та запобігати кібератакам та захищати дані користувачів.

Ключові слова: штучний інтелект, нейромережі, машинне навчання, квантова криптографія, Industry 4.0.

increase in data compared to 2021), third-party software vulnerabilities (\$4.55 million with a 16% increase in data compared to 2021), and a range of other vulnerabilities, with technical problems and system errors being the last. The latter fact proves that the architecture of global cyber-digital security requires systemic, cross-platform, and unitary solutions when organizing the interaction of technical means that form the Internet (Statista, 2023; National Institute of Standards and Technology, 2023; Vulnera, 2023; IBM, 2023).

Analytical studies on the vulnerabilities of digital systems and facilities point to interesting statistics: it has been found that systems that do not have a network connection (locally isolated systems) are more vulnerable to digital attacks, as their local digital security perimeter has a limited resource and information base, which contributes to the success of cyber threats and cyber-attacks. According to the study, the average time to fix critical vulnerabilities is 65 days; 33% of the vulnerabilities identified on the full stack in 2022 were found to have serious or critical vulnerability levels; the most common vulnerabilities at the application and API (Application Programming Interface) level are still related to malicious content injection (Injection); 13.5% of enterprise vulnerabilities are classified as high or critical vulnerability levels; 12% of all risks accepted by isolated systems in 2022 were critical. These analytical

conclusions prove the failure of the evolution of locally isolated digital and cyber-physical systems and focus on the development of global network security tools and systems as the only correct strategy for sustainable civilization development (Edgescan, 2023; Comparitech Limited, 2023; WPScan, 2023).

Thus, we note that the technical means of protection and damage to digital and cyber-physical systems are currently in relative parity (because technical vulnerabilities are not the root cause of significant financial losses), while global structures of the Internet require systemic solutions to ensure the effective functioning of the global digital security architecture (as evidenced by the increase in financial losses from systemic information and digital attacks), which, given the identified trend towards deeper integration of digital systems and means into physical reality (according to current scientific observations), requires an increase in the presence of scientific research in this security sector of sustainable civilizational development.

The purpose of the article is to study the issues of algorithmic means of ensuring network security and websites and to assess the prospects for their future development.

Theoretical Framework

According to the conclusions of Alemami, Al-Ghonmein, Al-Moghrabi, and Mohamed (2023), the use of algorithmic network and website security tools is critical to protecting information and ensuring security in cloud services. Similar conclusions about the effectiveness of cryptographic security algorithms (in particular in cloud services) were reached in the publications of Chauhan, Patel, Parikh, and Modi (2022), Lakshmi Narayanan, and Naresh (2023), Jabbar, and Bhaya (2023), Erundu, Asani, Arowolo, Tyagi, and Adebayo (2023), Bhagat, Kumar, Gupta, and Chaube (2023).

In their study, Sagu, Gill, Gulia, Singh, and Hong (2023) conclude that the use of algorithmic network security tools and websites is important for ensuring the security of the Internet of Things (hereinafter IoT). They describe the design of metaheuristic optimization algorithms for deep learning to secure IoT environments. The main conclusions of the study are that the use of metaheuristic optimization algorithms for deep learning can ensure the security of IoT network environments, allowing for improved efficiency and accuracy of security systems. Similar conclusions about the effectiveness of the

technology of deep learning security algorithms are available in the publications of the following authors: Jose, and Jose (2023), Seh, Yirgaw, Ahmad, Faizan, Pathak, Zaman, and Agrawal (2023), Diaba, and Elmusrati (2023), Gheni, and Al-Yaseen (2023).

Chen, and Lee (2023) argues that the use of algorithmic means of ensuring network security and websites can be realized through the use of blockchain technology. In the article, the authors describe the use of blockchain-based algorithms for the development of IoT applications. The main conclusions are that the use of blockchain technology can ensure the security of IoT applications by allowing data to be stored and transmitted in a secure manner, without the risk of unauthorized access or modification. Khobragade, and Turuk (2023), Priyanka, Skandan, Shakthi Saravanan, Chandramohanam, Darshan, and Raswanth (2023), Zubaydi, Varga, and Molnár (2023) reached similar conclusions about the effectiveness of blockchain-based security algorithms.

Monika, Singh, and Wason (2023) explore the possibility of improving network security and website protection through the analysis and improvement of data protection algorithms. In particular, the article describes a study of the use of data protection algorithms in networks with multiprotocol label switching (GMPLS) technology. The conclusion of the paper is that improving data encryption and authentication algorithms can improve data security and privacy in GMPLS networks.

The article (Zoppi et al., 2023) discusses the possibility of improving network security and website protection through the use of intrusion detection algorithms. The article compares different types of intrusion detection algorithms, including supervised learning, unsupervised learning, and meta-learning. The general conclusion is that meta-learning intrusion detection algorithms are the most effective in detecting unknown attacks on networks and provide high accuracy and response speed. In addition, the article points out the importance of researching and developing new intrusion detection algorithms that will provide reliable and effective protection of networks and websites from various types of attacks. Similar conclusions about the effectiveness of machine learning security algorithms have been reached in some other publications (Upreti et al., 2023; Mughaid et al., 2023; Akhtar, & Feng, 2023; Al-Juboori et al., 2023).

Birrane, Heiner, and McKeever (2023) present the results of a study on improving network security and websites by using the security context of Delay-Tolerant Networks. The researchers conclude that the use of security context allows for a more accurate and efficient assessment of risks and threats to network security, which helps to increase security and privacy, as well as reduce the possibility of attacks and network security incidents. The use of security context is an important element in the development of new technologies and methods to ensure effective and reliable protection of web resources and networks, making it essential in improving network security.

Pradhan, Sahu, Rajeswari, Tun, and Wah (2023) highlight the opportunities for improving network security and websites by integrating artificial intelligence and machine learning into 5G technology. According to the study, the author notes that such integration can help increase data security and privacy, improve data transfer speeds, increase network reliability and efficiency, and allow solving complex network security and smart connectivity challenges. Pawełoszek, Kumar, and Solanki (2022), Bhuvaneshwari (2023), and Montasari (2023) reached similar conclusions about the effectiveness of AI-based security algorithm technology.

The transition of many markets to electronic trading platforms raises not only the issue of their security but also the violation of it can have severe consequences for the economy of a country or even a region. For example, in their work, Evdokimov and Polukhin (2022) considered optimizing trading on the wholesale electricity market, which can increase its efficiency. However, security breaches and illegal interference in the operations of such electronic trading platforms bring security concerns to the forefront, as trading failures can lead to real disruptions in the operation of the power system.

The use of algorithmic means of ensuring network security and websites is a hot topic in research and development in the modern world. Among the most used technologies are antivirus

programs, intrusion detection and prevention systems, access control systems, blockchain, and others. It is also important to use artificial intelligence and machine learning to develop more complex and effective algorithms for network security and websites. Blockchain, artificial intelligence, deep learning, and machine learning are key technologies used to provide network and website security. Blockchain can ensure data security and privacy by storing information in distributed networks with blocks that cannot be altered or deleted without the prior consent of all network participants. Artificial intelligence and machine learning can help detect and prevent malicious attacks on networks and websites, as well as develop effective security algorithms and identify vulnerabilities. Deep learning is used to recognize and classify patterns, which helps to identify malicious objects and analyze the risks of using a malicious program. The use of these technologies can help ensure a high level of security for networks and websites, reduce the risks of their vulnerability to malicious attacks, and increase the efficiency of networks and websites. Research and development in this area is aimed at improving the security of networks and reducing the risks of their vulnerability to malicious attacks.

Methodology

In connection with the identified layers of non-systematic information in previous studies on the use of various algorithmic means of ensuring network security and websites in the context of generalizing and highlighting trends, models, and cases of future development of the global architecture of digital and cyber-physical security, it is advisable to apply the methods of bibliometric analysis of the focal area of the scientometric landscape in the current study.

Bibliometric analysis requires the use of specialized software that allows formulating an analytical information array in two iterations: (1) collection of relevant scientometric information in a selected current search horizon; (2) taxonomic analysis of the collected information with the subsequent formation of relevant analytical conclusions (Table 1).

Table 1.
Analysis of software and digital tools and resources for bibliometric analysis

Tool name	Analytical description
Tools for collecting scientometric information	
CRExplorer	Citation research is an important tool in analyzing scientific research, so Cited References Explorer uses data downloaded from Scopus and Web of Science databases to perform citation analysis over time. This tool is typically used to identify influential publications in a particular scientific field, which makes it indispensable in academic impact research (https://andreas-thor.github.io/CRExplorer). Software that allows you to retrieve information from several databases, such as Web of Science, Scopus, Google Scholar, Microsoft Academic, and CrossRef. This tool is widely used to assess the academic impact of research and authors, which has made it
Publish or Perish	indispensable for the scientific community. In particular, the program allows you to study the number of citations and the Hirsch index (h-index), which allows you to assess the scientific impact of individual researchers and their publications (https://harzing.com/resources/publish-or-perish). The open-source software that allows users to import data downloaded from Scopus and Web of Science databases to conduct scientific citation analysis. In particular, the program allows you to find the H-index and other important indicators that allow you to assess the scientific impact of individual researchers and their publications. This tool is open for use and can be useful for researchers who want to perform a detailed analysis of scientific data and find influential publications in their field (https://github.com/jpruiz84/ScientoPy/blob/master/README.md).
ScientoPyUI	
Tools for taxonomic analysis of scientometric data	
VOSviewer	A software tool designed to “build and visualize bibliometric networks”. These networks can, for example, include journals, researchers, or individual publications and can be built on the basis of citation relationships, bibliographic relationships, co-citation, or co-authorship. This tool allows for detailed analysis of bibliometric data and visualization in a convenient and understandable format (https://www.vosviewer.com). A Java-based software tool used to analyze trends and patterns in the scientific literature. The tool uses data from the Web of Science as well as other sources such as arXiv, PubMed, and NSF Award Abstracts. CiteSpace allows users to perform various bibliometric analyses, including co-citation analysis, outlier detection, keyword analysis, and visualize the results using network and time zone maps (http://cluster.cis.drexel.edu/~cchen/citespace)
CiteSpace	
Bibliometrix	R is an open-source tool used for complex scientometric analyses. It uses data from Scopus, Web of Science, Dimensions, PubMed, and Cochrane. Requires deep knowledge of R, but has a new version (biblioshiny) that is designed for non-coders (https://www.bibliometrix.org) An open-source software for creating and visualizing network graphs that allows users to import data from almost any file format. To fully use the program, you need to know Java and/or OpenGL. Gephi allows you to perform a variety of analytical tasks on graphs, such as community analysis, identifying central nodes, and tracking changes in the network over time (https://gephi.org)
Gephi	
Sci2	An open-source visualization and analysis tool developed by scientists and librarians for scientists. Sci2 allows you to use data from various sources, including Scopus, Web of Science, MEDLINE, and others, to study scientific publications, including scientific relationships, references, citations, and author groupings (https://sci2.cns.iu.edu/user/index.php)

Source: created by the authors based on descriptions from software development sites

Taking into account the specifics of the study, we choose Publish or Perish as the software for collecting scientometric data, which has a comprehensive set of scientometric tools. As a digital software tool for taxonomic analysis of the selected information array of scientometric data, we will use the leading industry tool - VOSviewer, which has significant advantages over other software (Table 1): multi-format output data, intuitive interface, an informative graphical adaptation of taxonomic analysis, etc. With the help of VOSviewer, it is expected to

determine the likely vectors of future development of algorithmic network security tools and websites.

Thus, the research scheme proposed for implementation in the current publication involves the following stages of bibliometric analysis:

1. Formation of an information array of scientometric data based on relevant scientific papers and publications in the

current search horizon using the digital software tool Publish or Perish. To ensure the indirectness and independence of the research results, a scientometric horizon of 500 specialized publications in a specific research vector on algorithmic means of ensuring network security and websites is taken into account for analysis.

2. Transfer of the generated information array of scientometric data to the VOSviewer software, which further generates taxonomic schemes that determine the likely vectors of development of algorithmic means of ensuring network security and websites.
3. Formation of analytical conclusions (based on the results of the previous stages of the study) on the future development of

algorithmic network security technology and websites.

The implementation of the proposed research scheme will provide far-sighted analytical conclusions about the security sector and will allow potential researchers to focus on unresolved issues and specific problems.

Results and Discussion

Results of the formation of a separate section of the scientometric landscape on the technology of algorithmic means of ensuring network security and websites using Publish or Perish software - Table 2.

Table 2.

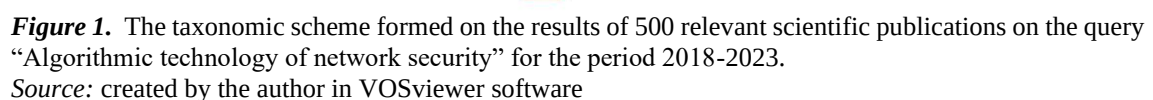
An information array of relevant publications and scientific papers created in the Publish or Perish software

Parameter	Meaning
Query	Algorithmic technology of network security from 2018 to 2023
Source	Web of Science, Scopus, Google Scholar, Microsoft Academic, CrossRef
Papers	500
Citations	114805
Years	5
Cites_Year	22961.00
Cites_Paper	229.61
Cites_Author	46760.30
Papers_Author	181.60
Authors_Paper	3.58
h_index	176
g_index	312
hc_index	197
hI_index	49.09
hI_norm	100
AWCR	38725.80
AW_index	196.79
AWCRpA	18984.41
e_index	217.47
hm_index	117.81
QueryDate	12.04.2023 23:52
Cites_Author_Year	9352.06
hI_annual	20.00
h_coverage	68.2
g_coverage	85.2
star_count	493
year_first	2018
year_last	2023
ECC	114805
acc1	500
acc2	500
acc5	496
acc20	461
hA	82

Source: created by the author at Publish or Perish

hI_annual index is 20.00. The h_coverage and g_coverage coefficients are 68.2 and 85.2, respectively. The results of the analysis allowed us to mark 493 stars, with the first year of publication being 2018 and the last year being 2023 (which may be due to an increase in the number of citations of some outstanding works). The total number of articles that have received at least one citation is 500, which resulted in acc1, acc2, acc5, and acc20 scores of 500, 500, 496, and 461, respectively. It is noted that the average number of authors per article is 1.64, which is reflected in the hA index of 82.

Using the built-in tools of the VOSviewer software, we obtained a taxonomic scheme of the selected area of the scientometric landscape for the query “Algorithmic technology of network security” (Figure 1).



combined into 19 clusters, interconnected by 9435 main links (with their full number - 15328 units). To perform analytical conclusions, the

modulation method of normalization of taxonomic units was used.

In order to determine the trends in the future development of algorithmic means of network

security and protection of web resources, we perform a dynamic analysis of the obtained field of relevant taxonomy (Figure 2).

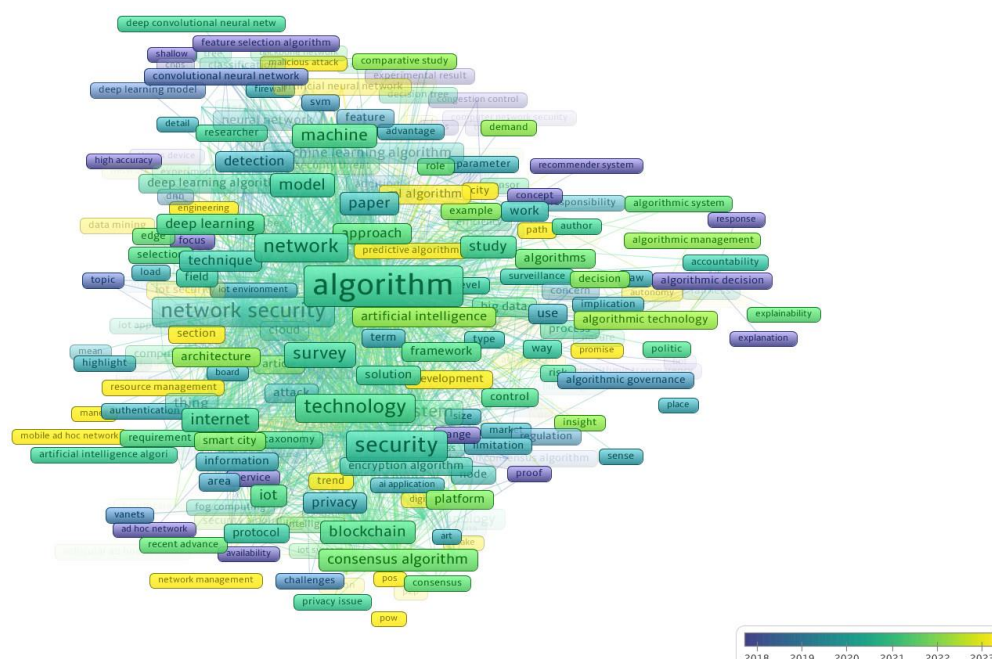


Figure 2. The taxonomic scheme formed based on 500 relevant scientific publications on the query “Algorithmic technology of network security” for the period 2018-2023 and adapted to the chronometric dynamics of the development of clustered research vectors (trends)
Source: created by the author in VOSviewer software

According to the timeline adapted to the dynamics of the clustered vectors that make up the selected relevant area of the scientometric landscape (Figure 2), we will identify the current research trends that are likely to have the greatest impact on the development of the subject area in the future (Figure 3):

1. *Development of blockchain technology.* In the future, blockchain technology will continue to evolve as an effective algorithmic means of ensuring network security and website protection. It is predicted that blockchain will be used to create secure decentralized networks where digital assets can be stored, exchanged, and transferred without intermediation. Also, blockchain can be used to develop secure systems for identifying and authenticating users on the Internet. Another area of development of blockchain technology may be its use to protect against cyberattacks and increase the reliability of network protocols. However, in order to achieve these goals, it is necessary to investigate and solve the

problems of scalability and efficiency of blockchain technology (Figure 3 (a)).

2. *Development of deep learning technology.* The future development of deep learning technology opens up new opportunities to improve the security of networks and websites. The use of deep learning can help detect and prevent cyberattacks, as well as ensure the security of web applications and networks. Future developments in this technology may include expanding functions, such as improving risk analysis and identifying new threats, as well as improving the effectiveness of attack protection by training models on a variety of data and applying new deep learning techniques such as reinforcement learning and generative adversarial networks (Figure 3 (b)).
3. *Development of machine learning technology.* Machine learning is expected to continue to evolve in the context of the website and network security. With the help of learning algorithms, it will be possible to automatically detect vulnerabilities and potential threats to the network and website,

Hrynchyshyn (2021), Yarmoliuk (2022), Shiau, Wang, and Zheng (2023).

At the same time, in addition to the identified probable and promising vectors of development of algorithmic tools for the security sector of the Internet, there are the latest developments, among which the following cases should be highlighted:

1. *Quantum and post-quantum cryptography.* Quantum cryptography uses the principles of quantum mechanics to ensure the security of data transmission. With the future development of quantum computers that are capable of unraveling complex encryption algorithms, post-quantum cryptography is becoming increasingly important for securing networks and websites. This technology uses mathematical principles to create strong cryptographic systems that cannot be decrypted even by quantum computers. As interest in post-quantum cryptography grows, it could become an important algorithmic tool for network and website security in the future (Shalini et al. 2023; Yi, 2023; Gazdag et al., 2023).
2. *Augmented reality.* In recent years, augmented reality (AR) technology has evolved significantly, especially in the field of network security and website security. AR can be used to create virtual training scenarios to help users recognize threats and learn how to respond to them. Also, AR can be used to visualize data from various sources, which will help identify possible security breaches and prevent them. The future development of AR technology envisages the growth of its use in such industries as medicine, military, and other areas where detailed and accurate data analysis is essential. The use of AR for website security involves the development of new technologies, such as virtual blockchains and smart contracts, which will ensure more efficient and secure data exchange on the network (Herbert et al., 2022; Alzahrani, & Alfouzan, 2022; Harris et al., 2023).
3. *Biometric identification.* Future developments in biometric identification technology include increasing the accuracy and speed of identification using biometric data such as fingerprints, facial recognition, and others. The use of biometric data for identification may become increasingly common in websites and network security, where it can be used to improve security and user experience. Progressive developments

in artificial intelligence and machine learning technologies may lead to even more accurate and efficient biometric identification systems. However, there are potential privacy and personal data protection issues that should be considered and addressed in the future (Brogan et al., 2023; Shalini, 2023; Yadav et al., 2023).

4. *Development of websites and applications with regard to possible DevSecOps vulnerabilities.* DevSecOps is a combination of DevOps practices and security principles. This technology includes security testing tools, automated monitoring, and data analysis to identify vulnerabilities. It is expected that the future development of DevSecOps will be aimed at even greater integration of security into software development, as well as the use of other algorithmic network security tools, such as artificial intelligence, machine learning, blockchain, and others. An important part of DevSecOps development will be the integration of augmented reality to display security monitoring data and track critical vulnerabilities. Similar conclusions were reached in the publications (Li, & Zalialetdzinau, 2022; Martelleur, & Hamza, 2022; Dupont et al., 2023).

In general, in the context of the future development of algorithmic means of network security and protection of web resources, there is a correlative influence of the technologies of the fourth wave of industrial development (Industry 4.0), which is agreed by researchers Ferencz, Domokos, and Kovacs (2021), Saura, Ribeiro-Soriano, and Palacios-Marqués (2022), Fernando, Tseng, Wahyuni-Td, de Sousa Jabbour, Chiappetta Jabbour, and Foropon, (2023). The fourth wave of the industrial revolution, associated with the growth in the number of devices connected to the network, has necessitated the improvement of algorithmic means of ensuring network security and protecting web resources. In particular, the introduction of smart devices and the expansion of the Internet of Things have led to an increase in the risk of cyberattacks. Therefore, modern algorithmic tools for network security and web resource protection should be improved by using the latest Industry 4.0 technologies, such as artificial intelligence, machine learning, data analytics, blockchain, Internet of Things, etc. Such tools allow for the development of more efficient algorithms, real-time security monitoring, detection and prevention of cyberattacks, and protection of users' personal data. It will also ensure the security of built

model support tools and various simulation models designed to perform analysis and calculations based on real input data that may be confidential. In the future, the development of Industry 4.0 technologies to the following variable iterations may lead to the emergence of new algorithmic means of network security and protection of web resources that will be more efficient and reliable.

Conclusions

This study aimed to establish the prospects for the development of algorithmic means of network security and website protection in the future. Based on the results of the bibliometric analysis of 500 relevant publications published in the period from 2018 to 2023, the probable directions of future development of the subject area were established, in which the following trends were identified:

1. *Blockchain*. Blockchain continues to evolve as an algorithmic tool for network security and website protection, used to create secure decentralized networks, user identification, and authentication systems, protect against cyberattacks, and increase the reliability of network protocols but requires research on scalability and efficiency.
2. *Deep learning*. The future development of deep learning technology may open up new opportunities to improve the security of networks and websites, including improved risk analysis and detection of new threats, as well as increased effectiveness of defense against attacks using new deep learning methods such as reinforcement learning and generative adversarial networks.
3. *Machine learning*. Machine learning will continue to evolve to automatically detect vulnerabilities and potential threats to the network and websites, as well as to develop more effective algorithms for monitoring, detecting, and predicting malicious actions, and new systems for protecting against cyberattacks.
4. *Artificial intelligence*. Future developments in artificial intelligence technology can increase the accuracy and effectiveness of detecting threats and attacks on networks and websites, including predicting future threats and new interactive learning methods that engage people in the process of combating cyber threats.
5. *Neural networks*. The future development of neural network technology involves their increasing use in cyberattack detection and prevention systems, taking into account the

needs of security and attack resistance, as well as the development of intelligent systems for monitoring network activity and detecting and analyzing anomalous activity in networks.

6. *Predictive analysis*. The future development of predictive analytics technology involves the use of machine learning and artificial intelligence to predict future threats and identify critical risks in networks and websites using Big Data and Cloud Computing technologies.

The identified trends in the development of algorithmic means of network security and protection of web resources are most likely in the near future, but at the same time, technological development allows us to consider alternative technological capabilities of the security sector of the World Wide Web, which are determined by the following trends:

1. Quantum and post-quantum cryptography as a result of technological development and increase of computing power of quantum computers. The future development of quantum computers makes post-quantum cryptography important as a mathematical technology for creating reliable cryptographic systems that ensure the security of data transmission in networks and websites.
2. Augmented reality as the latest interface for machine-human interaction. With the help of augmented reality, you can create virtual training scenarios and visualize data to detect possible security breaches, making AR an important algorithmic tool for network security and website protection in the future.
3. Biometric identification as a secure authentication and recognition technology. The future development of biometric identification involves increasing the accuracy and speed of biometric identification, which can improve the security and convenience of websites and networks but also requires attention to privacy and personal data protection issues.
4. DevSecOps as a technology for developing invulnerable tools and systems. The future development of DevSecOps involves even greater integration of security into software development and the use of other algorithmic network security tools, including augmented reality to display security monitoring data and track critical vulnerabilities.

The study made it possible to establish the correlative impact of technological solutions of the fourth wave of industrial development on the implementation of security algorithms in network systems and web resources. The researchers agree that the growth of network-connected devices and the expansion of the Internet of Things require the improvement of algorithmic means of network security and protection of web resources through the use of Industry 4.0 technologies, such as artificial intelligence, machine learning, data analytics, blockchain, and the Internet of Things, which will allow the development of more efficient algorithms, detect and prevent cyberattacks, and ensure the protection of users' personal data. In the future, it is advisable to investigate the possible connection between the identified trends in the future development of algorithmic digital security tools in the general paradigm of the next iteration of Industry 5.0.

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Innovative infrastructure of higher education as a factor of the development of the economy of Ukraine

ІННОВАЦІЙНА ІНФРАСТРУКТУРА ВИЩОЇ ОСВІТИ ЯК ЧИННИК РОЗВИТКУ ЕКОНОМІКИ УКРАЇНИ

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Abstract

The purpose of the article is to determine the possibilities of the innovative infrastructure of higher education of Ukraine to influence the development of the state's economy. The results of the conducted research are based on a critical analysis of the problems that stand in the way of the formation and further development of innovative infrastructure of national higher education. During the research, it was identified that now Ukraine has created a regulatory framework that will ensure this development, but in practice, a few higher education institutions have an innovative infrastructure. An analysis of the main forms of innovative infrastructures operating in Europe and the United States was conducted to determine the most favourable conditions and opportunities for their implementation in Ukraine. In particular, technology parks, business incubators, and

Анотація

Метою статті є визначення можливостей впливу інноваційної інфраструктури вищої освіти України на розвиток економіки держави. Результати проведеного дослідження ґрунтуються на критичному аналізі проблем, що стоять на заваді формуванню та подальшому розвитку інноваційної інфраструктури національної вищої освіти. У ході дослідження з'ясовано, що наразі в Україні створене нормативно-правове поле, здатне забезпечувати цей розвиток, однак на практиці лише деякі заклади вищої освіти мають інноваційну інфраструктуру. З метою визначення найбільш сприятливих умов для розвитку інноваційної інфраструктури вищої освіти та можливостей їх реалізації в Україні був проведений аналіз основних форм інноваційних інфраструктур, що функціонують у просторі Європи та США. Зокрема, було

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clusters were considered. The most successful forms of innovative infrastructure in the world were identified, in particular, Silicon Valley and Plastic Valley. Based on the results of the research, recommendations were developed for the development of innovations commercialisation centres in higher education institutions. The practical value of the obtained results lies in identifying the main ways of establishing and developing of the innovative infrastructure of higher education in Ukraine, which can provide an opportunity to increasing the level of efficiency of the Ukrainian economy and bringing the level of educational services to the level of compliance with international standards.

Keywords: European integration, clusters, innovative infrastructure, system of higher education, higher education institutions.

Introduction

Ukraine's transition to a market economy led to the formation of a goods and services market and a labor market in our country. The labor market regulates the social demand for specialists in various fields and balances the demand for specialists in certain professions with the available offer of applicants for positions.

The modern labor market is very competitive, makes strict requirements for job applicants and has high selection criteria.

Higher education is designed to ensure that employees meet these criteria. Therefore, today it has become a source of human capital development, the basis of the formation of social, cultural and economic potentials of society, a center of integrative educational and creative activity, which combines innovations in all spheres of social development into a new productive integrity.

The focus of higher education on the introduction of innovations in the content of training and scientific activity of students has become a guarantee of ensuring the quality of university education. In addition, it actualized the recognition of universities as an important component of the National Innovation System, which is responsible for training innovative workers and managers capable of implementing, producing, transferring of innovations and commercializing the results of innovative activities.

розглянуто технопарки, бізнес-інкубатори та кластери. Схарактеризовано найбільш успішні форми інноваційної інфраструктури у світі, зокрема, Кремнієву долину та Пластикову долину. За результатами проведеного дослідження було розроблено рекомендації щодо розвитку центрів комерціалізації інновацій у закладах вищої освіти. Практична цінність отриманих результатів полягає у виокремленні основних шляхів становлення та розвитку інноваційної інфраструктури вищої освіти в Україні, що сприятиме підвищенню ефективності української економіки та наближенню рівня надання освітніх послуг до міжнародних стандартів.

Ключові слова: євроінтеграція, кластери, інноваційна інфраструктура, система вищої освіти, заклади вищої освіти.

To fulfill this function, universities should become subjects of the formation and development of innovative infrastructure.

One of the steps on this path is digital transformation, which concerns all the most promising areas of the economy and is a priority area for ensuring the competitiveness of the state in the modern globalised world. According to M. Kopp et al., (2019), the key condition of the digitalisation course is the establishment of internal demand for technologies and their corresponding consumption by economic sectors and the population, and the elimination by the state of various barriers of institutional, economic, legislative nature that hinder the development of an innovative economy. As the study by S. Montazer et al., (2020) notes, the ability of technologies to influence the efficiency and productivity of the business and the economy convincingly allows concluding that it is appropriate to take a number of measures that will provide an opportunity to initiate and stimulate large-scale transformation projects, including within the framework of public-private partnerships. Notably, the modernisation of many fields of public life, such as medicine, education, transport, public security, ecology based on the principles of electronic management allows creating of a new system for citizens to implement the competencies of the digital plan and human capital to adapt to rapid changes in technology, the labour market, and the economy.

Educational activities in the context of digitalisation and globalisation are undergoing

drastic changes. They are related to the development of technology, new competencies and professional requirements in the labour market, and an increase in the growth rate of knowledge. In accordance with this, the modern education system requires new approaches to the organisation and creation of innovative forms, due to which it is possible to transfer and assimilate the acquired competencies and knowledge. As N.G. Ugur (2020) notes, the accelerated development of digital technologies provides an incentive to further introduce innovative forms of education that can keep up with changes.

Thus, the purpose of the study is to establish the possibility of forming an innovative infrastructure in higher education institutions in Ukraine. According to this, it is necessary to analyse the latest trends in the introduction of innovative infrastructure in the educational system, identify the main problems and ways to overcome them.

Literature Review

According to the results of the World Economic Forum Annual Meeting (World Economic Forum, 2020) analysis, which was held in 2020, the top 10 competencies that will be most in demand in the future were identified. These include emotional intelligence, creativity, critical thinking, complex problem solving, cognitive flexibility, service orientation, making judgments and decisions, coordinating actions with others, interacting and negotiating, and coordinating actions with others.

In accordance with the opinion of O. Ahel and K. Lingenau (2020), the Bologna Process is aimed at harmonising and accelerating the improvement of educational systems in European countries, while simultaneously unifying and converging them. In this regard, it is necessary to highlight the main features, namely the transformation of the European education system into a competitive and attractive space, lifelong continuing education, mobility of the educational services market, a system of comparable academic degrees and credits, and a simplified procedure for recognising educational qualifications. The current educational situation in Ukraine in comparison with European countries is characterised by a number of problems. According to position L. Kharitonenko (2022), these are the insufficient cooperation of higher education institutions (HEI) with the modern labour market, low level of student mobility, reduced methodological equipment of

teachers, and a gradual deterioration in the quality of educational services. Notably, the development of innovative infrastructure is the key to the full functioning of an effective economic system. This determines the relevance and expediency of the analysis of the interaction of higher education and the labour market in the context of European integration of Ukraine.

Methodology

The study was performed using various analysis methods. In particular, the method of logical analysis was aimed at identifying the main problems that hinder the establishment and development of innovative infrastructure in higher education institutions in Ukraine. The functional analysis method provided an opportunity to identify the main advantages and disadvantages of each of the forms of innovation commercialisation centres, namely technology parks, clusters, and business incubators. The formal legal method was used to analyse the normative legal doctrine of Ukraine and a number of other documents. Thus, the provisions of the following documents were investigated the Law of Ukraine No. 991-XIV "On Special Regime of Innovation Activity of Technological Parks" (1999), Magna Charta Universitatum (1988), Convention on the Recognition of Qualifications concerning Higher Education in the European Region (Council of Europe, 1997), Sorbonne Declaration (National Aviation University, 1998), The Framework for Qualifications of the European Higher Education Area (Ministry of Science Technology and Innovation, 2005), Joint Declaration of the Ministers of Education of Europe "European space in the field of higher education" (Verkhovna Rada of Ukraine, 1999), Law of Ukraine No. 1556-VII "On Higher Education" (2014) and Association Agreement between Ukraine, on the one hand, and the European Union, the European Atomic Energy Community and their member states, on the other hand (Verkhovna Rada of Ukraine, 2014). The method of legal hermeneutics was also used to conduct a detailed analysis of the provisions of the legal doctrine. Its value was the identification of gaps in Ukrainian legislation and ways to improve the quality of the educational process.

The analysis of the main forms operating in Europe and the United States was conducted to determine the most favourable conditions and opportunities for the dissemination of innovation infrastructure in higher education institutions of Ukraine, using the method of comparative analysis, which allowed determining the

effectiveness of such clusters and technology parks as Silicon Valley and Plastic Valley. Regarding this aspect, the method of abstraction was also used, which provided an opportunity to highlight the essential features, signs, and features of the functioning of foreign centres for the commercialisation of innovations, which will help to determine the prospects for implementing a similar mechanism in Ukraine. Due to the use of the deduction method, the current state of the innovative infrastructure of higher education institutions was characterised based on practical activities. The induction method, in turn, allowed for determining the prospects and possibility of the establishment and development of innovative infrastructure through the analysis of resources and the scientific-technical foundation of institutions of higher education in Ukraine. In particular, the synthesis method helped to determine the range of recommendations for improving the level of efficiency of this segment, considering certain aspects of the theoretical and practical area.

Notably, this study was conducted to cover all the fundamental principles of implementing the mechanism of innovation infrastructure in Ukraine. Thus, the aspect of highlighting the current state of innovation processes in the higher education system in Ukraine and their resource support was of particular importance. Based on this, the range of problems that hinder the development of innovative infrastructure of Ukrainian universities was identified. In accordance with this, the analysis of the most promising and favourable forms of commercialisation of innovations in higher education institutions was conducted and ways of their further development were proposed.

Results and Discussion

The establishment and development of the Ukrainian economy, which will be characterised by a high level of competitiveness and based on innovation, is possible only if the full-fledged infrastructure of higher education institutions operates. It should include innovation centres, technological and scientific parks, investment and venture funds, technology transfer centres, etc. Such structures are endowed with the ability to ensure the integration of education, science, and production in the most favourable and efficient way, and promote the rapid implementation of scientific findings and advanced discoveries. Notably, the integration of science with entrepreneurial activity ensures the passage of a certain cycle, namely: the emergence of an idea, the development of a

prototype, its patenting and further implementation. Referring to the experience of such developed countries as the United States, Great Britain, Germany, France, etc., it can be concluded that the creation of most of the innovative structures was conducted by institutions of higher education of a research type (Miranda et al., 2021). The peculiarity of these educational institutions is that in addition to training highly qualified personnel, the activities of institutes and universities also include conducting studies and developing innovative products. However, the experience of Ukraine in this area is not perfect. This is due to the practical lack of commercialisation of technologies and knowledge. In accordance with this, there is a need to form and further develop the link of the innovative structure in higher education institutions. The creation of scientific-educational complexes and centres, research laboratories, departments, and technology parks will play an outstanding role to solve these issues.

Notably, such centres are independent systems of an innovative type. This provides an opportunity to develop innovative activities and commercialise their results within the institution of higher education, integrating science, production, education, and business into a single innovation complex. The post-industrial economy, which is based on knowledge, sets three main tasks for an educational institution, namely, training personnel, researching, and commercialising the results obtained. One of the forms of interaction between entrepreneurship and science is a business incubator. It is structured as a multifunctional type complex, which aims to provide the most favourable conditions for the implementation of effective activities of newly formed innovative forms that will produce new ideas. A business incubator is a commercial organisation that can provide specially equipped premises for new small and medium-sized businesses on preferential terms for a limited amount of time. Among its functions, the administrative and technical services, consulting and business planning, conducting seminars and trainings are notable. The purpose of the business incubator is to help small and medium-sized businesses, promote the level of competitiveness of companies, establish and develop the infrastructure, create new jobs, and provide bases for practical training of HEI students in production (Benavides et al., 2020). Thus, the creation of a business incubator based on a higher educational institution is not only the development of commercialisation of scientific inventions but also the prospect of creating new

jobs and bases for practice. In addition, the advantage of this organisational form is the provision of all the necessary conditions for the implementation of scientific ideas into reality.

Another form of innovation infrastructure that may include a higher education institution is a cluster – a territorial branch association of business structures on a voluntary basis with scientific institutions and educational organisations. Its goal is to promote the economic development of the region, increase the level of competitiveness of its own products, and attract students of higher education institutions to real practical activities, which substantially increases the level of their professional training. There are several types of clusters that are distinguished by features of innovation. The first type is one that is built on knowledge and belongs to enterprises characterised by a high level of intensity of development and research. Usually, such clusters are formed around leading scientific institutions, among which the chemical, pharmaceutical, and aircraft industries are most often chosen. The second type of cluster is vendor-dependent. In other words, their innovation activity depends on the ability to implement cooperation with developers of innovative technologies; they are usually identified in the field of agriculture and forestry. The third type of cluster is those that are built on information. They operate complex systems to provide specialised services to clients; publishing, finance, and tourism are more common areas for such businesses. There is also such a cluster that specialises in provision. Their specific feature lies in the fact that much attention is paid to relationships with consumers. They are characterised by the production of specific goods. There is another type of cluster, namely the one that is built for the purpose of creating innovative technologies. It is most often identified in the field of instrument engineering and mechanical engineering (Den Hertog & Bilderbeek, 2019).

Clusters play an important role in organising research-type work for both teaching staff and students. Notably, due to the implementation of clusters in higher education institutions, teachers have the opportunity to improve their competence and qualifications, apply new interdisciplinary theories and concepts, and gain experience in modern scientific laboratories. As for students, clusters provide them with the opportunity to gain practical experience in laboratories, work in a team, together with mentors and teachers and, accordingly, learn from invaluable research experience, develop

scientific thinking and communication skills. Equally important, clusters help to commercialise scientific achievements, and thus their development will contribute not only to increasing university funding and gaining experience for researchers but also to developing the economy of the country. One of the most well-known and powerful clusters internationally is Silicon Valley, located in California (Audretsch, 2021). Its scale covers thousands of high-tech companies, whose activities are concentrated in computer activities, software, biotechnology, etc. Well-known companies such as Hewlett-Packard, Kodak, General Electric, Lockheed, and Shockley Transistor operate in Silicon Valley (Gray & Suri, 2019). In Europe, the most famous cluster is the Plastic Valley, located in eastern France near the border with Switzerland (Runiewicz-Wardyn, 2019). In general, its activities are focused on the design of products, plastic cases, processing polymers into finished products, etc. The creation of such clusters and the establishment of innovation clusters in institutions of higher education provides an opportunity to both develop scientific activities and contribute to improving the economic development of the state.

When analysing technology parks – the third form of innovation infrastructure of universities – this is a scientific-technical type complex, which covers higher education institutions, commercial firms, scientific institutions, consulting and information services and operates on the principles of commercialisation of scientific-technical activities (Rahmadoni et al., 2022). This is one of the most common forms of interaction between venture firms and developers in the United States and Western Europe, which provides an opportunity to implement the high-tech products of new generations quickly and efficiently. An example of this is Silicon Valley created based on Stanford University in California (Samosir et al., 2020). This scientific-technological park unites about 3 thousand small and medium-sized firms with a total of 200 thousand people; Silicon Valley employs qualified specialists in the field of information technology from all over the world, including Ukraine. Notably, this organisational form is the most favourable, which is confirmed by the experience of other countries. Thus, this form of combining business entities with higher education institutions will contribute to creating the necessary conditions for the implementation of scientific-technical activities, the commercialisation of inventions, and ultimately, the development of the state economy.

In general, modern universities need to be reorganised into innovative structures that will commercialise the results of studies and innovative projects. The concept of “innovation-integrated structure” should be understood as a set of business entities that are connected by a network system and are aimed at increasing the level of efficiency of innovation activities of participants by optimising the provision of resources. That is, it can be argued that this type of structure in comparison with others is endowed with a large number of advantages, which is due to the ability to ensure not only sustainable economic development and a corresponding increase in the competitiveness of the economic system but also the national security of the country. This provides an opportunity to improve the quality of professional training of graduates of higher educational institutions. This is due to the convergence of theoretical and practical components: the graduates will implement the acquired knowledge and be included in the production process, in accordance with which they will achieve high professional results and improve the level of competitiveness in modern international labour market conditions.

There are several ways to create technology parks that can be implemented in Ukraine. Primarily, it is the creation by academic employees of higher educational institutions of enterprises that aim to commercialise the results of their own scientific findings. Other small firms can also join them. The second way is to create large industrial associations by the scientific and pedagogical staff of the higher education institution, who left the company to create their own business. Usually, large firms do not create obstacles in this regard, but on the contrary, they will contribute to this since they can join the creation of new promising products. The third way is to create a technology park through the reorganisation of existing enterprises that want to take advantage of the benefits created for such parks under the current legislation and operate based on higher education institutions. A special feature of technoparks is the association of companies that implement their own activities in the most advanced areas, namely, science, technology, and microelectronics. Due to their compact location, most of the organisational, secretarial, and managerial functions are performed by qualified personnel.

In other words, the activities of scientific-technological parks are aimed at promoting the establishment of market relations in the field of education and science, organisational and

financial support for the innovation activity of HEIs, the introduction of new inventions and technologies, creation of competition between the subjects of innovation activity by attracting free financial resources, support for the introduction and development of the know-how and new technologies using licenses and patents, attracting investors on a competitive basis for the implementation of the state scientific-technical programmes, and saturation of the market with new competitive goods. In other words, it provides higher education institutions with the opportunity to commercialise scientific achievements and develop this sector.

Ukraine is endowed with a powerful scientific, educational, scientific-technical potential, and strong research structures created based on universities (for example, National Technical University of Ukraine “Igor Sikorsky Kyiv Polytechnic Institute”, National Technical University “Kharkiv Polytechnic Institute”, and other technical universities). However, data centres in universities are still insufficiently developed, which is confirmed by a number of regulatory legal acts, which regulate the national policy on the development of scientific-technical activities at universities. In particular, these include the Law of Ukraine No. 991-XIV “On Special Regime of Innovation Activity of Technological Parks” (1999). The purpose of these legal documents is to activate the scientific activities of higher educational institutions to train highly qualified specialists. In other words, a special regulatory framework has been formed in Ukraine, which will ensure the sustainable development of commercialisation of scientific achievements in higher education and scientific institutions. However, as practice shows, only a few universities have technology parks.

In accordance with this, there are a number of problems that hinder the development of innovative infrastructure in Ukrainian universities. The first of them is the shortage of personnel in universities. This is due to the fact that such high-tech centres require specialists who will understand both the technical and economic aspects of issues. The second problem is the post-Soviet mentality. Is it quite difficult for Ukrainian researchers to combine business and science, to recognise their authorship of the study, this results in public disclosure of information, which makes patenting impossible in the future. The next problem is insufficient funding of higher education by the state and commercial enterprises, according to which the scientific and technical base of most higher education institutions is outdated. The creation of

subsidiaries is notable. This is due to the inhibition of the complex approval mechanism, namely that it is necessary to obtain the written consent of the ministry to receive a share. For universities in other countries, it is a daily practice to enter into the authorised capital of companies with their own patents and sell them licenses. For example, the British company Imperial Innovations has created more than 60 spin-out companies and attracted 175 million external investments; this has provided an opportunity to create about 550 jobs (Martineau & MacLachlan, 2019). In particular, The Massachusetts Institute of Technology (USA) received the funds under license terms. Their distribution is as follows: 15% – to the invention licensing service, and from the rest – 1/3 – to the university, 1/3 – to the faculty, and 1/3 – to the inventor (MIT Technology Licensing Office, 2023).

The development of real and favourable conditions for creating technology parks, clusters, and business incubators is important to overcome the above-mentioned problems in Ukraine. It is also necessary to attract not only professors and teachers of higher education institutions, but also students, postgraduates, and graduates who will work in the real sector and introduce non-standard innovative ideas. It is important to provide ample opportunities for the appropriate creation and further development of technology parks, business incubators, and clusters based on the enterprise sector and private capital. In other words, to implement an effective educational process, it is necessary to create conditions for cooperation with scientific institutions and enterprises, the main idea of which is the commercialisation of scientific findings.

The Ministry of Education and Science of Ukraine initiated the development of a programme to support Ukrainian startups (Ministry of Education and Science of Ukraine, 2022). This is due to the rapid establishment of a promising area – innovative enterprising. This can happen even at the local level. In the context of decentralisation and digitalisation, this provides opportunities for local authorities to implement strategic long-term planning to create an economy of a new type. Thus, the creation of conditions that will help scientific and technical institutions develop favourably will have a positive impact on the establishment of sustainable economic development in Ukraine. Further research will be aimed at analysing the activities of clusters and technology parks in

Ukrainian universities in accordance with the legislation.

The complexity of developing innovative infrastructure in higher education institutions in Ukraine is due to a problems faced by the higher education sector in the context of its interaction with the labour market. In particular, this is the lack of regulation of the current legislation, the underdevelopment of mechanisms for regulating the socio-economic and regulatory nature of the implementation of these processes, and the insufficient number of highly qualified specialists in the commercialisation of research and innovative development of education. According to this, aspects of the functioning of commercialisation of higher education as one of the areas of innovative development require a more detailed analysis. As noted by P.R. Oeij et al., (2019), this is stated in key European documents, and one of the most important steps in integrating education is the creation of the European Higher Education Area (EHEA). It is worth agreeing with this and adding that the basis of this process is three important regulatory acts, namely Magna Charta Universitatum (1988), Convention on the Recognition of Qualifications concerning Higher Education in the European Region (Council of Europe, 1997), and the Sorbonne Declaration (National Aviation University, 1998). In the above normative documents, the agreement between the states on the main terms and criteria of higher education in Europe is recorded, the main principles of qualification, the powers of state bodies, training periods are defined, mechanisms for recognising higher education qualifications are highlighted, the mechanism for implementing the provisions of conventions in the educational process is described, etc.

One of the most important achievements of the EHEA in the context of the establishment of the legislative framework is the creation of the Framework of qualifications in the European educational space (Zakharchenko, 2017). In accordance with this, compatible and comparative qualifications for higher education systems were developed that describe them considering certain factors, and two main cycles with different profiles and orientations were provided that will meet the needs of teachers, students, and the conditions of the labour market. The key objectives of this regulatory act are to ensure transparency, mobility, and recognition of these principles at the international level. As highlighted by V.J. García-Morales et al., (2021), digital literacy is recognised by the countries of the European Union as one of the 8 important

competencies for a fulfilling life and work. Notably, the development of this area is based on the use of the indicator of digital intelligence, which implies the use of digital technologies in higher education, business, professional activities, everyday life, media, etc. Notably, the development of digital literacy provides an opportunity to implement and develop innovative infrastructure in universities, which, in turn, helps to design the content of practical training for future professionals in higher education institutions.

The Bologna Declaration has had and still has a substantial impact on the educational process in Europe (Verkhovna Rada of Ukraine, 1999). Due to the Declaration, an unprecedented and ambitious process of integration into traditionally diverse national systems has been implemented. Despite the fact that the Bologna Process has made a great contribution to the establishment and development of the higher education platform in many countries, now there is a need to reconsider the main trends and ways. One of these trends is the commercialisation of the innovation process in internal higher education institutions. According to Article 27 of the Law of Ukraine No. 1556-VII "On Higher Education" (2014), institutions have the right to establish educational, scientific, industrial, and educational-scientific complexes, and science parks, be a part of consortia, all participants of which retain financial independence and the status of a legal entity. The commercialisation of innovation is a fairly effective mechanism for the development of higher educational institutions, scientific institutions, and individual researchers, and the practical implementation of their scientific findings both on the territory of Ukraine and abroad. According to A. Oke and F.A.P. Fernandes (2020), partner selection is based on an analysis of various aspects, including the assessment of reputable experts, a specialised database, publications, advertising materials, etc.

Automated information systems for the commercialisation of innovations in Ukraine were created to overcome problems of local, regional, and national nature. For example, the Ukrainian integrated technology transfer system (Ukrtechinform, 2023) is designed to accumulate and ensure the exchange of information about innovative products between the developer and the consumer. As S.L. Robertson (2022) states, the main goal of this organisation is to create conditions for the promotion of high-tech products, information technologies, and services to the internal and international markets, reduce the costs of higher education institutions to find

customers and partners, and ensure the legitimacy of concluded agreements on the results of studies. When creating this institution, the principles of building the Enterprise Europe Network (Chamber of Commerce and Industry of Ukraine, 2023) were observed. Thus, the activity of the Ukrainian integrated technology transfer system (Ukrtechinform, 2023) is related to the implementation of tasks in the segment of commercialisation of scientific findings and research of higher educational institutions and assistance in establishing technological cooperation. It is worth noting that the Agreement on cooperation in the field of technology transfer was signed in 2018 between the Ministry of Education and Science of Ukraine and the Academy of Technological Sciences of Ukraine (Pysarenko et al., 2018). During the period of validity of this Agreement, the Academy developed methodological and conceptual principles for the establishment of the National Technology Transfer Network, which were the basis for the operation of the pilot project – the Ukrainian technology transfer network (UTTN) and its corresponding segments.

According to P.J. Ramísio et al., (2019), to ensure a high level of efficiency in the implementation by higher education institutions of the processes of commercialisation of innovations and technological findings and inventions, appropriate centres should be established. It is worth agreeing with this opinion and predicting that their main goal will be to determine the feasibility of innovations, formalise copyrights, conclude license agreements, promote the creation of startup companies, and distribute royalties among participants in scientific development. As P. Goodyear (2022) states, the main result of the work of the centre for commercialisation of innovations of higher education institutions is to encourage researchers of these institutions to create scientific inventions and transfer them to industry, in which, accordingly, they would create a large flow of financial plan and contribute to the innovative development of the economy. That is, according to this position, increasing the level of functioning of the innovative economy is possible with the assistance and provision of conditions for the development of scientific-technical activities.

Among the problems that hinder the functioning of the centres for commercialisation of innovations in higher education institutions is the imperfection of the current legislation regulating this process, and the low level of demand for

research results in the field of industry in Ukraine. However, as a result of signing of the Association Agreement between Ukraine, on the one hand, and the European Union, the European Atomic Energy Community and their member states, on the other hand (Verkhovna Rada of Ukraine, 2014). This fact is confirmed by the recommendation of parliamentary hearings on legislative support for the development of the scientific-technical field of the state. Another problem that reduces the effectiveness of the commercialisation of studies in higher education institutions is post-Soviet attitudes. As noted by V. Kaputa et al., (2022), most teachers, supervisors, and researchers believe that the main task of an institute or university is to create new knowledge, but their implementation is entrusted to the state. This is an erroneous approach since the state and science must interact to commercialise scientific inventions and increase the level of the economy.

Attention should also be paid to the internal potential of higher education institutions, which consists of human, financial, material, and other resources. In other words, to create centres for the commercialisation of innovations at a university or institute, it is necessary to consider the legal status of the institution, its size, financial capabilities, and efficiency of implementation of activities. The royalties that the centre will receive should not be less than the cost of maintaining such a centre. Thus, to improve the level of the Ukrainian economy and the quality of educational services, the state needs to create innovative centres for the commercialisation of scientific inventions and findings based on higher educational institutions. In particular, these can be technology parks, clusters, and business incubators. In order for the activities of these centres to be implemented effectively, it is necessary to provide wide opportunities and favourable conditions for their functioning. This applies to making appropriate changes to the current legislation and introducing a new national policy. Due to this, Ukraine will be able to develop as a state with a high scientific-technical base, an innovative economy, and a high-quality educational system.

Conclusions

The conducted study, the purpose of which was to determine the conditions for the establishment of the innovative infrastructure of higher education institutions for the development of the state economy, provided an opportunity to identify several main aspects that will contribute to improving the efficiency of the educational

and economic systems of Ukraine through their harmonisation. Primarily, the main problems that hinder the development of innovation infrastructure in higher education institutions of Ukraine were identified. Among them, the shortage of personnel in universities, the post-Soviet mentality, the insufficient level of funding by the state and commercial enterprises of the scientific-technical base of higher education institutions, and the creation of subsidiaries are notable. The main forms of commercialisation of scientific inventions and findings in higher education institutions were considered to overcome them. The importance of this analysis is due to the fact that it provides an opportunity to create the most favourable conditions for the development of innovative infrastructures in higher education institutions on the territory of Ukraine. This will have a positive impact on the development of the economy of the state.

International experience in the mechanism of commercialisation of innovations, in particular, in Silicon Valley and Plastic Valley, was also considered. It was proved that in order for these forms of commercialisation centres to implement their activities most effectively, it is necessary to create favourable conditions and opportunities, in particular, to amend the current legislation of Ukraine in the field of higher education. It is also worth involving teachers, students, postgraduates, and graduates of higher educational institutions in the activities of innovative infrastructures. This will help to introduce non-standard innovative ideas that can then be implemented and commercialised. It is necessary to emphasise the need to create and further develop an innovative infrastructure of higher education institutions based on establishing interaction with the enterprise and private capital sectors. The offered recommendations will contribute to improving the quality of educational services provided by higher education institutions and developing the innovative economy of Ukraine. This will be due to the development of innovative infrastructure in higher education institutions and the corresponding commercialisation of their scientific inventions and findings. Further research will be aimed at analysing the activities of existing technology parks and clusters in higher education institutions in Ukraine.

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The need for new information technologies during foreign language learning for the quality training of a specialist

Необхідність нових інформаційних технологій при вивченні іноземної мови для якісної підготовки фахівця

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Abstract

New information technologies for learning a foreign language, which are necessary for the high-quality training of a specialist, have been analyzed. The goal of informatization of education is determined, and it is shown as a priority and necessary direction of informatization of society, which has a mandatory priority of applying new information technologies in the education system. Information technologies, improve the study of a foreign language, provide an opportunity for deep and rapid assimilation of vocabulary, learning to write, clarity of pronunciation, dialogic and monologic speech, and improvement of grammatical structures. The peculiarities of distance learning when learning a foreign language are determined. When learning

Анотація

Проаналізовано нові інформаційні технології при вивченні іноземної мови, що необхідні для якісної підготовки фахівця. Визначено мету інформатизації освіти, показано її як пріоритетний і необхідний напрям інформатизації суспільства, що має обов'язковим пріоритетом застосування нових інформаційних технологій у систему освіти. Інформаційні технології, удосконалюючи вивчення іноземної мови, надають можливість для глибокого і швидкого засвоєння лексики, навчання письма, чіткості вимови, діалогічного та монологічного мовлення, удосконалення граматичних структур. Визначено особливості дистанційного навчання при вивченні іноземної мови. Під час навчання іноземної мови обов'язковим елементом її якісного

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a foreign language, a mandatory element of its quality study is the use of telecommunication technologies in the educational process. The most powerful and effective elements of information and computer technologies during education, essential innovative technologies in the methodology of teaching foreign languages, which should be used by students in higher education, are singled out. For teaching a foreign language, in general, and for stimulating the cognitive activity of students, in particular, it is necessary to use digital tools. Examples of the most important ones are given and recommendations on methods of working with them are offered.

Keywords: new information technologies, foreign language learning, quality training, education seekers, higher school.

Introduction

The application of international academic programs and projects in the world talks about competitive specialists who speak a foreign language fluently not only at the everyday level but also at the professional level. Therefore, to increase the opportunities of the educational sector and the quality of education, we consider it necessary to carry out a fundamental review of the content and technologies of training specialists, with the primary goal being the development of an independent, active, and creative individual (Reida et al., 2020).

Digital education in today's rapidly developing world provides an opportunity to improve the educational process and use the latest learning technologies with the help of special gadgets and programs.

Today, higher education offers new approaches to the qualitative organization of the educational process when learning a foreign language, which has become possible with the development of information technologies. The possibility of the latest learning at a qualitatively new level is offered by multimedia technologies in the creation of visual aids that are widely used in the education of the 21st century (Kuziv et al., 2022).

The article shows:

- factors that will help the application of new information technologies in the education system;
- the components that ensure the use of information technologies during the study of

вивчення є використання телекомунікаційних технологій в освітньому процесі. Виокремлено найбільш потужні і дієві елементи інформаційно-комп'ютерних технологій під час навчання, суттєві інноваційні технології в методиці викладання іноземних мов, що варто використовувати студентам у вищій школі. Для викладання іноземної мови, взагалі, та для стимулювання пізнавальної діяльності студентів, зокрема, необхідним є застосування цифрових інструментів. Наведено приклади найсуттєвіших та запропоновано рекомендації щодо методів роботи з ними.

Ключові слова: нові інформаційні технології, вивчення іноземної мови, якісна підготовка, здобувачі освіти, вища школа.

a foreign language in a higher educational institution;

- features of distance learning when learning a foreign language;
- the principles of the application of telecommunication technologies in education;
- various multimedia tools productive for the educational process;
- the use of presentation in the process of learning a foreign language;
- The use of modern authentic educational materials and Internet resources during classes;
- the effectiveness of learning English.

Purpose: to analyze new information technologies for learning a foreign language, which are necessary for the high-quality training of a specialist.

Literature Review

O. Ivanova (2018), while learning English, revealed an approach focused on the use of problem-communicative tasks, revealed its possibilities to activate the speech activity of students when solving exercises, for the execution of which it is necessary to express one's own opinion, justify, explain, prove.

O. Oliynychenko (2019) offered the practice of teaching a foreign language using the latest methods, modern information and communication technologies. The advantages and possibilities of traditional and innovative training are shown.

O. Ponomarenko (2020) gave examples of foreign language classes using audio and video materials to increase interest in language learning. During oral practice, students are offered lexical material for studying technical texts.

S. Vysotchenko & Malinovska (2021) described the peculiarities of teaching foreign languages with the help of distance learning. The advantages of education are shown and the factors of successful implementation in the information environment are highlighted, with the help of which high-quality organization of education is carried out with the help of face-to-face and remote information and communication technologies. The possibilities of high-quality teaching of foreign languages with the help of distance learning are shown. Progressive ideas of distance learning in the educational process of different countries of the world are singled out.

O. Melnyk (2021) studied the peculiarities of students' English language learning and proposed the use of innovative methods: the method of project works, the method of discussion, the method of role-playing, the method of listening, which increase the motivation of students to learn a foreign language.

O. Vasyukovich (2020) presented innovative technologies for teaching English to professional students and divided them into technologies that are: used in the Internet and computer technologies (the advantages of an interactive whiteboard-type IBW are shown).

S. Bobrovnyk, S. Boyko & O. Volkova (2021) considered and singled out the possibilities of using the theoretical and practical foundations of distance learning of the English language. They showed the need for education in online learning conditions. It was proposed to use innovative methods for teaching English: the discussion method, the listening method, the project work method, and the role-playing method. Such methods will contribute to the motivation of education seekers to learn a foreign language.

I. Podoliaka & O. Kelyukh (2021) considered the possibilities of using information technologies in foreign language classes, characterized the importance of electronic tools, showed various forms of working with them; offered the most effective electronic platforms for distance learning when learning a foreign language; created methodological recommendations for improving vocabulary, pronunciation, grammar, speaking, listening, reading, writing.

K. Perepelitsa (2022), while studying a foreign language at a higher education institution, showed: the influence of telecommunication technologies on the independent work of students; the impact of the integration of computer technologies, and, as a result, the formation of self-educational competence among students.

M. Kuziv, O. Nychko & I. Belinska (2022) proposed and proved the effectiveness of using multimedia tools in foreign language classes and showed the advantages of teaching communication.

Methodology

To solve the set goal, a complex of interrelated research methods was used: analysis of scientific, scientific-methodical, regulatory, and legal sources; analysis and synthesis – to clarify the content of the studied concepts; systematization and generalization – for the definition and theoretical justification of the main provisions of the application of information technologies in the study of a foreign language, which are necessary for the high-quality training of a specialist.

The research takes into account the levels of scientific and pedagogical knowledge: methodological, theoretical, and methodical.

The methodological level made it possible to determine the principles, approaches, and main ideas of the problem of introducing new information technologies in the study of a foreign language for the qualitative training of a specialist, to characterize research methods, and to clarify the essence of the studied concepts.

The theoretical level made it possible to develop a strategy, the introduction of new information technologies in the study of a foreign language for the qualitative training of a specialist and, on its basis, to build an experimental program of professional training of higher education students with the help of new information technologies in the study of a foreign language.

The methodological level shows the integration of practice and theory. With the help of the selected methodology, the forms are presented, the content is updated, the means, ways of implementation, methods, technologies, the system of introducing new information technologies in the study of a foreign language are presented for the qualitative training of a specialist, which improves the level of the educational sphere in the information and

educational environment of higher education institutions.

The methodological basis of the research makes it possible to analyze the research subject based on the following approaches:

- paradigmatic (analyzes the pedagogical process based on new information technologies when learning a foreign language for the qualitative training of a specialist, binary oppositions: the creation of an information environment in education and professional training of specialists in this environment);
- system (considers new information technologies when learning a foreign language for high-quality training of a specialist, as an element of the system);
- personally oriented (takes into account the individual characteristics of higher education applicants for the use of new information technologies when learning a foreign language for high-quality training of a specialist);
- contextual (reveals the connection between the professional training of a specialist using new information technologies and his professional and pedagogical activity in learning a foreign language for quality training);
- axiological (considers the introduction of new information technologies when learning a foreign language for the qualitative training of a specialist, taking into account the universality of the individual);
- competence (contributes to the formation of the ability to solve problems in foreign language learning based on the acquired competencies for the qualitative training of a specialist);
- humanistic (personality formation when learning a foreign language, improvement of the social environment for new information technologies when learning a foreign language for high-quality specialist training);
- practice-oriented (manifested in the professional-pedagogical orientation of the system for the introduction of new information technologies when learning a foreign language for high-quality training of a specialist);
- complex (characterizes the functions of introducing new information technologies when learning a foreign language for high-quality training of a specialist, predicts personality development, draws a conclusion).

Results and Discussion

1. Factors that will help the application of new information technologies in the education system.

Informatization of education is a priority and necessary direction of informatization of society, which aims to apply new information technologies to the education system, which will help:

- to improve the management mechanisms of the educational system;
- to improve the selection of content, forms, and methods of education that will contribute to the development of the student of education in the conditions of the informatization of society;
- the creation of training systems that will provide the intellectual potential of the student of education, provide the ability to independently acquire knowledge, and carry out research activities;
- creation and use of computer tests for assessment of the knowledge, diagnostic methods, and control systems (Fadeev, 2003).

2. Components that ensure the use of information technologies during the study of a foreign language in a higher educational institution

The continuous development of informatization of education allows to expand of the scope of application of information technologies during the study of a foreign language in a higher education institution and ensures:

- the independent activity of education seekers by organizing educational activities in different ways;
- differentiation of education, through the introduction of interactive dialogue and independent choice of the learning process;
- formation of information culture through informatization of education, which expands the possibilities of using information technologies;
- increasing the motivation of learning through computer visualization of educational objects.

For the high-quality training of a specialist, information technologies for learning a foreign language have many advantages over traditional teaching methods. Information technologies train language activity, form linguistic abilities, use

various combinations, help to understand language phenomena, create communicative situations, automate language actions, enable the implementation of an individual approach, and increase the possibilities of independent work of the student of education.

Information technologies, improving the study of a foreign language, provide an opportunity for deep and rapid assimilation of vocabulary, learning to write, clarity of pronunciation, dialogic and monologic speech, and improvement of grammatical structures (Lenets & Havrysh, 2017).

When learning a foreign language, it should be taken into account that the content component of foreign language learning is primarily methods of activity and not the basics of science. This is the specificity of the subject. Let's list the methods of learning activity – different types of speech activity: speaking, reading, writing, and listening. Remote learning plays an important role in learning a foreign language, which is a motivating factor for the learner in learning foreign languages. In the end, distance learning helps to achieve meta-subject, subject, personal, and learning results. With this approach, the goal of learning foreign languages is aimed at the formation of competence (non-language communicative).

3. Peculiarities of distance learning when learning a foreign language

Features of distance learning when learning a foreign language are:

- interaction of participants in the educational process (network (remote);
- not just independent work, but a large amount of it, which is carried out in the "Just in time" mode;
- interactivity;
- compulsory selection of material for students of education (authentic texts), its structuring,
- the latest pedagogical technologies, etc. (Vysotchenko & Malinovska, 2021).

When working in the conditions of distance learning, it is worth knowing: the purpose of training, goals, and the necessary informational, methodological, material, and technical support. It is necessary to take into account the students' previous level of knowledge of the language, their learning needs, and know what results they are trying to achieve. Independent work of students is of great importance in the conditions

of distance learning (Kyrychenko & Ovsyanko, 2020).

4. Principles of application of telecommunication technologies in education

When learning a foreign language, a mandatory element of its quality study is the use of telecommunication technologies in the educational process – that is, the use of means and methods of collecting material, its storage, methods of processing, analysis, and synthesis of information. This approach, when using telecommunication technologies, is based on the wide application of technology for:

- effective improvement of training efficiency;
- providing students with cognitive activities;
- the possibility of providing independence;
- management of the educational process of the higher education institution (Perepelitsa, 2022).

The development of information technologies has made it possible to update the organization of the foreign language learning process in a higher education institution.

5. Various productive multimedia tools for the educational process

The use of multimedia tools in the process of learning a foreign language is necessary and effective. Multimedia (from the English multi – many and media – medium) includes computer technologies in which there are several information media, such as text, video, elements of computer graphics (schemes, animation, photos, 3D graphics, etc.), sound. The following multimedia tools are the most productive for the educational process:

- static;
- dynamic;
- interactive (Kuziv et al., 2022).

Studying a foreign language in a higher education institution is impossible without the use of information and computer technologies. They allow students to take an active part in the lesson, expand educational opportunities and contribute to the development of their interest in the subject.

The most powerful and effective during education are the following elements of information and computer technologies:

interactive whiteboards, electronic textbooks, electronic reference books; test simulators, the Internet, media files, audio, video, interactive conferences, interactive atlases, interactive contests, interactive maps, remote support of the educational process, platforms for remote support of the educational space for learning a foreign language.

A foreign language is a leader among disciplines and occupies a special place because it allows you to study another culture, immerse yourself in history, familiarize yourself with the traditions of the people whose language you are studying, find out the speech characteristics of people who speak exactly the language that is native to them and which one you are studying (Ternova, 2020).

Information technologies of education make it possible to model the educational process, improve the conditions of educational activity, apply various training exercises of a situational nature, and as a result achieve the efficiency and effectiveness of the educational process using its intensification.

Thus, having mastered the lexical and grammatical material on a certain topic, students must independently develop oral messages, illustrate the collected material and present their findings to the group. The most professional presentation is when the presentation itself complements the speaker's words, illustrates his speech, creating a bright, interesting, and creative picture of the performance.

6. Usage of presentation in the process of learning a foreign language.

Presentations, which are an active method of learning, are appropriate for use in the process of learning a foreign language because they improve all components of communicative competence (Polikarpova, 2012):

- 1) linguistic competence, which contributes to the study of language forms, and the development of phonetic, grammatical, and lexical speech skills;
- 2) sociolinguistic competence, which provides an opportunity to use and change language skills depending on the situation, to study the semantic meanings of words and expressions, to consider and apply denotative and connotative meanings, to study the reaction they can cause in the audience;

- 3) sociocultural competence, which ensures readiness, ability, and tolerance for high-quality dialogue between cultures;
- 4) strategic competence, which provides all the ways to the ability of skillful and effective communication, choosing an author's strategy;
- 5) discursive competence, which has all the possibilities to combine separate sentences into a coherent message, using knowledge, syntactic and semantic means; techniques, information transfer, compensatory skills, paralinguistic means;
- 6) social competence, which confirms the desire to cooperate with other students of education, readiness, gives confidence in one's knowledge, teaches to listen to the interlocutor, understand other students of education, value their opinion, empathy, ability to overcome language conflicts, reach a compromise, use partnership and cooperation.

Therefore, in pedagogical activities, foreign language teachers should use information technologies for the development of intercultural competence for students of higher education institutions (Kuziv et al., 2022).

Let's highlight the most significant innovative technologies in the methodology of teaching foreign languages, which should be used by students in higher education.

The virtual classroom is an online environment used in the educational process of an educational institution whose database is located on the Internet.

Access to the educational environment is carried out through the portal or the software. A student, located in a virtual classroom (in particular, all students enter the virtual environment at the same time and at the same time can be both in the same building and at a distance of several thousand kilometers from each other), synchronously discusses questions in the conference mode that the teacher offers by showing the screen of any - which monitor to all students and sees several images of students at the same time, observes them and provides assistance, organizes a discussion.

Massive Open Online Courses (MOOC) are multi-faceted, extensive, open, universally developed interactive courses by specialists of world-renowned universities, available to anyone via the Internet. Students watch educational videos (10–15 minutes) and

participate in an online discussion on the forum together with the teacher. Students need to perform control tasks, control tasks, and tests. Synchronous learning – simultaneous participation of students and teachers in synchronous online classes.

Asynchronous learning – asynchronous classes contain online material – lectures, tests, and tasks, which can be accessed at any convenient time for students (the time for students to study online must be prescribed at a certain time, but they are free to choose this time (Redko, 2011).

"Reversed classroom" (reversed learning) – education in which lectures and learning a foreign language take place online, and homework is performed in a real classroom.

Blended Learning – "inverted audience" training is used to master the content of the material in a foreign language during the independent work of students (Alyoshina, 2012).

With such training, the components of full-time and remote (carried out outside the institution of higher education) training alternate.

In the "inverted audience" learning mode, the student's responsibility is observed, his responsibility, activity, and initiative increase, his skills of self-organization, and managing temporary resources increase, and the opportunities to not just read about traditions in a textbook about how English holidays take place, but to see such actions in real-time, increase. This non-traditional format of tasks motivates students to study a foreign language qualitatively and interestingly.

A Learning Management System (LMS) is a software product or site used to plan, implement, and evaluate an educational process. This approach provides an opportunity to create, present developed materials, and participate in interactive processes: discussions on discussion forums, blogs, and video conferences, to be a participant in such an educational process, and to evaluate the process.

Mobile learning – electronic learning that does not depend on time and place, is carried out using special software and is based on interdisciplinary and modular approaches. It takes place with the help of mobile devices: mobile phones, tablets, laptops, digital devices, and such stationary and publicly available equipment for video conferences, electronic boards, and language equipment (Alyoshina, 2012).

Innovative technologies in the methodology of teaching foreign languages, which should be used by students in higher education, are carried out using a smartphone, or a personal computer outside the classroom (Reida et al., 2020).

The most effective way to learn a foreign language is through the context of its application. At the same time, it is necessary to use authentic texts. Authentic texts meet the language needs of students and provide concrete forms to the functions, structures, and signs of speech (Council of Europe, 2001).

The formation of foreign language communicative competence in a higher education institution is of great importance when learning a foreign language for the high-quality training of a specialist because a specialist in any field needs the skills to work with foreign language sources (Biletska et al., 2021).

For the formation of foreign language communicative competence in a higher education institution, speaking practice is of great importance, which is closely related to students of education during foreign language communication, which can be either in a real or simulated environment, that is, practice takes place in close communication. It is this practice that ensures the result – the formation of foreign language communicative competence and promotes the development of foreign language speaking skills, without which there cannot be the improvement of the components of foreign language communicative competence of students of education: speaking, reading, listening and writing (Tarnopolsky & Kabanova, 2019).

The formation of foreign language communicative competence in an institution of higher education is impossible without the systematic use of authentic texts, the advantages of which are the activation of motivation to study, the professional development of the student of education, the improvement of the professional and general level of knowledge, the promotion of the competitiveness of the specialist, helps in improving speaking skills, which is facilitated by the use of original vocabulary native speakers The use of such texts provides an opportunity to acquire prognostic abilities, analytical abilities, critical abilities, and therefore contributes to the development of the specialist's professional competence (Oliynychenko, 2019).

7. Usage of modern authentic educational materials and Internet resources during classes

It is important and effective to use modern authentic educational materials and online resources during classes:

- 1) podcasts in English (Ruby5.codeschool.com, Se-radio.net, Herdingcode.com, Fivejs.codeschool.com);
- 2) online magazines, online blogs (Technologyreview.com, Sdtimes.com, Improgrammer.net);
- 3) distance courses, electronic textbooks on the Moodle platform;
- 4) online dictionaries of the English language (Oxford English Dictionary, Cambridge English Dictionary, Computerlanguage.com, Longman Dictionary of Contemporary English, Collings English Dictionary, Computerhope.com.);
- 5) communication with students in the online learning mode requires communication via e-mail, telephone, and Viber and Telegram applications.

8. Effectiveness of learning English

The effectiveness of learning English contributes to:

- 1) electronic educational and educational-methodical complexes, consultations, individual classes on Zoom, Skype, Google Meet, Viber, Telegram, and other services for remote work; use of online resources, and online exercises;
- 2) online blogs of BBC Learning English, British Council Learn English, Cambridge English Dictionary, Cambridge Assessment English; Youtube channels, video lessons, podcasts ("https://www.engvid.com/"); online tutorials (Bobrovnyk et al., 2021).

For teaching a foreign language, in general, and for stimulating the cognitive activity of students, in particular, it is necessary to use digital tools. We will give examples of the most important ones and offer recommendations on methods of working with them.

Multimedia lesson – a lesson for effective learning using digital technologies and technical means (trainers, various software systems, test programs, multimedia presentations, graphic editors, and schemes for editing on the Internet). Students' adaptive abilities to education increase,

non-stereotypical thinking, and objective self-assessment are formed.

Electronic textbooks (training simulators) are the most accessible multimedia tools for students of education. Electronic applications are used for textbooks, which include programs for grammar training, word memorization, listening, and writing, which help students to better remember the material with the help of graphic images.

Educational games aim to help students interestingly improve their English language skills.

The most promising direction of assistance in interest in learning a foreign language is business games (talk shows, quizzes, debates, simulation games, etc.), which bring education closer to real conditions, develop students' abilities, form practical skills, update the educational environment, facilitate testing acquired knowledge of the specialty in practice, ensure the formation of a culture of professional communication of a specialist, self-realize a person as a future specialist. In the conditions of a pandemic, this method of learning can be implemented using platforms for distance education (Microsoft Teams, Moodle, Microsoft Classroom, Kahoot, Google Meet, and others).

Electronic testing is a tool that makes it possible for the teacher to qualitatively conduct not only an assessment of the knowledge of students but also to conduct monitoring and is a self-control tool along with visual control of results.

The basic resource should be the resource of the Joint European Commission for the Acquisition of Foreign Languages (CEFR), which determines the level of language acquisition based on the scale used within the framework of the Bologna Convention (Podoliaka & Kelyukh, 2021).

Conclusions

New information technologies for learning a foreign language, which are necessary for the high-quality training of a specialist, have been analyzed. The purpose of informatization of education is determined, and it is shown as a priority and necessary direction of informatization of society, which has as a mandatory priority the application of new information technologies in the education system, which will help: improve the mechanisms of management of the educational system; to improve the selection of content, forms, and teaching methods that will contribute

to the development of the student of education in the conditions of the informatization of society; the creation of training systems that will provide the intellectual potential of the student of education, provide the ability to independently acquire knowledge, carry out research activities; creation and use of computer tests for assessing knowledge, diagnostic methods, control systems. Information technologies, improving the study of a foreign language, provide an opportunity for deep and rapid assimilation of vocabulary, learning to write, clarity of pronunciation, dialogic and monologic speech, and improvement of grammatical structures.

The peculiarities of distance learning when learning a foreign language are determined. When learning a foreign language, a mandatory element of its quality study is the use of telecommunication technologies in the educational process.

The most powerful and effective elements of information and computer technologies during education, essential innovative technologies in the methodology of teaching foreign languages, which should be used by students in higher education, are singled out.

For teaching a foreign language, in general, and for stimulating the cognitive activity of students, in particular, it is necessary to use digital tools. Examples of the most important ones are given and recommendations on methods of working with them are offered.

We see the further search for research in the creation of training systems that will provide the intellectual potential of the student of education, provide the ability to independently acquire knowledge, and carry out research activities.

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Obstruction of law enforcement and judiciary functions: criminal offense in comparative dimension

Перешкоджання правоохоронним та судовим функціям: кримінальне правопорушення у порівняльному вимірі

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Abstract

The research paper addresses, via comparative approach, issues of criminal liability for obstruction of law enforcement and judicial functions in several jurisdictions. It is argued that the primary responsibility of law enforcement officers is to safeguard the established social interactions, as defined by the law, against specific violations. They are tasked with restoring the lawful position when individuals, public interests, legal norms, or public order are harmed.

Through the utilization of diverse academic research techniques and methodological tools, a comprehensive exploration of statutes related to the obstruction of law enforcement across different jurisdictions has been conducted.

In the concluding section of the paper, it is underlined that obstruction of justice refers to the intentional interference with the administration of justice by seeking to hinder or influence an ongoing legal process. It involves deliberately impeding or influencing officially authorized

Анотація

У науковій роботі за допомогою порівняльного підходу розглядаються питання кримінальної відповідальності за перешкоджання виконанню правоохоронних та судових функцій у декількох юрисдикціях. Стверджується, що основним обов'язком працівників правоохоронних органів є захист встановлених соціальних взаємодій, визначених законом, від конкретних порушень. На них покладено завдання відновлення законного становища, коли було заподіяно шкоду особам, суспільним інтересам, правовим нормам чи громадському порядку.

Завдяки використанню різноманітних академічних дослідницьких методів і методологічних інструментів було проведено комплексне дослідження законів, пов'язаних із перешкоджанням діяльності правоохоронних органів у різних юрисдикціях.

У заключному розділі документа підкреслюється, що перешкоджання правосуддю означає умисне втручання у

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procedures with the aim of preventing detection, apprehension, or punishment of individuals involved in illegal activities.

Key words: criminal offense, criminal liability, crime investigation, justice, law enforcement agency, obstruction, interference with activities.

Introduction

This research paper will discuss various parameters of such crimes as obstruction of law enforcement agencies and courts. Our study reveals that such offense is committed in various national jurisdictions. It corrupts national judiciaries as well as law enforcement agencies. Thus, by employing the comparative research method, we research such criminal offense in a global perspective.

Traditionally, law enforcement officials are the embodiment of the state itself; they perform critical functions for the wellbeing of the whole population at different levels of governance. Law enforcement agents usually operate at the frontline of any criminal justice system (Borovyk et al., 2023). Law enforcement actions and programs are aimed at preventing the occurrence of conditions and causes of potential or already committed socially dangerous phenomena, while stopping their development and liquidating the negative consequences.

As summarized by one Ukrainian commentator, the task of official activity of law enforcement officers is the protection of public relations enshrined in the legal provisions from specific encroachments, restoration of the legal status in case of damage to subjects of law, public interests, law and order, prosecution of persons who have committed offenses, ensuring law and order and maintaining legality, as well as ensuring the national security of state (Yermolaeva-Zadorozhnyia, 2017).

Protection of the rights of a natural or legal person is carried out by applying publicly established procedures. Being a protective tool of the state, law enforcement activities influence behavior of subjects of legal relations through the use of permits, prescriptions, prohibitions, control over their compliance and the

відправлення правосуддя шляхом спроби перешкодити або вплинути на поточний судовий процес. Ідеться про умисне перешкодження чи вплив на проведення офіційно дозволених процедур з метою недопущення виявлення, затримання чи покарання осіб, причетних до протиправної діяльності.

Ключові слова: кримінальне правопорушення, кримінальна відповідальність, розслідування злочину, правосуддя, правоохоронний орган, перешкодження, втручання в діяльність.

implementation of legal liability (Karapeichyk, 2012).

As a matter of key concept, an act is considered obstruction of justice when it partially or completely hinders the entire law enforcement procedure, spanning from its initiation to its conclusion. The obstructive conduct does not necessarily need to yield specific outcomes, but rather entails an intention to impede the lawful process. Additionally, an act can be classified as obstruction of justice if it is intentionally carried out with the purpose of causing delays in legal proceedings (Isra et al., 2017).

The *purpose* of the article is to discuss elements of the 'obstruction of justice' offense in various world jurisdictions and to demonstrate how it is enforced. It will be argued that obstruction of justice refers to the deliberate interference with the proper functioning of the legal system, with the intent to hinder or influence ongoing legal proceedings. We will also elaborate that such form of unlawful behavior can manifest itself in various ways, including providing investigators or law enforcement officials with false or deceptive information; destroying, modifying, or concealing evidence, failing to comply with a court order etc.

Methodology

By employing a variety of academic research techniques and methodological instruments, it has become possible to extensively examine obstruction of law enforcement statutes in various jurisdictions, which address various issues of liability for such offense. A well-chosen combination of methods has allowed to investigate the crime of law enforcement obstruction from various standpoints.

The *comparative law method* has been chosen as the key one for the purposes of this study. It has enabled the authors to research various aspects of criminal liability for obstruction of justice in several world jurisdictions and also to compare various liability models. The comparative method has been actively used in legal scholarship (Minchenko et al., 2021; Movchan et al., 2022). This might be a positive indicator of further globalization developments.

Next, the *method of systemic analyses* was used to comprehend the structure and elements of various countries' criminal law systems with reference to liability mode for obstruction offenses. In particular, using this method has enabled the authors to clarify connection between any given criminal law system and the specific framework for obstruction offense liability.

The *observation method* also made it possible to identify legislative trends throughout the world with regard to the offenses discussed while also strengthening of the integrity and protection of law enforcement agencies (and courts). The observation method has also indicated the need for further academic research in this evolving and vitally important area of law.

Finally, the formal-dogmatic method has been applied to analyze the external, normative forms of obstruction offenses and to correctly interpret specific legal provisions. This enabled to comprehend key principles, which encompass adoption of legislative acts and norms of both international and national law.

Overall, the elaborated combination of research methods has proved to be an effective one – it enabled in-depth legal analyses while also allowing to formulate novel conclusions and observations.

One important point should be made here. For the purposes of this study, we use the terms “obstruction of law enforcement investigation” and “obstruction of justice” as synonymous, explaining essentially the same concept. After all, our analyses has revealed that despite somewhat different meanings and approaches to this phenomenon in national criminal laws, the core meaning of obstruction remains the same – that is illegal intrusion into the due course of official proceedings conducted by various law enforcement agencies and courts.

Literature Review

A rather impressive body of academic literature covers various aspects of criminal liability for obstruction of justice, including its comparative aspect. Both European and American scholars have actively addressed these issues over the past decades. Such close academic attention makes good sense, since it is obvious that any country is much interested in protecting the integrity and transparency of its law enforcement and judiciary systems. The wheels of justice and wheels of policing have to rotate smoothly and deliver law & order – this is one of the key principles of the ‘rule of law’ society.

American commentator E. Podgor is her research paper on the issue explores the concept of obstructing justice in the federal system from three different perspectives: as a criminal act, as a factor that can increase sentencing, and as a basis for initiating judicial or presidential impeachment. The paper presents a comprehensive overview of the elements involved in obstruction of justice crimes, the legal challenges faced in court, and the parties responsible for handling these matters. Podgor's analyses primarily focuses on the prosecutorial practices employed in federal courts when pursuing obstruction charges, highlighting how it is sometimes used as a convenient offense that can be easily proven in certain situations, but also acknowledging the differences in other contexts, such as impeachment inquiries (Podgor, 2021).

Another Western author, S. Green has dedicated a separate chapter on the issues of illegal interference in law enforcement business in his highly regarded treatise on white collar crime. Professor Green writes that the public's conflicting moral stance on white-collar crime, particularly in relation to obstruction of justice, is evident. Doubts have emerged regarding whether the actions of defendants in high-profile obstruction cases truly warrant criminal treatment. The mentioned book chapter is a comprehensive framework that can be universally applied to assess both the statutory approach to various types of criminal conduct and the prosecution and sentencing of individual cases. This framework aims to establish a consistent theoretical basis for evaluating obstruction offenses, allowing for a more thorough analysis of their moral implications (Green, 2007). Thus, one can observe in Green's research a very interesting combination of both legal and moral grounds behind the obstruction charges in any given white collar crime case.

Based on the results of her monograph research, I. Chub has introduced several proposals and recommendations with the goal of the improvement of certain criminal law provisions, including a new version of Art. 343 of the Criminal Code; a number of recommendations have been put forward regarding the debatable issues of qualification for intervention in the activities of law enforcement agency and executive service employees. In addition, while relying on the research results, the treatise author has formulated recommendations for the Ukrainian judiciary (Chub, 2017).

It should be added that illegal interference with the activities of law enforcement agents has been actively discussed in Ukrainian legal scholarship on the level of dissertations as well. This underlines the importance of in-depth analyses of such types of criminal behavior. For example, one PhD candidate writes that the criminal law concept of “interference in activity” follows takes into account the following main points: 1) intervention in the activity can be manifested only in active actions; 2) intervention can only take place in relation to legitimate activities – thus counteraction is illegal activity that cannot be recognized as interference; 3) interference can be expressed only in illegal behavior (committing actions that are not permitted by law); 4) only deliberate interventions can be considered as deed. Doing acts that interfere with the activities of someone, if the person is not was aware of their socially dangerous nature, cannot be assumed intervention; 5) finally, based on the position of the Supreme Court of Ukraine, the following actions should always be recognized as intervention: persuasion, blackmail, intimidation, threats, disclosure of statements or information compromising the person, resistance, violence, intentional destruction or damage to property, encroachment on life (Blazhivsky, 2010).

Overall, various issues of criminal liability for obstruction-related offenses, including elements, proof of guilt and sanctions, are quite actively discussed in both civil law and case law jurisdictions.

Results and Discussion

In the following pages of this research paper, we will pursue the goal of interpreting the key elements of criminal obstruction statutes in several world jurisdictions. Such multi-jurisdictional, comparative approach, as we envision it, will allow to better comprehend how national criminal law systems function and

develop and, more specifically, how various national legislators protect their law enforcement agencies and courts from various obstruction of justice offenses.

Our analyses will be based on posing a specific research question and then searching for an answer to it.

Question 1. How is obstruction of justice defined?

Obstruction of justice refers to the act of interfering with the administration of justice, typically by impeding or hindering the work of law enforcement, investigators, or judicial proceedings. It involves intentionally obstructing or influencing the legal process in order to prevent the discovery, apprehension, or punishment of individuals involved in criminal activity.

The widely recognized Merriam-Webster Dictionary defines obstruction of justice as the crime or act of willfully interfering with the process of justice and law especially by influencing, threatening, harming, or impeding a witness, potential witness, juror, or judicial or legal officer or by furnishing false information in or otherwise impeding an investigation or legal process (Merriam-Webster Dictionary (n/d)).

Another reference authority, the Black's Law Dictionary, defines this concept as “the noncompliance with the legal system by interfering with (1) the law administration or procedures, (2) not fully disclosing information or falsifying statements, and (3) inflicting damage on an officer, juror or witness (The Law Dictionary (n/d)).

Obstruction of justice broadly encompasses the actions taken by individuals to unlawfully impede or influence the outcome of a government proceeding. Although the classic example of obstruction of justice involves tampering with a judicial proceeding, multiple laws address obstruction of justice, spanning across all branches of government and targeting different forms of obstruction. Instead of a single law, obstruction of justice is addressed in various criminal statutes, as there are numerous methods through which obstruction can be committed.

Question 2. What are the key elements of the ‘obstruction of justice’ offense?

While these statutes differ in their specifics, each obstruction of justice provision typically

necessitates evidence that the defendant 1) had knowledge of a government proceeding and 2) intentionally acted to disrupt the said proceeding.

As a matter of law enforcement practice, obstruction of justice can take various forms, including the following.

1. *Interfering with the investigation.* This involves actions such as providing false information, destroying evidence, or concealing evidence to mislead investigators or prevent the truth from emerging.
2. *Tampering with witnesses.* This type of illegal activity includes actions like intimidating, threatening, bribing, or otherwise influencing witnesses to withhold or alter their testimony.
3. *Lying under oath.* Giving false statements while under oath, whether in a courtroom or during a sworn deposition, can be considered obstruction of justice.
4. *Resisting arrest.* Engaging in physical resistance or evading arrest in an attempt to obstruct the lawful actions of law enforcement officers.
5. *Bribery or corruption.* Offering, soliciting, or accepting bribes or other forms of illegal gratification to influence the outcome of legal proceedings or investigations.

Globally, obstruction of justice is a serious offense in many jurisdictions, as it undermines the integrity of the legal system and the pursuit of justice. Thus, penalties for obstruction of justice can include fines, imprisonment, or both, depending both on the jurisdiction and the severity of the offense.

Question 3. How is obstruction of justice prosecuted in various world jurisdictions?

Various national statutory provisions address the issue of criminal liability for obstruction offenses by providing harsh penalties. A few are worth referring to in the following lines.

A. United States

In the United States, obstruction of justice is addressed in a number of federal laws. Among those, 18 U.S.C. § 1503 “Obstruction of justice in judicial proceedings” is perceived as the key one. Over the years, there have been numerous arguments presented in obstruction of justice prosecutions that require judicial interpretation. These arguments often revolve around the *mens rea* (mental state) required to satisfy the statute

and what qualifies as a “corrupt intent.” In practice, such issues can give rise to constitutional dilemmas, particularly when the individual accused of the obstruction offense is an attorney and the alleged conduct is connected to their representation of a client. Courts have also grappled with determining whether matters of obstruction should be classified as issues of law or fact, which is a significant consideration in determining the decision-maker. The generic obstruction of justice statute, as outlined in 18 U.S.C. § 1503, encompasses obstructions that can arise from both criminal and civil proceedings. Thus, an important side note here: American law addresses issues of liability for obstruction violations via means of both criminal and civil action.

Here are several other “obstruction” statutes under the federal law: 18 U.S.C. § 1505 “Obstruction of proceedings before federal departments and agencies”; 18 U.S.C. § 1512 “Tampering with witnesses, victims, or informants”; 18 U.S.C. § 1519 “Destruction, alteration, or falsification of records in federal investigations”; 18 U.S.C. § 1520 “Destruction of corporate audit records”.

These are just a few examples of federal obstruction statutes in the United States. There are also a few state-specific laws addressing obstruction of justice as well.

As a prominent American commentator Ellen Podgor puts it, in order to promote consistency and predictability within the criminal justice system, which are crucial for achieving deterrence, it is essential to pay attention to the framework of obstruction of justice. Merely relying on sentencing guidelines to ensure consistent sentencing is inadequate if the charging process itself lacks uniformity. To establish a consistent charging framework for obstruction of justice, it must be tailored to individual cases, take into account the specific circumstances of a trial, sentencing, or impeachment, and maintain fidelity to the contextual setting. Additionally, it should have a structure that is not subject to arbitrary changes based on the discretion of the United States Attorney, prevailing political climate, or the interpretations of government officials (Podgor, 2021). Such scholarly arguments have rational basis.

Another interesting point: conspiracy to commit obstruction of justice is a separate criminal offense under American law. Conspiracy to Obstruct (18 U.S.C. 371). The statute provides: if

two or more persons conspire either to commit any offense against the United States or to defraud the United States, or any agency thereof in any manner or for any purpose, and one or more of such persons do any act to effect the object of the conspiracy, each shall be fined under this title or imprisoned not more than five years, or both.

Section 371 of the U.S. Code encompasses both a general prohibition on conspiracy and a specific prohibition on conspiracy to obstruct in the form of a conspiracy to defraud. To establish the offense of conspiracy to defraud the United States, the following elements must be present: (1) an agreement between two or more individuals; (2) with the intention to defraud the United States; and (3) the commission of an overt act by one of the conspirators in furtherance of the scheme. The term “fraud” as defined in the statute encompasses any conspiracy aimed at impairing, obstructing, or defeating the lawful functions of any government department through deceit, cunning, dishonesty, or similar means (Doyle, 2014).

We will add that based on American legal approach to prosecution obstruction of justice offenses this offense can be classified as white collar crime of global character. Indeed, there is almost not violence involved in the course or committing such illegal act. On the contrary, fraud, evasion, concealment of documents and information are the right words to describe the illegal nature of obstruction. As correctly put by some commentators, modern “globalization leads, at least in some cases, to the emergence of new types of economic crimes, the expansion of economic crime in general and its adaptation to various socioeconomic changes” (Lutsenko et al., 2023).

B. England

In England, obstruction of justice is covered under several statutes, including:

Section 1 of the Perjury Act 1911: Prohibition on perjury and other offenses against public justice;

Section 51 of the Criminal Justice and Public Order Act 1994: Offense of obstructing a constable in the execution of their duty;

Section 2(1) of the Criminal Attempts Act 1981: Offense of attempting to obstruct, pervert, or defeat the course of justice;

Section 5(2) of the Criminal Law Act 1967: Prohibition on conspiracy to obstruct justice.

Being a part of the English common law system, its criminal law incorporates such a common law offense as “Perverting the Course of Justice”. This offense is committed when an accused: does an act or series of acts; which has or have a tendency to pervert; and which is or are intended to pervert; the course of public justice.

The offense is contrary to common law and is triable only on indictment. It carries a maximum penalty of life imprisonment and/or a fine. The course of justice must be in existence at the time of the act(s) (Legal Guidance, 2022).

C. China

In China, the criminal offense of obstructing justice is recognized in several provisions of the Criminal Law of the People’s Republic of China, including:

Article 277: Obstructing witnesses, experts, or appraisers.

Article 310: Perverting the course of justice.

Article 382: Hindering the execution of judgments or orders.

Article 383: Escaping from prisons, detention centers, or custody, or refusing to accept judgments or orders.

These are examples of provisions within the Chinese Criminal Law related to obstruction of justice. The Criminal Law of China encompasses a wide range of offenses and provisions related to the obstruction of justice and may vary depending on the specific circumstances and nature of the obstruction.

Here is an interesting case involving obstruction of justice charges brought in the U.S. against two Chinese nationals. The criminal complaint was unsealed on October 24, 2022, in federal court in Brooklyn charging two People’s Republic of China (PRC) intelligence officers with attempting to obstruct a criminal prosecution in the Eastern District of New York.

Guochun He and Zheng Wang were charged with attempting to obstruct a criminal prosecution of Company-1 in federal district court in the Eastern District of New York. Defendant He also was charged with two counts of money laundering based upon bribe payments totaling approximately \$61,000 in Bitcoin, made in furtherance of the scheme.

According to the complaint, the defendants were PRC intelligence officers conducting foreign intelligence operations targeting the United States, on behalf of the PRC government and for the benefit of Company-1. Starting in 2019, they directed an employee at a U.S. government law enforcement agency (GE-1), whom they believed they had recruited as an asset, to steal confidential information about the criminal prosecution of Company-1 in order to interfere with that prosecution. In reality, GE-1 was working as a double agent on behalf of the FBI.

In particular, in October 2021, GE-1 used an encrypted messaging program to send the defendants a single page from a purported internal strategy memorandum from the U.S. Attorney's Office for the Eastern District of New York regarding the Company-1 case. The document appeared to be classified as "SECRET" and to discuss a plan to charge and arrest two current Company-1 employees living in the PRC. Guochun He responded that the document was "exactly what I am waiting for" and that he was "waiting for the feedback from some guys" about whether there were any questions about the document. Guochun He then paid GE-1 approximately \$41,000 in Bitcoin for stealing that document (U.S. Department of Justice press release, 2022).

D. Germany

In Germany, obstruction of justice is addressed under various provisions of the Strafgesetzbuch (German Criminal Code), including:

Section 258: Obstruction of justice.

Section 258a: Disruption of public services.

Section 258b: Obstruction of justice by using false evidence.

Section 258c: Coercion of witnesses.

Back in September of 2021 the German prosecutors have raided the country's finance ministry as part of an investigation into alleged obstruction of justice, in a move that could prove embarrassing for Olaf Scholz, then the finance minister and frontrunner to succeed Angela Merkel as chancellor. The raids on both the finance and justice ministries were part of an investigation that started in February last year into the Financial Intelligence Unit, a unit of German customs, which is the government's main anti-money laundering agency.

Prosecutors were looking into whether FIU employees failed to pass on warnings from banks about possible money laundering "to the tune of

millions of euros" to law enforcement agencies (Financial Times, 2019).

E. France

In France, obstruction of justice is covered under several provisions of the Code pénal (French Penal Code).

Under Art. 433 of the Penal Code, a three-year prison term and a fine of 45,000 euros can be imposed for a threat to commit a crime or misdemeanor against persons or property made against a person holding a public elective office, a magistrate, a juror, a lawyer, a public or ministerial officer, a member of the national gendarmerie, an official of the national police, customs, labor inspection, the prison administration or any other person vested with public authority.

Furthermore, a penalty of five years' imprisonment and a fine of 75,000 euros can be imposed for the use of threats or violence or any other act of intimidation towards any person participating in the execution of a public service mission, in order to obtain for oneself or for others a total or partial exemption or a differentiated application of the rules which govern operation of the said service (Code penal, 2022). Thus, we are talking here about interference in the official conduct of business by means of threats or intimidation.

Other provisions of the French Penal Code include:

Article 434-9: Obstruction of the administration of justice.

Article 434-15: Obstruction or violence against a judicial officer.

Article 434-20: Intimidation or retaliation against witnesses, experts, or interpreters.

Article 434-22: Destruction, concealment, or falsification of evidence.

These provisions of the French Penal Code are relevant to obstructing justice or related offenses.

In 2021, the France's Constitutional Court has ruled that the legal provision used by the national competition enforcer to fine companies for obstructing investigations is unconstitutional, because another provision also allows the authority to penalize the same conduct (Craig, 2021).

F. Ukraine

The Ukrainian criminal law has long recognized the need to address the issue of obstructing law enforcement activities, including criminal investigations and other types of official inquiries.

In particular, Ukrainian legal scholars have been actively studying foreign experience of criminal law regulation in their treatises (Movchan et al., 2021). Thus, using comparative method of research is essential for the development of emerging criminal law system of Ukraine. This argument is fair not just for obstruction of justice offenses but for other offenses as well (Vozniuk et al., 2021).

Under the current national law, methods of obstructing official activity of a law enforcement officer can be both violent and non-violent. Violent methods include: inflicting bodily harm injuries; threats of murder, violence, or harm to property; physical resistance; murder of a law enforcement officer, destruction of his property, etc.

The Criminal Code of Ukraine defines interference in the activities of employees of law enforcement bodies, state executive bodies in Art. 343 of the Criminal Code as influence in any form on law enforcement officer or employee state executive service in order to prevent his performance of official duties or achieve making an illegal decision. At the same time, the Criminal Code provides in the articles 342, 345, 347, 348, 349 for liability for resistance, threat or violence, intentional destruction or damage to property, encroachment on the life of a law enforcement officer. In connection with this, a question arises regarding the ratio of such norms (Chub, 2014).

As one Ukrainian researcher puts it, circumstances to be ascertained in the course of the investigation of obstruction of the activity law enforcement officer, play a significant role during relevant criminal investigations, because they are the defining landmarks that shape the direction of the investigation. They also make it possible to determine the set of measures that should be taken into account to ensure full, quick and objective investigation. Accordingly, the circumstances to be investigated during intervention in the activities of a law enforcement officer should include: 1) circumstances related to the occurrence of a criminal offense; 2) circumstances related to the person of the victim; 3) circumstances related to the person of

the criminal (Guseva, 2021). As a result, forensics, criminal investigation techniques become very important in the course of investigating obstruction of law enforcement offenses.

Real case examples of nonviolent obstruction include blackmail; an offer, promise or giving unlawful benefits to a law enforcement officer; official forgery; illegal commissions or orders; other influence on the employee of the law enforcement body through abuse of power or official authority position, etc.

Among the most typical forms of interference with law enforcement in Ukraine are the following.

1. Resistance to a law enforcement officer or intervention in the performance of his official duties, combined with the application violence or with the threat of its use and committed directly during the performance of his official duties, as well as malicious disobeying the legal requirements of a law enforcement officer (conducting investigative or operational search actions, patrolling territories, arresting offenders, responding to applications and messages, etc.). These are included in Part 3 of Art. 296, articles 342, 343, 391 of the Criminal Code of Ukraine.
2. Encroachment on the life and health, property, personal integrity of a law enforcement officer or his relatives for revenge or intimidation of official duties. Such actions are proved for in articles 341, 345, 347, 348, 349, 392 of the Criminal Code of Ukraine (Yermolaeva-Zadorozhnyia, 2017).

The following examples reveal, at least to some degree, the essence of the obstruction of justice offense.

Imagine a scenario where a person is facing trial for a serious criminal offense. During the trial, it becomes evident that there is strong evidence against the defendant, and their chances of being convicted are high. In an effort to obstruct the court proceedings and evade justice, the defendant engages in the following actions:

1. *Intimidating witnesses.* The defendant contacts witnesses who are scheduled to testify against them and threatens them with physical harm or other forms of retaliation if they proceed with their testimony. This intimidation is aimed at dissuading

- witnesses from providing incriminating evidence and weakening the prosecution's case.
2. *Fabricating evidence.* The defendant creates false documents or manipulates existing evidence to mislead the court and cast doubt on their own guilt. This fabrication is intended to undermine the credibility of the prosecution's case and confuse the judge and jury.
 3. *Disrupting court proceedings.* The defendant engages in disruptive behavior during court sessions, such as shouting, interrupting witnesses, or refusing to comply with the judge's instructions. This disrupts the orderly conduct of the trial and may create an atmosphere of confusion and disorder.
 4. *Engaging in witness tampering.* In an attempt to sway the testimony of witnesses, the defendant contacts family members or acquaintances of the witnesses and tries to coerce or bribe them into influencing the witnesses' statements or persuading them to withhold crucial information.

By engaging in these obstructive actions, the defendant is intentionally interfering with the court's ability to conduct a fair and impartial trial. Obstructing a court proceeding is a serious offense and can result in additional criminal charges and severe penalties if proven. It undermines the integrity of the judicial process and hampers the pursuit of justice.

Question 4. Are the any 'big time' cases involving the discussed criminal offense?

A few high-profile cases involving obstruction of justice are further illustrated:

1. Watergate Scandal (United States, 1972-1974). The Watergate scandal led to the resignation of President Richard Nixon. It involved the break-in at the Democratic National Committee headquarters, and during the subsequent investigations, evidence emerged of Nixon and his administration attempting to cover up their involvement in the break-in and obstructing the investigations.
2. Martha Stewart (United States, 2001-2004). Martha Stewart, a prominent businessperson and television personality, was convicted of obstruction of justice and making false statements. The charges stemmed from her involvement in a stock trading scandal where she was accused of insider trading and providing false information to investigators.

3. Enron Scandal (United States, 2001-2002). The Enron scandal was a major corporate fraud case involving the energy company Enron. Executives at Enron, including CEO Jeffrey Skilling and CFO Andrew Fastow, were charged with obstruction of justice and other offenses related to the manipulation of financial statements, destruction of documents, and misleading investigators.
4. Silvio Berlusconi (Italy, ongoing). Silvio Berlusconi, the former Prime Minister of Italy, has faced multiple legal cases, including charges of obstruction of justice. These charges stemmed from allegations of bribery, tax evasion, and other criminal activities. Berlusconi has been involved in several high-profile legal battles over the years.

These and similar cases from various world jurisdictions highlight notable instances where individuals or organizations have been accused or convicted of obstructing justice. It is important to note that the details and outcomes of such cases can vary, and such list is not exhaustive.

Donald Trump, the 45th President of the United States, faced allegations and investigations related to obstruction of justice during his presidency. However, it is important to note that I can provide an overview of the situation, but I do not have access to real-time information or any knowledge beyond my September 2021 cutoff.

During his tenure, several significant events occurred that led to discussions of potential obstruction of justice. One notable instance was the investigation conducted by Special Counsel Robert Mueller, who was appointed to examine Russian interference in the 2016 U.S. presidential election and any potential coordination with the Trump campaign.

In his report, released in April 2019, Mueller examined potential obstruction of justice by President Trump. While the report did not conclude that Trump had committed a crime, it did not exonerate him either. The report outlined multiple instances where Trump's actions may have constituted obstruction of justice, including efforts to curtail the investigation and influence witnesses (Rizzo, 2019).

It is important to add that the Mueller report did not result in criminal charges against Trump, and the question of whether his actions constituted obstruction of justice remained a topic of debate

and interpretation among legal experts and policymakers.

Based on the results of our comparative research, we argue that obstruction of justice and law enforcement proceedings can take place at any level of official functions – both at ‘lay criminal’ level and up to the highest ranking officials of the state, including heads of the government. Also, countries with a stronger embodiment of the rule of law principle into the national legal systems demonstrate a much more aggressive approach to prosecuting the discussed offense when compared to nation with developing legal systems.

Conclusions

Obstruction of justice refers to the act of willfully interfering with the administration of justice, by attempting to impede or influence an ongoing legal proceeding. The public danger lies in the fact of obstructing proper functioning of the legal system, commonly by impeding or hindering the efforts of law enforcement, investigators, or judicial proceedings. It entails deliberately impeding or influencing the legal procedures with the intention of preventing detection, arrest, or punishment of individuals engaged in illegal actions.

This criminal phenomenon can take various forms, among them: providing false or misleading information to investigators or law enforcement officials; destroying, altering or hiding evidence; threatening or intimidating witnesses or jurors; attempting to bribe or influence a judge or other official in a legal proceeding; failing to comply with a court order.

Obstruction of justice is a serious criminal offense under the laws of most world jurisdictions. This offense can carry severe penalties, including fines, imprisonment, and in some cases, disbarment or removal from public office.

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Maximizing job performance through HRD mechanisms: An empirical investigation of the mediating role of multidimensional capital using PLS-SEM analysis

زيادة الأداء الوظيفي من خلال آليات الموارد البشرية: استقصاء تجريبي للدور الوسيط لرأس المال متعدد الأبعاد باستخدام تحليل PLS-SEM

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Abstract

نبذة:

The primary objective of this study was to investigate the effect of HRD mechanisms on human capital (HC), social capital (SC), and psychological capital (PsyC), and their ultimate impact on job performance (JP). The study collected 201 fully completed questionnaires from nurses, pharmacists, dentists, physicians, and psychologists out of 330 healthcare professionals. The survey questionnaire was used to assess the impact of HRD mechanisms on the three capitals, which are human, psychological, and social, and their effect on job performance. The Smart PLS-SEM software was employed to test the research hypotheses and fit the conceptual model of the research. The results revealed that the dimensions of HRD mechanisms have a significant and positive impact on job performance, and human capital, social capital, and psychological capital have an influential mediating role. The findings can assist healthcare settings in enhancing job performance by focusing on the indicators highlighted in the study. This paper provides empirical evidence supporting the theory of HRD mechanism and its impact on psychological, human, and social capital, ultimately leading to enhanced job performance in the healthcare industry. The study presents a comprehensive comparison lens to examine the relative contribution of HRD

الهدف الأساسي من هذه الدراسة هو التحقيق في تأثير آليات تطوير الموارد البشرية على رأس المال البشري، ورأس المال الاجتماعي، ورأس المال النفسي، وتأثيرها النهائي على الأداء الوظيفي. جمعت الدراسة 330 استبيان من أخصائيي الرعاية الصحية ومن خلال هذا العدد 201 استبيان فقط كان مكتمل من الممرضات والصيدلة وأطباء الأسنان وعلماء النفس. تم استخدام استبيان المسح لتقييم تأثير آليات إدارة الموارد البشرية على رأس المال البشري، النفسي والاجتماعي، وتأثيرها على الأداء الوظيفي. تم استخدام برنامج PLS-SEM الذي لاختبار فرضيات البحث وتناسب النموذج المفاهيمي للبحث. كشفت النتائج أن أبعاد آليات تطوير الموارد البشرية لها تأثير كبير وإيجابي على الأداء الوظيفي، ورأس المال البشري والاجتماعي والنفسي له دور وسيط مؤثر. يمكن أن تساعد النتائج في إعدادات الرعاية الصحية في تعزيز الأداء الوظيفي من خلال التركيز على المؤشرات المميزة في الدراسة. يوفر هذا البحث أدلة تجريبية تدعم نظرية آلية الموارد البشرية وتأثيرها على رأس المال النفسي والإنساني والاجتماعي، مما يؤدي في النهاية إلى تعزيز الأداء الوظيفي في مجال الرعاية الصحية. تقدم الدراسة عدسة مقارنة شاملة لدراسة المساهمة النسبية لآليات تطوير الموارد البشرية ورأس المال النفسي والإنساني والاجتماعي لأداء المهنيين في مجال الرعاية الصحية. تساعد هذه المقارنة على تحديد أدوار كل من رأس المال النفسي والإنساني والاجتماعي في قطاعات الرعاية الصحية وتطور

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mechanisms and the three capitals to healthcare professionals' job performance. This comparison helps to define the roles of each of the capitals in healthcare sectors and advances the development of theories concerning the significant relationship between HRD mechanisms and the three capitals leading to job performance.

Keywords: HRD Mechanism, Human capital, Social capital, Psychological capital, Job performance, Healthcare professionals, Healthcare settings, PLS-SEM analysis.

Introduction

Capital, including labor, technology, and land, is crucial for organizations' asset accumulation and returns (Dobrowolski et al., 2022). Human capital, comprising education, experience, and skills, enhances organizational effectiveness (Ganguly et al., 2019). Education and experience are critical factors determining knowledge and ability (Hindasah & Nuryakin, 2020). Alongside human capital, other forms of capital foster competitiveness (Huang et al., 2020).

This study explores the impact of HRD mechanisms on human, psychological, and social capital, as well as their influence on job performance (Huang et al., 2020). Psychological capital reflects individuals' psychological state and enhances organizational performance (Park et al., 2017). Social capital encompasses relationships, obligations, norms, and expectations among employees, which also contribute to organizational performance (Tran et al., 2020). The study adopts a three-dimensional conceptual framework, focusing on personnel within organizations. It aims to investigate the relationships between HRD mechanisms, different forms of capital, and job performance. The study will consider various aspects of HRD mechanisms, different dimensions of capital, and explore the mediating role of job performance.

This study aims to explore the influence of human, psychological, and sociological capital on employee work performance in industries with high returns and employee diversity. While the importance of all three capitals in enhancing performance is not extensively researched, integrating them can provide a holistic understanding of their collective impact (Yang & Lin, 2009). By examining these capitals simultaneously, their relative contributions to job performance can be better understood (Huang et al., 2020). Although literature debates the dominant influence among these capitals, the study will investigate the overall impact of all

النظريات المتعلقة بالعلاقة المهمة بين آليات الموارد البشرية ورأس المال النفسي والإنساني والاجتماعي التي تؤدي إلى الأداء الوظيفي.

كلمات دلالية: آلية الموارد البشرية ، رأس المال البشري ، رأس المال الاجتماعي ، رأس المال النفسي ، الأداء الوظيفي ، أخصائيي الرعاية الصحية ، إعدادات الرعاية الصحية ، تحليل PLS-SEM

forms of capital on job performance. To comprehend their differential contributions, this research will compare the relationships and effects of these three capital categories. In evaluating employee performance, it is argued that psychological factors, which are not easily measurable, should be considered alongside employee interactions with colleagues, customers, and service staff (Marchante & Ortega, 2012).

Theoretical Framework and Hypothesis Development

The resource-based view (RBV) theory serves as the study's theoretical foundation, highlighting the significance of resources and capabilities in establishing sustainable competitive advantage. Human resources encompass individuals' knowledge, skills, and talents contributing to their productivity (Polyhart et al., 2021). The RBV framework is well suited for examining the effects of HRD methods on developing HC, SC, and PsyC (Mackey & Barney, 2019). It provides a framework to integrate human, psychological, and social capital into job performance. By developing and leveraging unique human, organizational, and physical resources, companies can gain sustainable competitive advantage through the RVB paradigm (Fenech et al., 2019). HRD mechanisms serve as the means to create and enhance employees' human, psychological, and social capital.

HRD mechanisms enhance employees' human, psychological, and social capital. HRD processes develop employees' skills, knowledge, and abilities, enhancing human capital. Positive psychological states like optimism and resilience are fostered through HRD, enhancing psychological capital (Nolan & Garavan, 2016). Similarly, HRD helps establish social relationships and networks, enhancing social capital (Kuchinke, 2014). By developing and

leveraging these capitals, organizations can improve employee work performance. Higher human capital leads to increased productivity and value creation. Greater psychological capital boosts engagement, motivation, and commitment. Higher social capital provides access to resources and support, improving job performance. Integrating these capitals using the resource-based view theory allows organizations to take a comprehensive approach to human resource development, addressing various aspects of employee growth for improved performance. The study aims to assess the impact, significance, and relationship of HRD mechanisms with human, psychological, and social capital and evaluate the mediating role of HRD mechanisms on job performance through these capitals.

Literature Review

According to Huang et al., (2020), this study assessed HRD mechanisms using indicators like career development, training and development, performance appraisal, and compensation. Descriptive statistics indicated that coaching, individual development strategies, and unbiased career guidance were significant factors in career development. Sinha (2020) emphasizes the need for organizations to provide training for employees' career improvement and personal development. Participants reported receiving appropriate guidance based on their job requirements. Yu et al., (2022) investigated the dimension of training and development in HRD mechanisms, highlighting the importance of knowledge, skills, and training programs. The study found that organizations recognized the value of training programs in meeting employees' training needs across all quality components.

The study focused on performance appraisal, finding that organizations prioritize growth and development. Employee performance is evaluated based on well-defined objectives and measurable outcomes, with quality discussions and feedback during performance reviews. Objective criteria and constructive feedback are deemed important in performance appraisal (Otoo & Mishra, 2018). Compensation was evaluated in terms of remuneration, allowances, job performance, and practices. Descriptive statistics showed that organizations offered competitive remuneration and allowances. Job performance played a crucial role in determining incentives and compensation practices aligned with organizational goals. This aligns with the argument that job performance influences compensation practices (Anitha, 2014).

HRD mechanisms aim to enhance employees' skills, knowledge, competencies, and abilities through approaches like mentoring, training programs, and career development (Jerin, 2021). Career development involves setting goals, identifying skill gaps, and acquiring new knowledge for advancement (Shuck et al., 2018). Performance appraisal, a part of HRD, assesses employees' job performance against established standards and expectations (Dangol, 2021). It provides feedback, identifies training needs, and guides professional development (Dagar, 2014). Performance appraisal results inform targeted HRD strategies for improving performance and achieving career goals (Song, 2022). Compensation is intertwined with HRD, attracting and retaining employees through monetary and non-monetary rewards (Nadarajah et al., 2012). Competitive compensation packages motivate employees and link pay to performance and advancement opportunities. HRD enhances employee skills, increasing their value to the organization and reflecting in their compensation (Torraco & Lundgren, 2020). HRD and compensation work together to improve productivity and retain top talent.

HRD Mechanisms and the three various capitals

The study evaluated various types of capital, including human capital (HC), psychological capital (PsyC), and social capital (SC), to understand their association with HRD mechanisms. Descriptive statistics revealed that employees' ability to apply new knowledge effectively improves their work performance (Albrecht et al., 2015). HRD mechanisms support employees' learning abilities, enabling them to generate new and innovative ideas.

The study evaluated the impact of HRD on three types of capital: HC, PsyC, and SC. The HC dimension was assessed through respondents' statements about their work performance, skill development, and knowledge acquisition. The results revealed that HRD mechanisms improved the respondents' ability to transform new knowledge into effective beliefs, leading to better work performance. Moreover, HRD facilitated their learning abilities, enabling them to convert current knowledge into innovative concepts.

Regarding the PsyC, the respondents reported that HRD helped them feel more confident in analyzing long-term issues and developing solutions. They also felt more represented in departmental meetings and able to contribute to conversations about the company's direction.

Another notable finding was that employees were psychologically strong enough to devise several solutions in difficult situations and pursue their professional goals with rigor. Based on these attributes, the respondents believed that they were successful in organizing their responsibilities simultaneously, anticipating future challenges, and managing workplace uncertainties. However, they also reported experiencing setbacks and encountering workplace diversity.

These findings are supported by previous research proclaimed by (Reio Jr & Batista, 2014), who noted the positive impact of HRD on PsyC, and (Park et al., 2021), who highlighted the importance of PsyC for problem solving and goal achievement. Muduli et al., (2019) also emphasized the challenges of workplace diversity and the need for HRD to address them effectively.

The SC dimension was assessed through statements related to social relationships, interactions, opportunities realization, behavioral consistency, and helping behavior (Oh et al., 2022). The study found that most employees had close relationships with their colleagues and cooperated with them despite differences in opportunities. The employees also shared the organization's values of helping others (Alagaraja et al., 2015). In addition, effective HRD programs can help employees stay up-to-date with new technologies and trends, enhancing their ability to perform their jobs efficiently and add value to the organization (Wen et al., 2019). Based on these findings, the following hypothesis is proposed:

H1a. Human Resource Development mechanisms shows positive impact on human capital.

H1b. Human Resource Development mechanisms shows positive impact on psychological capital.

H1c. Human Resource Development mechanisms shows positive impact on social performance.

H1d. Human Resource Development mechanisms shows positive impact on job performance.

Human Capital

The concept of HC relates to intangible assets, such as knowledge and skills that individuals possess and can use to create economic value. Research has shown that investing in HC can have significant implications for organizations. It

is widely acknowledged that HC is crucial for workers to acquire new skills and knowledge, produce high-quality work, and achieve success in their careers. The HC theory has a significant amount of evidence that supports the importance of HC in determining job performance. HC theory suggests that individuals can gain capital through education, training, and schooling, which can enhance productivity for both individuals and organizations. Although several studies have examined the link between HC and firm performance (Chowdhury et al., 2014), few studies have investigated the impact of HC on individual employee performance (Bontis & Fitzenz, 2002).

Chowdhury et al., (2014) have highlighted that the nature of job tasks is a significant factor in determining the relationship between employees' HC and JP. According to their research, task-specific experience has a greater impact on small firms' revenue productivity than firm-specific HC. Therefore, when examining the relationship between an individual's HC and their JP, it is essential to consider the job's nature (Ozyilmaz, 2020). For instance, employees in customer-facing positions in the hospitality industry need to incorporate emotional intelligence and emotional inputs into their daily work (Wen et al., 2019).

Building upon prior research, it has been found that job demands and resources moderate the relationship between HC and JP. Specifically, Bakker & Demerouti (2017) found that job resources, such as social support and feedback, could enhance the relationship between HC and JP, while high job demands, such as heavy workload and time pressure, can weaken the relationship. Therefore, in order to maximize the positive impact of HC on JP, organizations should aim to create a work environment that provides employees with sufficient job resources and minimizes job demands (Albrecht et al., 2015). Based on these findings, the following hypothesis is proposed:

H2: Human capital has a positive impact on job performance.

Psychological Capital

According to Ivanovic & Ivancevic (2022), having high psychological capital (PsyC) can help individuals consistently succeed and navigate their path in the right direction. Individuals with high PsyC possess qualities such as overcoming obstacles, demonstrating persistence in the face of adversity, and

maintaining a positive attitude towards their achievements in the present and future. Moreover, PsyC is considered a psychological resource that can be objectively evaluated, developed, and managed. Employees with high PsyC can take control of organizational outcomes and are highly effective and determined in achieving their goals. Furthermore, PsyC can enhance employees' confidence in their decision-making abilities, encourage them to take calculated risks, and enable them to sustain the business even in challenging situations.

Research suggests that PsyC has a significant impact on workplace attitudes, as well as creativity and innovation (Luthans et al., 2007). PsyC refers to a set of personal assets that can improve employee well-being and productivity while also reducing workplace stress and burnout. One of the advantages of PsyC is its developmental nature, which means that individuals with lower levels of PsyC can develop or enhance their skills in this area (Luthans et al., 2007). Research from various cultures strongly supports the benefits of PsyC for problem-solving and maintaining organizational competitiveness. Furthermore, having high PsyC can lead to better overall well-being, both inside and outside of work. Based on these findings, we propose the following hypothesis:

H3. Psychological capital has a positive impact on job performance.

Social Capital

Carnevale & Hatak (2020) define "social capital" as a broad concept that encompasses the potential benefits an organization can derive from interactions among its members. They describe social capital as "social networks and the norms of reciprocity and trust that emerge from them." Social capital is considered an intangible asset of any organization, and positive interactions among stakeholders are an essential part of it. When there is mutual trust in connections, social capital can be sustained. Furthermore, as social capital increases, new social equilibria may emerge among participants, leading to higher levels of cooperation, reciprocity, trust, and overall community well-being (Wilton, 2019).

While challenging to obtain, social capital is a vital component for companies and requires effort to develop. Although extensively studied in institutional settings, the causes and effects of social capital remain unclear. Social capital

encompasses factors such as mutual respect and obligation, trust between group members, reciprocity, and the free exchange of information and knowledge, among others. High levels of social capital have been linked to positive organizational outcomes, including increased sales and revenue (Kenedi et al., 2022). Despite growing recognition of its importance, there remain significant gaps in empirical research on social capital. There is a positive correlation between social capital and occupational happiness. Based on this reasoning, we propose the following hypothesis:

H4: Social capital has a positive and significant impact on job performance.

HRD Mechanisms and Job Performance

To explore the relationship between HRD mechanisms and JP, the study examined by (Swanson, 2022) on various aspects of JP, such as specific job opportunities, performance standards and expectations, performance level, job effectiveness, employee comparison, and the quality of work. The results revealed that employees were able to meet their job responsibilities and perform according to established standards and expectations. They reported satisfactory performance levels and were effective in their roles. The study also found that employees outperformed their colleagues in the same position and produced high-quality work.

HRD mechanisms refer to the various methods and processes used to educate, train, and develop employees within an organization. Examples of HRD mechanisms include on-the-job training, mentoring programs, and formal education and development classes. Several studies have shown a positive correlation between HRD mechanisms and JP. However, the role of different types of capital in this relationship has been overlooked due to the varying dimensions of capital (Huang et al., 2020). Regular training and development opportunities can provide employees with the skills and knowledge necessary to perform their job effectively, which can contribute to their job satisfaction and motivation (Marchante & Ortega, 2012).

HRD mechanisms, like training, mentoring, and career development, significantly impact job performance (JP). They enhance employees' knowledge, skills, and abilities, increasing efficiency and effectiveness (Soo et al., 2017). HRD also boosts motivation, satisfaction, and engagement, leading to improved JP (Avey et al.,

2011). Additionally, HRD helps employees adapt to job changes and new technologies, enhancing JP and organizational value. It can be delivered through on-the-job training, formal education, or e-learning. Customization, regular review, and updates optimize the effectiveness of HRD mechanisms for individuals and organizations (Kim et al., 2017). This aligns with Huang et al.'s (2020) argument that HRD, along with human, psychological, and social capital, helps cope with stressful conditions. Research suggests self-efficacy improves work performance. Therefore,

HRD mechanisms are crucial for supporting employee development, improving JP, and strengthening human, psychological, and social abilities. Thus, we propose the hypothesis:

H5: Human capital mediates between HRD mechanism and Job performance.

H6: Psychological mediates between HRD mechanism and Job performance.

H7: Social capital mediates between HRD mechanism and Job performance.

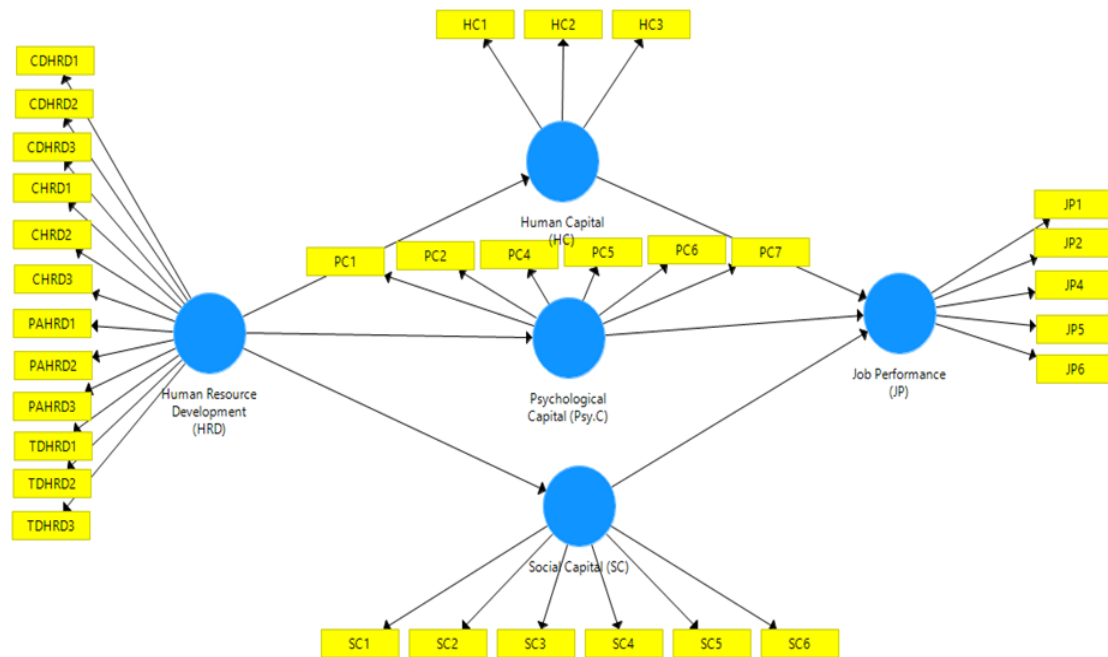


Figure 1. Theoretical Model

Research Methodology

Research Method

The study employs a quantitative research method to achieve the study's research objectives. The method was chosen because it successfully delivered numerical (or non-textual) information to relate HRD mechanism and job performance through human, psychological and social capital (Huang et al., 2020). The study quantitatively analyzed the HRD methods and its relationship to job performance rather than conducting an in-depth assessment.

Population and Sampling

The target population for the study were healthcare professionals who are working in private industries inside the kingdom of Saudi Arabia, and it was distributed within nurses,

pharmacists, dentists, physicians and psychologists exclusively in Jeddah, Dammam and Riyadh. However, given the cost and time constraints, the study employed a representative sample of employees using probability sampling strategy.

Sample Size

The study analyzed data from 201 employees (including nurses, pharmacists, dentists, physicians and psychologists) out of the initial 330 participants. These employees had over 3 years of experience and worked in various public and private healthcare settings. The survey included full-time staff members in healthcare professions and public and private healthcare sectors.

Research Instruments

The study employed survey questionnaire as a research instrument to evaluate the impact of HRD mechanism on the three various capitals which are human, psychological and social, and how it lead to job performance. This study's data collection process was inspired by prior related research related to HRD, SC, PsyC, HC and JP. As the research tool for this study, a survey questionnaire was used which was adopted from the scales of Huang et al. (2020). The rational for using the instrument is that it allows incorporating measurement procedures that require primary data from respondent by asking questions (Taherdoost, 2016). To outline the overall goal of the questions I started the questionnaire with statement included the purpose, benefits and assurance of anonymity of the respondents. After the statement, there was four parts for the respondents to fill. First part included demographic details to regulate the type of targeted respondents. Second part HRD mechanism, which included four subcategories (Career Development – Training – Performance Appraisal - Compensation). The last parts were specified for each variable separately (HC - PsyC - SC – JP). Given the time span, the study was

conducted using cross-sectional surveys and questions were close ended. The study assessed the survey questionnaire using the 5-point Likert scale that range from strongly disagree to strongly agree.

Result Analysis

The questionnaire collected demographic data and assessed HRD mechanisms (career development, training, performance appraisal, and compensation), human capital, psychological capital, social capital, and job performance. Frequency descriptive statistics were used to analyze the gathered data and achieve research objectives. The analysis examines the association between HRD mechanisms and job performance, considering human, social, and psychological capital. The subsequent sections provide an overview of the analysis based on respondent information.

Table 1 shows the results related to the demographic characteristics of the statistical sample that was analyzed. These characteristics included gender, age, marital status, working experiences, education, healthcare professionals and healthcare settings of the respondents.

Table 1.
Demographic Analysis

		N	%
Gender	Male	76	37.8%
	Female	125	62.2%
Age	18-24 years	18	9.0%
	25-34 years	76	37.8%
	35-44 years	36	17.9%
	45-54 years	37	18.4%
	55-64 years	34	16.9%
	1-3 years	49	24.4%
Experience	4-6 years	31	15.4%
	7-9 years	29	14.4%
	10-12 years	12	6.0%
	13-15 years	80	39.8%
Education	Diploma holder	17	8.5%
	Bachelor	36	17.9%
	Master and above	148	73.6%
Marital Status	Married	138	68.7%
	Unmarried	63	31.3%
Healthcare Professionals	Nurses	51	25.4%
	Pharmacists	10	5.0%
	Dentists	21	10.4%
	Physicians	26	12.9%
	Psychologists	93	46.3%
Healthcare Settings	Private	76	37.8%
	Public	125	62.2%

Testing Descriptive Statistics

The descriptive analysis has been performed with the help of SPSS software version 25 to test the mean score, standard deviation and normality

assumptions of the gathered data from respondents. For this reason, the study has used the descriptive statistics to demonstrate the measurement items of HRD mechanism, capital and JP.

Table 2.
Descriptive Statistics & Bivariate Pearson Correlation

	Descriptive		Bivariate Pearson Correlations				
	Mean	SD	1	2	3	4	5
Gender	1.6219	0.486					
AGE	2.965	1.266					
Marital Status	1.313	0.465					
Working Experience	3.213	1.658					
Education level	2.651	0.630					
Healthcare Professionals	3.497	1.676					
Healthcare Settings	1.621	0.486					
Human Resource Development (HRD)	3.958	0.713	1				
Human Capital (HC)	4.312	0.551	.693**	1			
Psychological Capital (Psy.C)	4.035	0.523	.661**	.702**	1		
Social Capital (SC)	3.999	0.617	.668**	.659**	.746**	1	
Job Performance (JP)	4.325	0.527	.479**	.579**	.610**	.590**	1

*Note 1: **. Correlation is significant at the 0.01 level (2-tailed).*

Table 2 shows that HRD mechanism has been assessed with the help of career development, training and development, performance appraisal and compensation. The table 2 indicates that mean score of all items were greater than 2.5 reflecting general agreement of respondents on the statements (Huang et al., 2020). Whereas

absolute values of Bivariate Pearson Correlations (less than 8) affirm that, there was no violation of normality in the data (Katou, 2009). The standard deviation of the results indicates that they are closely related to the mean, which correlate the significance of the results.

Table 3.
Fitting Measurement Model

Constructs	Items	Type	Loadings	α	rho-A	CR	AVE	VIF
Human Resource Development	CDHRD1	Reflective	0.768	0.929	0.931	0.939	0.561	2631
	CDHRD1		0.738					2411
	CDHRD1		0.706					1834
	CHRD1		0.624					1724
	CHRD1		0.750					2442
	CHRD1		0.761					2469
	PAHRD1		0.789					2671
	PAHRD1		0.764					2886
	PAHRD1		0.782					2547
	TDHRD1		0.753					2200
	TDHRD1		0.791					2437
	TDHRD1		0.793					2555
Human Capital	HC1	Reflective	0.873	0.801	0.812	0.883	0.716	1918
	HC2		0.783					1495
	HC3		0.879					2035
Psychological Capital	PC1	Reflective	0.710	0.834	0.837	0.878	0.547	1610
	PC2		0.794					2006
	PC4		0.738					1737
	PC5		0.707					1558
	PC6		0.711					1633
	PC7		0.773					1707
Social Capital	SC1	Reflective	0.721	0.834	0.852	0.878	0.549	1737
	SC2		0.652					1599
	SC3		0.607					1407
	SC4		0.828					2224
	SC5		0.793					2184
	SC6		0.815					2570
Job Performance	JP1	Reflective	0.822	0.860	0.867	0.900	0.643	2222
	JP2		0.837					2259
	JP4		0.826					2023
	JP5		0.706					1606
	JP6		0.810					1989
a= cronbach alpha; CR = composite reliability; AVE = average variance extracted; VIF = variance inflation factor; BCCI = bias corrected confidence interval								

The PLS-SEM method utilizes three criteria, namely reliability, convergent validity, and divergent validity, to assess the fitness of measurement models. The model analysis algorithm has yielded the following results. To evaluate reliability, three criteria, namely factor load coefficients, Cronbach's alpha, and combined reliability, have been used. Factor load measurement is indicative of a strong level of significance and high correlation between observation and factor variables. A factor analysis value above 0.5 signifies a well-defined structure. Cronbach's alpha is an acceptable final indicator if the value is above 0.7, but for variables with a small number of questions, a value of 0.6 has been introduced as the limit of Cronbach's alpha coefficient. Combined reliability is more realistic and accurate than Cronbach's alpha because it factors in the

importance of indices with higher factor loads in the calculation of CR. Therefore, CR values provide a more accurate representation of the structure. Convergent validity, the second criterion used to assess the fitness of measurement models in the partial least squares method, has yielded higher average variance extracted (AVE) and composite reliability values. This indicates better construct reliability and validity, leading to results that are more reliable. All Variance Inflation Factor (VIF) values were found to be less than 5, meeting the criteria for independence between the model and variables. The primary objective is to maximize the explained variance in the dependent constructs while also assessing the quality of data based on measurement model characteristics. The indicators suggest that the greater the correlation, the better the fit.

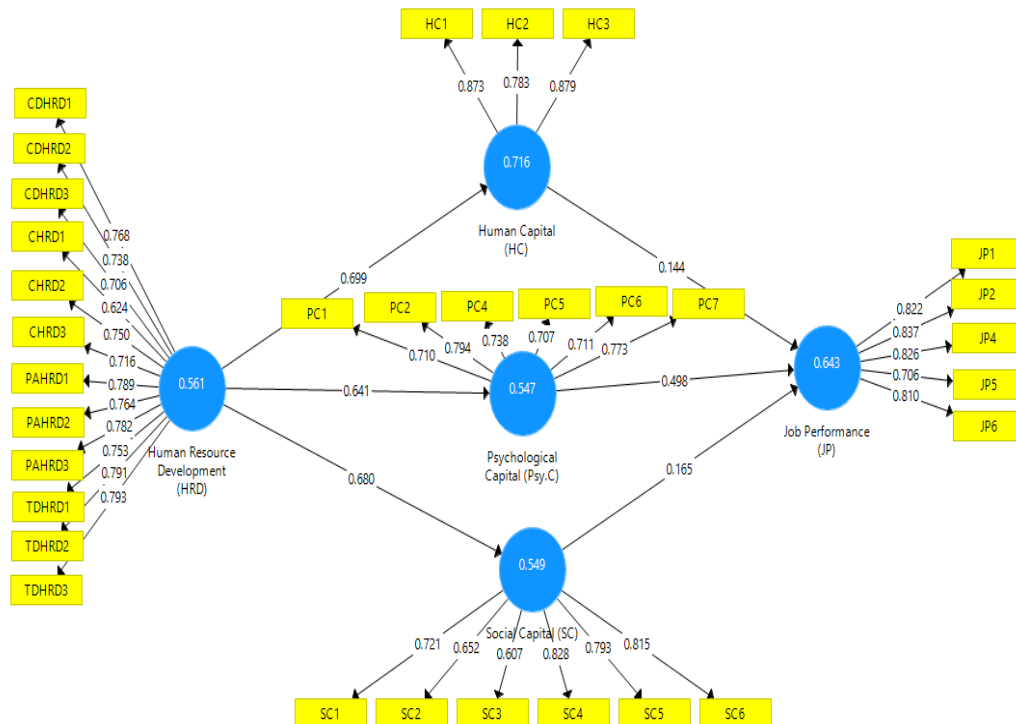


Figure 2. PLS –SEM Algorithm

To address the issue of multicollinearity, a discriminant validity test was conducted using the Fornell-Larcker Criterion and HTMT Criterion technique. The Fornell & Larcker (1981) criterion was utilized to examine the model's discriminant validity, wherein the diagonal values of constructs should be greater than their correlation with other constructs. As

presented in Table 4, the square root of all diagonal values for each construct exceeds its correlation with other constructs. The heterotrait-monotrait (HTMT) approach's accepted values can be lower than 0.85 (Henseler et al., 2015). The results affirm the discriminant validity of the model.

Table 4.
Discriminant validity using Fornell-Larcker Criterion and HTMT Criterion

	Fornell-Larcker Criterion					Hetro-Trait Mono -Trait (HTMT) Criterion				
	HC	HRD	JP	Psy.C	SC	HC	HRD	JP	Psy.C	SC
HC	0.846									
HRD	0.699	0.749				0.805				
JP	0.609	0.515	0.802			0.723	0.566			
Psy.C	0.710	0.641	0.720	0.739		0.866	0.721	0.840		
SC	0.676	0.680	0.625	0.728	0.741	0.814	0.749	0.742	0.832	

Note: The bold numbers in diagonal in Fornell -Larcker section are square root of AVE of each construct, and other numbers are correlation between constructs

Prognostic relevance of study model

To assess the prognostic relevance of the model, the current study utilized two methods: R2 and cross-validated redundancy. Previous research has utilized R-squared to determine the model's predictive power (Hair, 2011; Henseler et al., 2015). If the R2 value is greater than 0.26, it is considered substantial, while a value within the range of 0.13 to 0.26 is deemed moderate, and a

value within the range of 0.02 to 0.13 is considered weak. In the present study, the R2 values for human capital, psychological capital, social capital, and job performance all fall within the substantial range. Furthermore, cross-validated redundancy is another factor used to assess the quality of the research model. The blindfolding technique in SmartPLS is used to accomplish this, and it requires the researcher to exclude certain data values, which are then

treated as missing values. The blindfolding running technique employs an omission distance of 7, and after this process, certain values are generated and compared to the assumed results to determine how close or far they are from the actual results. The criterion for determining the model's prognostic relevance is that the values

must be above 0, and Table 5 demonstrates that the current study satisfies this criterion. The cross-validated redundancy for human capital is 0.343, for psychological capital, it is 0.218, for social capital, it is 0.247, and for job performance, it is 0.345.

Table 5.
Prognostic accuracy and relevance of the model

Variables	R-Squared (R2)	(Q2)
Human Capital	0.488	0.343
Psychological Capital	0.411	0.218
Socail Capital	0.462	0.247
Job Performance	0.549	0.345

Hypothesis Testing

Table 6 displays the beta values that indicate the strength and significance of the positive relationship between the independent and dependent variables, as well as the mediators. The results show that Human resource development has a substantial impact on Job performance ($\beta = 0.532$, mean 0.537, SD = 0.040, $t = 13.389$, $p = 0.000$), and it also has a positive and significant effect on Human capital ($\beta = 0.699$, mean 0.701, SD = 0.032, $t = 22.16$, $P = 0.000$), Psychological capital ($\beta = 0.641$, mean 0.647, SD = 0.042, $t = 15.34$, $P = 0.000$), and Social capital ($\beta = 0.680$, mean 0.701, SD = 0.032, $t = 22.16$, $P = 0.000$). Moreover, Human capital has a positive and significant effect on Job performance ($\beta = 0.144$, mean 0.143, SD = 0.078, $t = 1.836$, $P = 0.018$), while Psychological capital ($\beta = 0.498$, mean 0.504, SD = 0.083, $t = 6.022$, $P = 0.000$) and Social capital ($\beta = 0.165$, mean 0.162, SD = 0.072, $t = 2.361$, $P = 0.019$) also have significant effects on Job performance.

The findings indicates that Human capital mediates the link between human resource development and job performance. The values of indirect effects ($\beta = 0.100$, $t = 1.840$, $P = 0.000$) are significant, which clearly depicts that human capital partially mediates the impact of human resource development on job performance. Hence, the findings support H2.

Secondly, the outcomes also reveals that Psychological capital mediates the link between human resource development and job performance. The results reveal that indirect effects ($\beta = 0.326$, $t = 5.461$, $p = 0.000$) are significant and support H3.

Finally, the results also suggest that Social capital partially mediates these effects, because the indirect effect ($\beta = 0.110$, $t = 2.336$, $p = 0.020$) are significant. Therefore, H4 is accepted. Overall, all the hypothesis are significant and acceptable.

Table 6.
Results of Hypothesis Testing

Hypothesis	Direct / Indirect Effect	Sample Mean	STDEV	T Value	P values	Bias	Bias Corrected		Hypothesis Supported
							5.00%	95.00%	
H1a	HRD -> HC	0.701	0.032	22.16	0.000	0.003	0.628	0.754	Supported
H1b	HRD -> Psy.C	0.647	0.042	15.340	0.000	0.006	0.558	0.716	Supported
H1c	HRD -> SC	0.682	0.036	19.134	0.000	0.002	0.602	0.739	Supported
H1d	HRD -> JP	0.537	0.040	13.389	0.000	0.005	0.440	0.597	Supported
H2	HC -> JP	0.143	0.078	1.836	0.018	-0.001	-0.006	0.308	Supported
H3	Psy.C -> JP	0.504	0.083	6.022	0.000	0.006	0.310	0.642	Supported
H4	SC -> JP	0.162	0.072	2.361	0.019	-0.003	0.030	0.316	Supported
H5	HRD -> HC -> JP	0.100	0.055	1.840	0.000	-0.001	0.000	0.210	Supported
H6	HRD -> Psy.C -> JP	0.326	0.058	5.461	0.000	0.007	0.198	0.429	Supported
H7	HRD -> SC -> JP	0.110	0.048	2.336	0.020	-0.002	0.021	0.220	Supported

Note: HRD denotes Human Resource Development; HC denotes Human Capital; Psy.C denotes Psychological Capital; SC denotes Social Capital; JP denotes Job Performance

Discussion

The primary objective of this study was to examine how the implementation of HRD (Human Resource Development) mechanism affects the human, psychological, and social capital of healthcare professionals working in public and private healthcare facilities in Saudi Arabia, and how this ultimately affects their job performance. The research conducted was both descriptive and quantitative in nature. The above-mentioned literature's theories were utilized and incorporated to improve our comprehension of how HRD impacts social, psychological, human capital, and job performance.

The findings indicate that the HRD mechanism has significant and substantial impact on job performance. These results are in agreement with a previous study by Soo et al., (2017), which suggests that the HRD mechanism has a significant effect on job performance in healthcare settings. The results demonstrate that Human Resource Development has a significant effect on Job performance ($\beta = 0.532$, mean 0.537, SD = 0.040, $t = 13.389$, $p = 0.000$), providing support for our hypothesis H1d.

Avey et al., (2011) research suggests that Human Resource Development has a positive and significant impact on Human capital ($\beta = 0.699$, mean 0.701, SD = 0.032, $t = 22.16$, $P = 0.000$), which supports hypothesis H1a. Similarly, (Reio & Batista, 2014) found that Human Resource Development has a positive influence on psychological capital ($\beta = 0.641$, mean 0.647, SD = 0.042, $t = 15.34$, $P = 0.000$), thus supporting hypothesis H1b. Alagaraja et al., (2015) revealed that Human Resource Development significantly affects social capital ($\beta = 0.680$, mean 0.701, SD = 0.032, $t = 22.16$, $P = 0.000$), lending support to hypothesis H1c. Finally, Albrecht's et al., (2015) study discloses that Human capital has a positive

and significant effect on Job performance ($\beta = 0.144$, mean 0.143, SD = 0.078, $t = 1.836$, $P = 0.018$), thereby supporting hypothesis H5.

Park's et al., (2021) research indicated that psychological capital has a significant impact on Job performance ($\beta = 0.498$, mean 0.504, SD = 0.083, $t = 6.022$, $P = 0.000$), providing evidence in support of hypothesis H6. Furthermore, research by (Jeong et al. 2022) demonstrated that Social capital has a significant effect on Job performance ($\beta = 0.165$, mean 0.162, SD = 0.072, $t = 2.361$, $P = 0.019$), thus confirming hypothesis H7.

Table 6 reveals that the outcomes illustrate how social, psychological, and human capital serve as mediators in the association between HRD mechanism and Job performance. Both the direct and indirect effects are meaningful, indicating partial mediation, which corresponds to (Huang et al., 2020) research.

The current study used two things to determine the prognostic relevance of our model; first is R2 and the second is cross-validated redundancy. The findings in table 5 indicates that HRD mechanism have a Strong and significant effect on human, psychological, social and Job performance. In the current research, R2 values of human capital, psychological capital, social capital and job performance lies in substantial case. However, the criterion of the predictive relevance of model by cross-validated redundancy (Q2) is that values must be above than 0, and Table 5 shows that the current study fulfills this criterion. Cross-validated redundancy for Human capital is 0.343, Psychological capital is 0.218, Social capital is 0.247 and Job performance is 0.345. Table 7 clearly shows the SRMR value (0.071) and NFI value (0.921) further validated a good fit model.

Table 7.
 Model assessment through Blindfolding effect

Variables	SRMR	NFI	SSO	SSE	Q ²	Q ² Effect
HRD	0.071	0.921				
HC			603.00	396.47	0.343	Medium
Psy.C			1206.00	942.60	0.218	Medium
SC			1206.00	908.59	0.247	Medium
JP			1005.00	658.53	0.345	Medium

Note: SRMR(Standardized Root Mean Square Residual); NFI (Normed Fit Index); SSO (Sum of Squares of Observations); SSE (Sum of Squares of Errors)

Conclusion

Our study confirms the significant impact of HRD mechanisms and the three forms of capital on healthcare professionals in public and private sectors. It identifies key HRD practices and the mediating effect of psychological, social, and human capital on job performance. The findings suggest organizations can improve job performance by focusing on these capitals. The study contributes to theory, methodology, and practice, emphasizing the importance of satisfied, social employees for productivity. Employee psychological and sociological factors play a crucial role in enhancing job performance through HRD mechanisms.

Theoretical implication

This study offers empirical evidence supporting the theory of HRD mechanism and its impact on Psychological, Human, and social capital, ultimately leading to enhanced job performance in the healthcare industry. The results highlight the usefulness of HRD mechanisms such as training, coaching, and career development in significantly influencing job performance by enabling employees to acquire the necessary knowledge, skills, and abilities to perform their jobs effectively (Soo et al., 2017). Moreover, these mechanisms can improve employee motivation, job satisfaction, and engagement, resulting in better job performance (Avey et al., 2011). HRD mechanisms enhance employee adaptability, job performance, and organizational value. Methods like on-the-job training, formal education, and e-learning can be effective. Customized and regularly updated HRD approaches align with individual and organizational needs, ensuring relevance and effectiveness (Kim et al., 2017).

Overall, HRD mechanisms enhance job performance by strengthening human, psychological, and social abilities. This study explores the individual effects of the three capitals on performance, highlighting their importance in improving service employee performance. Previous research supports the critical role of all three capitals in employee development (Wen et al., 2019).

Practical implications

PLS analysis provided practical insights for healthcare professionals in Saudi Arabia, guiding managers on improving job performance through HRD and capital forms. Professionals acknowledged the value of HRD for their

development and maintaining work-life balance. Organizations can leverage this model to achieve long-term goals and pursue further progress.

Limitations of the Study

Limitations include not using all subscales and treating variables as a single summarization. Future research should explore specific subscales like career development, compensation, and performance appraisal. Longitudinal studies with larger, more detailed data are recommended. Increasing the number of respondents beyond 201 would yield results that are more accurate.

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Ecodesign and initiatives of sustainable development in the dimension of passion of artistic and design creativity

Ecodiseño e iniciativas de desarrollo sostenible en la dimensión de la pasión de la creatividad artística y del diseño

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Abstract

The fashion industry under modern circumstances is one of the most developed industries, which determines its tangible impact on people and nature. The purpose of the article is to analyze ecodesign and sustainable development initiatives through the dimension of passion for artistic and educational creativity. The theoretical and empirical methods of scientific research were used. In the results, it was established that previously the requirements of environmental friendliness were perceived to a greater extent as limitations in the creative process. They are the basis and a kind of impetus for the generation of new creative ideas. The novelty of the work consists in proving the development of clothing design as an element of the designer's personality development as a leading specialist not only in design matters, but also in creating an organic combination of all components of the product creation process. The practical significance of the work is to determine the future of the fashion industry in the use of

Resumen

La industria de la moda en las circunstancias modernas es una de las más desarrolladas, lo que determina su impacto tangible sobre las personas y la naturaleza. El propósito del artículo es analizar las iniciativas de ecodiseño y desarrollo sostenible a través de la dimensión de la pasión por la creatividad artística y educativa. Se utilizaron los métodos teóricos y empíricos de la investigación científica. En los resultados se estableció que anteriormente los requisitos de respeto al medio ambiente se percibían en mayor medida como limitaciones en el proceso creativo. Son la base y una especie de impulso para la generación de nuevas ideas creativas. La novedad del trabajo consiste en demostrar el desarrollo del diseño de prendas de vestir como elemento del desarrollo de la personalidad del diseñador como especialista destacado no sólo en cuestiones de diseño, sino también en la creación de una combinación orgánica de todos los componentes del proceso de creación del producto. La importancia práctica del trabajo es determinar el futuro de la industria de la

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environmentally friendly and technological fabrics. In the conclusions, it is noted that new creative searches are due to the vital need for a new philosophy of world perception, which will influence ecodesign in the future.

Keywords: textile and clothing design, art and design creativity, design-project ethics, sustainable development, individual passion of the designer, ecological paradigm.

Introduction

Turning to ecodesign and studying it is an urgent issue in the modern fashion industry, as it is important for society not only from an aesthetic but also from a practical point of view. However, the global challenges of humanity have a negative impact on the artistic and design sphere, neglecting environmental standards and requirements. Therefore, clarifying the possibilities of ecodesign through the prism of modern transformations in the perception of society and the corresponding artistic trends is an important part of understanding the current world of consumption.

Problem statement

The issues of sustainable development, conscious consumption, environmental ecology affect all aspects of human life in the modern world. Mankind is increasingly aware of its responsibility to future generations for the conservation of the natural resources of our planet. The fashion industry occupies a significant niche in modern life - in the economy, production, consumption. The issues of clothing design are raised by various specialists, considered in the context of various problems of modern society (Goyal, 2016). Ecodesign is an approach to creating clothing that takes into account its environmental impact (Flannery & Smith, 2014, p. 5). It focuses on using environmentally friendly materials, reducing waste, and reducing energy use in the production process (Flannery & Smith, 2014). A fashionable eco-designer creates clothes that are beautiful, stylish, and environmentally friendly at the same time. Such clothes compare favorably with others because they are created using eco-friendly materials such as cotton, linen, hemp, silk, bamboo, and other natural fabrics. Therefore, addressing the issue of using eco-friendly materials to confront the challenges of our time is important, especially given current globalization trends. Therefore, it is important to trace the influence of modern environmental factors on design thought. It is a current trend not

moda en el uso de tejidos ecológicos y tecnológicos. En las conclusiones, se señala que las nuevas búsquedas creativas se deben a la necesidad vital de una nueva filosofía de percepción del mundo, que influirá en el ecodiseño en el futuro.

Palabras clave: diseño textil y de prendas de vestir, creatividad artística y de diseño, ética del proyecto de diseño, desarrollo sostenible, pasión individual del diseñador, paradigma ecológico.

only in the aesthetic but also in the ethical dimension of contemporary design. Turning to eco-friendly materials and recyclability, the difference from real fur and leather is an open message from designers about the importance of ecology for society. Contemporary designers around the world openly demonstrate their ethical considerations and civic views in this way, which generally affects the renewal of environmental trends in design and art.

Research focus

The need to match the development of fashion with general trends provides certain positive results. Designers are increasingly turning to environmental trends, due to which the possibilities of their creativity are expanding. Ecodesign of the future is an innovative and promising direction that ensures the preservation of natural resources and the environment, while maintaining style and fashion, which requires detailed study.

Research aim and research questions

The purpose of the article is to analyze ecodesign and sustainable development initiatives through the dimension of passionate artistic and educational creativity.

In accordance with this goal, the main tasks of the work are:

1. To identify the environmental problems of the modern fashion industry.
2. To characterize the main styles that eco-designers work with.
3. to analyze the main directions of work of modern popular brands through the prism of artistic and project creativity.

Theoretical Framework or Literature Review

Fashion design as an activity, inherently combines different practices, skills and materials.

Williams (2018) explores the practice of design in the fashion world from a global perspective - establishing connections between people, people with their environment. She positions the designer as an owner who is able to create conditions for interactive interaction between man and fashion, thereby contributing to the implementation of sustainable development practices. From these positions, we will consider design activities in this work, studying the creative potential of a designer as a passionate personality in the process of working on various projects in the fashion industry of a sustainable direction (Lahoda, 2021).

Kvasnica (2019) explores ecological and ethical trends in the design of spaces to showcase fashion innovations. She focuses on environmental issues in the fashion industry, which are also reflected in the design of fashion shows. The paper analyzes in detail a large amount of scientific literature reflecting current research in this area. Pokhodenko (2020) also addresses the topic of sustainable fashion. She analyzes the study of this topic in the Ukrainian scientific literature. The main attention is paid to the issues of terminology, in particular, the terms "eco fashion" and "sustainable fashion". Hakhova & Yeremenko (2021) researched the place and role of clothing design in the system of general environmental measures. It reveals the issues of the influence of socio-cultural factors on the development of eco-design in the fashion industry, conceptual approaches and techniques for creating eco-friendly clothing. In addition, the author pays special attention to the trends in the further development of the ecological direction in the fashion industry (Hakhova & Yeremenko, 2021).

Bakalinska & Kolosnichenko (2018) conducted an analysis of design practices, which made it possible to determine the compliance of the principles and methods of designing fashionable clothes with environmental standards. They defined the concept of an eco-trend and developed a classification of principles for its creation (Bakalinska & Kolosnichenko, 2018).

Tkanko & Tkanko (2019) in their research emphasize the importance of eco-design in the global fashion industry. They determine the main challenges that society receives in the cultivation, processing, coloring of raw materials, environmental pollution, and the destruction of flora and fauna on the planet. Researchers consider the processes of the emergence of ecological style in fashion in the middle of the twentieth century, determine the main directions

for the development of ecological clothing design. They identify as the most relevant areas: limited consumption, wardrobe minimization, natural materials, natural colors, waste-free production technologies, loose fit, the use of eco-prints, niche design, alternative eco-friendly fabrics, and so on. In addition, the authors describe the "conscious" methods that domestic and foreign designers use in designing collections: "careful", "re-use", "recycling" of waste (Tkanko & Tkanko, 2019).

All of these works touch upon certain issues of sustainable fashion, which are more related to the choice of materials and technologies for the production of clothing. Features of the creative process, the influence of the ecological orientation of modern fashion on it were left without attention. The purpose of the study is to determine the features of the creative process, directly design design, in a sustainable fashion.

Methodology

General background

This study belongs to theoretical (involves the use of the results obtained from previous studies), fundamental (the article contains new results that will help solve the problems of ecodesign development as an important component of the fashion industry of the future) research. The work is based on the complex application of general scientific and special research methods (historical-comparative, formal-typological and artistic-compositional).

Data analysis

The use of the historical and comparative method made it possible to trace the stages of change in the perception of the importance of eco-materials in the fashion world in recent times. On the basis of the formal-typological method, the following paradigms of development were identified. In addition to theoretical (analogy, comparison, classification, generalizations) and the method of studying objects in the temporal dimension (retrospective) were used. This made it possible to analyze the trends in the development of design thinking within the framework of the ecological and ethical direction of the fashion industry. A systematic approach was also used, which made it possible to study the process of creativity in fashion design, to identify features and changes in accordance with the personal position of the designer as a passionate person.

Results and Discussion

The fashion industry is actually the second most polluting industry in the world, behind only the oil industry (Pozniak, 2019). In recent years, the development of fashion brands has shown a trend towards a shift in emphasis towards ecology and sustainable production. What is happening in the fashion industry now points to real changes in a positive direction: not only small artisanal productions have joined the climate movement, but also big fashion houses with history (Dior, Chlo  , Gucci, Prada, Balenciaga, etc.).

At Paris Fashion Week, 2020, Christian Dior emphasized its sustainable spring-summer show with specific design. A "Green Inclusive Garden" was created on the podium – 164 trees were placed here, which were then planted around the French capital. The author of the idea was the brand's creative designer Maria Grazia Chiuri (together with Coloco). In an interview before the show, Chiuri said: "The tree is an important symbol because it is about investing in nature. Landing on the future is a positive action" (Singer, 2019).

An important event in the fashion industry is the Green Carpet Fashion Awards, because it actually marked the beginning of a new era in fashion – the Eco era. The organizers at the highest state level were the National Chamber of Fashion of Italy (CNMI), with the support of the Municipality of Milan, together with the organization Eco-Age, which advises brands on environmental strategy. CNMI takes a proactive stance on the sustainable development of fashion, promoting large-scale initiatives in the field of communication, education and training. The main goal is to achieve guarantees of sustainability as an integral part of the perception of Italy and Italian fashion around the world. Thus, Italian designers were the first to assume global responsibility for the development of the luxury industry in this direction.

Stella McCartney is one of the first in the fashion industry to adopt and implement a sustainable attitude in her business model. Her company is constantly looking for new ways to achieve sustainability, recognizing the responsibility for the resources used and the impact of activities on the planet. This is expressed in the development of collections, the manufacture of clothes, and the opening of new stores.

All Stella McCartney studios, offices and stores in the UK and abroad are powered by renewable energy. Stella McCartney prefers organic cotton

and viscose in her collections. Viscose is made from environmentally friendly and certified wood imported from Sweden. The company's principled position was demonstrated by the termination of a contract with a manufacturer that produces viscose from an endangered forest.

In addition, research is constantly being conducted to find new environmentally friendly materials and technologies. One of the key points in the company's philosophy is the use of textiles created from recycled materials for the production of clothing. Stella McCartney was the first of its kind to participate in the NRDC Clear by Design Program.

Clothing making is still, to a certain extent, a skilled handicraft industry. Nevertheless, the latest achievements in the field of digital, engineering, and chemical technologies are increasingly being used here. The results of the research find their application both in functional clothing and in high fashion.

It is possible to single out the key features of the modern direction of creativity in fashion design. Previously, the possibilities of materials limited design thought. Their choice was determined by the geometric, spatial, functional characteristics of the clothes being created (Oliveira et al., 2022). Currently, it is the characteristics of the materials that can set the concept of the entire collection. Ecological orientation in the technologies of creating materials dictates solutions in the design of clothing and accessories. They form a new vision of fashion, its functionality and semantic load - what it broadcasts to the masses.

The emergence of the term "eco fashion" dates back to the early 1990s and is associated with fashion that has a minimal impact on the environment. First of all, it was about the choice of materials for creating collections (natural, organic, durable fibers). Additionally, cutting methods were taken into account that contribute to the economical use of fabric during cutting (for example, Zero Waste). Ecological fashion trends also include upcycle and recycle. At the moment, the concept of eco-fashion covers the entire process of creating, manufacturing and selling products. It is this integrated approach that is directly related to the concept of "sustainability". The term appeared in 1987 – it was used in the work of the Brundt   and Report and was defined as development that meets the needs of the present without compromising future generations in meeting their own needs

(Hakhova & Yeremenko, 2021; Jochamowitz Yribery et al., 2023).

The definition of sustainable fashion is based on ethical, noble goals. In using this term (and its related "ethical fashion", "green fashion" and "eco fashion"), activists and experts consider a fashion industry that is able to manage its impact on the environment throughout the planet, it guarantees the well-being of people and other animals throughout the entire cycle of work with the fashion object (Jochamowitz Yribery et al., 2023). This calls for a rejection of business models that lead to overproduction, overconsumption, waste, worker exploitation and the climate emergency. Also here, terms describing the systemic changes necessary to achieve a sustainable fashion become relevant: "growth slowdown", "circular economy", and so on. However, lately, the vagueness, uncertainty of this term, the lack of attention to purely design, creative aspects lead to the fact that many designers prefer to independently formulate its understanding from the standpoint of their own philosophy. Ecofashion was formed at the intersection of the environmental movement, the fashion industry and marketing (Kiurski et al., 2017). Sustainable fashion is a system of factors and conditions for the creation, production and sale of clothing.

The implementation of the sustainable characteristics of fashion in creativity is developing in different directions. A significant niche is occupied by work directly with materials: the development of completely new textile products for the manufacture of clothing, technologies for the production and processing of raw materials. Another direction is working with cutting technologies to obtain a minimum amount of waste or the possibility of using them to create other products. Separately, you can consider the process of organizing the design, production, presentation and sale of products. The theme of design from the perspective of realizing the creative potential of a designer as a passionate personality includes the first two directions. Let us consider in more detail their features and possibilities for creating a creative product. Each designer finds his own way of working to realize his own creative philosophy. Thanks to this, we are getting the development of the concept of sustainable fashion, and it is associated with the emergence of new semantic, figurative and technological niches.

Design duo Vin+Omi (Britain - Singapore) produces fabrics from weeds (nettle, hydrangea, willow, ash and others). Prince Charles joined the

project, offering to use nettles from his garden at Highgrove House. A fabric was made from it, resembling fleece or wool in appearance. Models made from this fabric were presented at London Fashion Week 2018, some of them are on display at the Victoria and Albert Museum. From the very beginning, the fundamental principle of the brand has been environmental friendliness (Cartner-Morley, 2019; Van Doorselaer & Koopmans, 2020).

The younger generation of designers have become actively involved in the movement for sustainable fashion, broadcasting ecological and ethical principles in their collections. Young foreign designers include Collina Strada, ChopovaLowena, Rave Review and Ahluwalia. All of them form their own style, demonstrate their understanding of sustainable development, implement new ideas and meanings on this basis. Tolu Coker (Great Britain) is known for its use of the upcycle technique. The designer first of all says that it is necessary to educate culture. Sustainability is not only working with certain materials and technologies. The human factor is important here, the successful implementation of the ecological concept and creative idea largely depends on it. Appeal to "man" can be identified in different eras, all of them were marked by crisis phenomena, and the way out of them was reflected in art and culture. Fashion is no exception here. And eco-orientation is expressed not only in materials and technologies that preserve natural resources, but also in forms and images.

Alexandra Sipa (Romania) has developed her own technique for creating lace from used electrical wires. She intends to further develop her idea. A feature is not only the use of waste, but also the process of creation itself - a return to handicraft production. This turned out to be less costly in terms of resources and made it possible to obtain exclusive items.

The SS Daley brand (London-Liverpool) also conveys sustainability in its work. One of the key techniques is the use of upcycling technology. Available raw materials are used for production - old tablecloths, remnants of fabrics. Collections can be called artisanal, since all materials are produced in the same place where things are created, the concept of collections, respectively, is based on an authentic culture.

Kevin Germanier (France) creates bright clothes for parties by recycling unclaimed materials: leftover fabrics, sequins, beads, Swarovski crystals. Gradually, the designer came to

understand the importance of non-waste technology. The basic element of any model is a rectangle, it is quite difficult to work with such a figure, but it helps to avoid waste. It is waste-free production that becomes the basis for the formation of future models. He emphasizes that at the moment it is not enough just to use certain materials to create clothes, it is important to innovate in the design process: creating patterns, developing finishes, processing, and so on.

The researchers note that at the moment the segment of eco-clothing in the Ukrainian fashion industry is underdeveloped (Hakhova & Yeremenko, 2021). It is represented by individual designers and brands, among which are Slowme, DevoHome, Zerno, Roussin, Litkovskaya, Golub Upcycled Denim Project, RevicloBy Markova, Klapytk fashion, Preapoclo, RCR Khomenko, Postushna, Rehash, Natasha Fishchenko, Cheresnivska, Ksenia Schnaider, Bevza, Imagine, Atelier Handmade, NCYZIP, DZHUS, Avoska, Urbanko, Ochis Coffee and others.

(Hakhova & Yeremenko (2021) identified four main concepts proposed by Ukrainian designers in the direction of eco-fashion, use of organic materials; introduction of upcycling techniques; use of recycled fabrics and recycling techniques; fashion design with elements of transformation. According to them, these areas most clearly reveal the philosophy and essence of brands, their "main environmental concept." Another important feature is the fact that Ukrainian designers are primarily oriented towards the European market, which allows them to develop their brands. The researchers also note that in Ukraine, among the innovations, the most developed technologies are upcycling and recycling (Hakhova & Yeremenko, 2021, p. 69). Nevertheless, Ukrainian brands are increasingly joining global environmental initiatives, this can be seen in the rejection of natural fur and leather, the choice of innovative materials for their products.

At the beginning of 2020, the A.M.G. brand also launched its own sustainable line, the leading designer of which is Alena Bettiar. The line is called IMAGINE and is based on the use of materials that do not harm the environment (organic or recycled). Sustainability is one of the most significant trends in the modern fashion industry.

The first IMAGINE collection demonstrates that a sustainable approach to the creation of clothing

and its appearance can be in perfect harmony with each other.

Bakalinska & Kolosnichenko (2018) wrote, that modern brand should not change its appearance every season, as this leads to the loss of the core, the erosion of the core of the brand. In addition, the brand fundamentally does not use low-quality fabrics, on which the fast-fashion system is now based. The designer notes that it is important for her to show that clothes can be fashionable even after many years, there is no need to change them often. It is on this that the idea of launching a sustainable brand is based, which will not harm the planet and will meet the spirit of the times.

At the moment, an important step is to bring the scientific base under the practical developments of designers (Duriez et al., 2022). In this area, it is necessary to determine the conceptual apparatus, to fix uniform norms and requirements. The publishing house Condé Nast is one of the leading media outlets bringing together diverse print and online media. The Sustainable Fashion Glossary was created in collaboration with the Sustainable Fashion Centre, the London College of Fashion and the University of the Arts London.

All publications of Condé Nast have a significant impact in the global community, as they constantly cover the state of affairs in industries related to overcoming the climate crisis. The position of the publishing house is clear and precise - the emphasis is on public awareness of current problems, the development of a dialogue that contributes to the search for possible solutions. The Glossary aims to provide a science-based terminology that everyone can refer to for a productive dialogue on fashion sustainability.

Conclusions

The relevance of following the norms of professional ethics and ecology in the modern world is beyond doubt. The fashion industry, as one of the most developed in the world community, demonstrates its desire to raise the level of requirements for all processes and products. This is connected not only with the production and consumption of goods in the fashion industry, but also with other aspects of activity. Thus, sustainable development in the global fashion industry covers more and more aspects every year. However, the personality of the designer, that is, the one who is one of the leaders in most processes, remains practically unattended.

A professional designer in itself is a creative person, a passionary. He sets the development vector for his brand, forms his own philosophy, which is fully projected on his activities and is reflected in the global society. That is why it is so important to explore the processes of implementing sustainable technologies directly through the creative self of the designer. It is his understanding of sustainable fashion that largely forms the general civic position and can influence the level of demand for eco-initiatives in society.

The design process, at certain points in its development, has treated environmental requirements as a kind of constraint. Currently, we can safely talk about the opposite trend - all eco-innovations actually become catalysts for the active development of design ideas. This contributes to reaching a new level of creativity, allows you to balance the ethical and practical side of the issue with the requirements of modern aesthetics.

Thus, it can be argued that the further development of clothing design is increasingly determined by the personality of the designer as a leading specialist not only in design issues, but also in creating an organic combination of all components of the product creation process. New creative searches are due precisely to the vital need for a new philosophy of perception of the world.

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Practical challenges and recommendations on the status of national minorities and indigenous peoples: a comparative analysis of the approaches of the European Union

Retos prácticos y recomendaciones sobre el estatuto de las minorías nacionales y los pueblos indígenas: análisis comparativo de los enfoques de la Unión Europea

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Abstract

Modern models of social development emphasize the prevalence of positive examples of solving complex national and political problems aimed at finding peaceful ways to conduct dialogue and resolve existing conflicts or misunderstandings. The purpose of the article is to analyze the practical challenges and develop recommendations in defining the statute of national minorities and indigenous peoples in the European Union. The article is based on theoretical methods of analysis and synthesis, comparison, structural-functional and dialectical methods. The article analyzes the current problems of the existence of indigenous peoples in the EU countries, the legal rules governing the mechanism for the realization of the rights of national minorities. The author identifies the main challenges that arise in the process of legal regulation of ethnonational policy in the EU. Among them, in particular, the author identifies the politicization of the issue of national

Resumen

Los modelos modernos de desarrollo social hacen hincapié en la prevalencia de ejemplos positivos de resolución de problemas nacionales y políticos complejos encaminados a encontrar formas pacíficas de llevar a cabo el diálogo y resolver los conflictos o malentendidos existentes. El propósito del artículo es analizar los retos prácticos y elaborar recomendaciones a la hora de definir el estatuto de las minorías nacionales y los pueblos indígenas en la Unión Europea. El artículo se basa en métodos teóricos de análisis y síntesis, comparación, estructural-funcional y dialéctico. El artículo analiza los problemas actuales de la existencia de pueblos indígenas en los países de la UE, las normas jurídicas que rigen el mecanismo para la realización de los derechos de las minorías nacionales. El autor identifica los principales retos que surgen en el proceso de regulación jurídica de la política etnonacional en la UE. Entre ellos, en particular, el autor identifica la politización de la cuestión de las minorías nacionales y la negación

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minorities and the denial of their existence. Similarly, the political factor is relevant for the legalization of indigenous peoples, which leads to the weak development of legal instruments. It is proposed to use international UN documents to formulate national legislation, to demand legal prosecution of any manifestations of discrimination at the public level, and to develop a legal framework for terminological aspects of definitions. The conclusions emphasize the importance for the EU candidate states (including Ukraine) to pay leading attention to the problem of indigenous peoples and national minorities.

Keywords: national minorities, indigenous peoples, EU, legal regulation, challenges.

Introduction

Modern models of social development point to the prevalence of positive examples of solving complex problems of national policy aimed at finding peaceful ways to conduct dialogue and resolve existing conflicts or certain misunderstandings. Despite some cases of open chauvinism as a political basis for explaining the basis of their own “superiority” (for example, the crimes of the Russian authoritarian regime in the occupied territories of Ukraine), the current attention of democratic governments is aimed at supporting the principles of ethnic diversity, protecting the rights and freedoms of national minorities and indigenous peoples from assimilation, and showing respect for smaller peoples and nations (Dudgeon, Bray & Walker, 2023). Current globalization trends have turned to the use of legal instruments of ethnic diversity (Kumar, 2021), which within the European Union, for example, has resulted in the use and popularization of the slogan “Unity in Diversity”.

On the other hand, it is equally important to study the experience of democratic countries in the legal regulation of coexistence with national minorities and indigenous peoples, as this issue is extremely relevant for local multiethnic communities. Identifying the legal aspects of regulation on a local basis may be useful for other countries, especially developing countries. Accordingly, consideration of this issue is quite relevant for the formation of relevant research findings and recommendations for the protection of the rights of national minorities and indigenous peoples, and the formation of relevant areas of public policy, including in Ukraine.

de su existencia. Del mismo modo, el factor político es relevante para la legalización de los pueblos indígenas, lo que conduce a un débil desarrollo de los instrumentos jurídicos. Se propone utilizar los documentos internacionales de la ONU para formular la legislación nacional, exigir la persecución legal de cualquier manifestación de discriminación a nivel público y desarrollar un marco jurídico para los aspectos terminológicos de las definiciones. Las conclusiones subrayan la importancia de que los Estados candidatos a la UE (incluida Ucrania) presten una atención destacada al problema de los pueblos indígenas y las minorías nacionales.

Palabras clave: minorías nacionales, pueblos indígenas, UE, normativa jurídica, retos.

Research Problem

The development and subsequent improvement of the policy of protecting the rights of indigenous peoples and national minorities is important in the context of the current state of globalization, forming a kind of response to the challenges of unification of social and national structures. Established practices of coexistence in multinational societies in Europe demonstrate that national minorities generally constitute an active, important force for the establishment and development of the economy, law, and civil society in general. At the same time, open disregard for national minorities and neglect of their constitutional rights and interests is unacceptable in the practices of the twenty-first century (Kumar, 2021). As a result, such actions can lead to escalation or at least strong social tensions, the spread of public discontent, etc. Thus, the legal aspects of the policy on national minorities and indigenous peoples coexisting within the borders of one country are important aspects of modern research in the field of jurisprudence.

Research Focus

The main areas of research proposed in this article are to turn to the legal experience of democratic countries (primarily European countries). The main purpose of such an analysis is to formulate certain generalizations and develop recommendations that would be suitable for streamlining legal mechanisms for establishing coexistence with national minorities and indigenous peoples.

Research Aim and Research Questions

The purpose of the article is to analyze the practical challenges and formulate certain recommendations regarding the status of national minorities and indigenous peoples based on a comparison of the approaches of the European Union.

To achieve this goal, the following issues will need to be considered:

1. Analysis of the legal situation of indigenous peoples in the EU and challenges related to this issue.
2. Analysis of the legal status of national minorities in the EU and challenges related to this issue.

Theoretical Framework or Literature Review

Contemporary scholars have studied various aspects of the functioning of the policy on national minorities and indigenous peoples. Mostly, this problem is characterized within narrow territorial frameworks. Unfortunately, there are not many comprehensive studies on the evolution of the status of national minorities and indigenous peoples. Mór  (2016) described the key aspects of the status of national minorities in Hungary through the prism of legal discourse. The author also addressed the problem of parliamentary representation of national minorities in Hungary. Korhecz (2022) also studied similar issues. Thus, in multinational states with a large number of representatives of national, ethnic, and linguistic minorities with their own identity and culture, the principle of democracy requires that these groups have their representatives in the parliaments of the states. However, in many multiethnic states today, the national majority sometimes makes great efforts to minimize the representation of such ethnic groups in modern governing bodies. Accordingly, Korhecz (2022) compared the policies of Serbia and Hungary on the legislative regulation of the functioning of national ethnic groups in parliaments. Nipp (2015) characterized the main problems related to the legislative regulation of the rights and freedoms of national minorities. Marko (2009) provides a detailed overview of important legal mechanisms to ensure, support, or guarantee minority representation in elected bodies. According to Drzewicki (2010), the previous lack of important and extensive research on the main legal issues concerning the status of national minorities is the result of the normative deficit of certain minority rights norms in international law after the end of

World War II. At the same time, some documents influenced the formation of key standards on national minority rights. In particular, the following documents are important:

1. Copenhagen Document of the CSCE (1990)
2. UN General Assembly Declaration on the Rights of Persons Belonging to National or Ethnic, Religious, and Linguistic Minorities (1992)
3. Council of Europe Framework Convention for the Protection of National Minorities - FCNM (1995)

Verstichel (2010) argues that after the war in Bosnia and Herzegovina, which ended with the signing of the General Framework Agreement (better known as the Dayton Agreement), a complex institution for regulating ethnonational principles in the post-war country was formed. In particular, the Upper House (otherwise known as the House of Peoples) is composed of the following delegates: five from each of the three ethnic groups: Serbs, Croats, and Bosnians. At the same time, the parliamentary assembly is declared to promote the “vital interests” of Bosnians, Croats, or Serbs. According to Verstichel (2010), “the presidency is composed of three members - one Bosnian, one Serb and one Croat - who rotate through the position of the “chairman”. These are some of the important aspects of the consociational democracy shaped by the Dayton Agreement. However, it should be emphasized that contemporary scholars believe that some decisions related to ethnic or religious aspects are debatable. Paravina (2022) studied the peculiarities of observance of national minority rights for Serbs living in Croatia. The researcher focused on the analysis of language and education policies. Sanka (2020) also focuses on analyzing the dilemmas of language policy in relation to national minorities.

The study by Dalimarta & Sara (2021) demonstrates that indigenous peoples are a part of society vulnerable to violations of fundamental human rights. Smith (2019) characterizes the main differences between the concepts of indigenous people and national minority. Stavenhagen (2015) describes the main problems faced by national minorities in the political and social dimensions. Vrdoljak (2018) examined the observance of key human rights among national minorities at the present stage. Bochsler (2010) analyzed the basic electoral rights and freedoms of national minorities in the current political environment. Hagen & Jensen (2018) emphasized the economic aspects of interaction with national minorities in the EU.

Methodology

The study is based on the use of theoretical methods of scientific cognition. In particular, the analysis method was used to organize the structure of the article and to identify the main problematic elements in the current interpretation of the rights of national minorities and indigenous peoples in the EU Member States. The use of the synthesis method made it possible to combine individual elements of interpretations of the problems of ethnonational policy regulation at the present stage. The application of the structural-functional method made it possible to study and compare society as an integral system of certain united parts that are aimed at sustainable development and require adherence to common democratic values and mutual respect. The use of this method also made it possible to identify certain points in the evolutionary development of ethnonational policy mechanisms on the examples of some countries. The dialectical method made it possible to interpret the ethnonational policy as a system that is constantly transforming in accordance with the understanding of the concepts of indigenous peoples and national minorities.

An important role in this legal research is played by the content analysis method used in the study of modern literature and the legal framework of EU countries.

Results

Current Trends in Legal Regulation and Implementation of Indigenous Peoples' Protection Policy in the EU

The general trends of democratic social development during the second half of the twentieth century did not do much to protect the rights of indigenous peoples (United Nations, 1990). The researchers determine that a

fundamental stage of legal support for the rights of indigenous peoples was the adoption of the International Labor Organization Convention No. 169. The Convention presented much clearer requirements for the use of indigenous labor and established norms of legal protection (Lautensach, 2016). In particular, the Convention legally enshrines the formation of collective legal norms for indigenous peoples, the possibility of providing certain territories for their use, and the establishment of certain rights for indigenous peoples, which in general had a positive impact on the protection of their interests and society. At the same time, the countries of the European Union, for example, did not adopt the provisions of this Convention because they believed that indigenous peoples in their territories were already well protected by national legislation. The Federal Republic of Germany was an exception in 2021. Although there are no indigenous peoples within its borders, this step was perceived as a democratic gesture of solidarity with Latin American countries. Other researchers believe that this renewed interest in Convention 169 from a legal point of view as a structural element of broader national policy in general (Kovalchuk et al., 2021; Kumar, 2021). In Europe, only the Netherlands and Luxembourg have supported this Convention.

Active legal regulation of the functioning of indigenous peoples in the international arena began in 2007 when the UN developed and adopted an important legal document - the Declaration on the Rights of Indigenous Peoples (United Nations. General Assembly, 2009). However, not all the leading countries of the world voted for the adoption of this somewhat fateful act (Lončar, 2016). This document, approved by the UN, in practice declared the possibility of taking into account trends in self-determination, opportunities for obtaining autonomous rights and self-government in those legal areas that would regulate the internal life of indigenous communities within nation-states and identifying ways to obtain funding for their own autonomous entities (See Table 1).

Table 1.

Key provisions of the Declaration on the Rights of Indigenous Peoples

The right to self-determination	Articles: 1, 2, 3, 4, 5, 6, 8, 33, 34
The right of indigenous peoples to protect their identity through education, language, religion, etc.	Articles: 9, 15, 23, 25, 31
The right of indigenous peoples to economic development, type of governance	Articles: 17, 18, 19, 20, 21, 35, 36, 37
The right to protect their own health, protection of the elderly, children, and women.	Articles: 22, 23, 24
The right to land ownership	Articles 10
Environmental Aspects of the Declaration	Articles: 26, 27, 28, 30, 32

Source: United Nations. General Assembly. (2009). Declaration on the Rights of indigenous Peoples. Allen & Unwin.

On the other hand, the Declaration, as a legal document, prohibited indigenous peoples from fighting for full independence, secession from the country, and the formation of their own state entities. This aspect was additionally emphasized in the Declaration, including its legal interpretation. All available clauses of this document were proposed to be considered in legal disputes as prohibiting and condemning any activity that could lead to the complete or partial disintegration, other manifestations of violation of the territorial integrity of borders and sovereignty of already established states (Manik, Sumertha & Widodo, 2023).

Certain provisions of global decisions are also reflected in EU norms and national legislation of EU member states (Kugelmann, 2007). Although the mechanisms of the Council of Europe do not establish specific standards or other instruments to regulate the rights of indigenous peoples, the Declaration has a corresponding legally binding list of standards, including the prohibition of discriminatory actions and the right to respect in private and family life. The European Court of Human Rights has developed relevant case law covering the rights and freedoms of indigenous peoples. In addition, the observations of the monitoring bodies of the Framework Convention for the Protection of National Minorities and the European Charter for Regional or Minority Languages, which address certain issues of indigenous rights, are relevant (Sanka, 2020).

In fact, there are not many peoples in Europe that have a definition of indigenous. For example, in Finland, the Sami Parliament is the main representative body of the indigenous people of Finland. It was founded in 1973, but its status

was strengthened by the 1995 Act and the 1999 Constitution of Finland. According to these legal acts, the Sami, as an indigenous people, along with the Roma and other groups, have the right to preserve and develop their own language and culture guaranteed by the state, and the right to enjoy linguistic and cultural autonomy is exclusively for the Sami (Vančo & Efremov, 2020). Other “other groups” do not have such rights, according to Finnish law. The Sámi Parliament cannot take legislative initiatives, but it can initiate consideration of decisions on behalf of the whole people in relation to any legal, administrative, or other measures affecting the rights and interests of the Sámi. In Sweden, the Sami have the status of an indigenous people. At the same time, they are a national minority in this country. On par with other minorities, their language has official status in areas where the Sami minority lives compactly. At the same time, there is also a Sámi parliament in Sweden, which is more focused on cultural issues.

There are no other officially recognized indigenous peoples in the EU. For example, the Basques in Spain or the Lusatian Serbs in Germany have national minority status (Togeb, 2008). Obviously, the consequences of such decisions are political, since in the long run, granting autonomy could lead to separatism. For this reason, the Serbs of Lusatia within the federal state of Saxony have been granted important rights to protect their identity, while the Basques enjoy full autonomy and still seek independence from Spain.

Thus, the rights of indigenous peoples in the EU face challenges in several important ways (see Table 2).

Table 2.

Practical challenges and recommendations on the status of indigenous peoples in the EU

Challenge	Features	Recommendations
Political factor The solution of the problem of indigenous peoples is mainly entrusted to national parliaments, which may or may not recognize this status at their own discretion and in the interests of the titular nation. This creates significant legal difficulties for the protection of indigenous populations (e.g., Basques or Sardinians). On the other hand, tangible tendencies toward separatism only fuel the concerns of politicians, as the granting of a new status could lead to precedents of secession in the future.		Adherence to the UN Declaration, which allows for political consideration of the issue based on international documents. The affirmation of the principle that independence cannot be obtained based on the Declaration is an important clarification. On this basis, indigenous peoples will be able to decide for themselves whether to obtain this status or continue to pursue a policy of self-determination. It is important for EU countries to reduce the politicization of this issue.

Legal factor.

The problem with defining the rights of indigenous peoples is exacerbated by the fact that there is a certain substitution of concepts. The Lusatian Serbs could claim the status of indigenous peoples within Germany, but they do not have this status. Obviously, the issue of terminology and self-determination will become relevant in the future.

The development of an appropriate legal framework will make it possible to clarify definitions for legal instruments. Thus, it is possible to turn to a peaceful resolution of possible legal discussions or even social movements.

The revival of interest in the problem of indigenous peoples (as indicated by the example of Germany). There is likely to be a tendency to revisit the issue.

The adoption of the UN Declaration in 2007 provides an opportunity for further consideration of the issue of indigenous peoples in national parliaments with reference to existing legal documents. Perhaps the next actualization of the issue will bring productive solutions to avoid contradictions.

Source: authors' development

The relevance of the issue of indigenous peoples depends on the political will of national governments and relevant legal instruments. At the same time, the renewed interest in this issue among countries that do not have their own indigenous peoples indicates support for the general course of democratization of attitudes toward them around the world.

Problems of the policy on national minorities in the EU: the legal aspect

The EU member states have adopted separate conventions and other legal documents, including those approved by the Council of Europe (Virtanen, 2019). For example, the European Charter for Regional or Minority Languages became important in 1992, and the Framework Convention for the Protection of National Minorities was ratified in 1995, which also had separate provisions on indigenous peoples. To generalize legal legislation on minorities and ensure its universality and maximum adaptation to the process of European integration, Article 5 of the Convention reflects the current trend. In this context, it emphasizes the need to implement a legal policy that does not prejudice the measures taken in accordance with the general integration policy, while avoiding the practice of assimilation of persons belonging to national minorities. At the same time, the implementation of the fundamental principles of these documents depends on the norms and peculiarities of the national legislative framework of each participating country and therefore depends on the political will of national governments.

In particular, the governments of the Federal Republic of Germany (Germany) and the states

of Saxony and Brandenburg recognize the Serbs of Lusatia as a national minority who have no other homeland outside of German territory. There are significant historical traditions in the German judicial system that guarantee the right of Lusatians to use their mother tongue in courts (Samorai, 2020). These traditions were established in the late nineteenth century and later restored in the former German Democratic Republic, as well as adapted at the federal level through the Constitutional Judicial Act. Especially the two-state constitutions of Saxony and Brandenburg reveal the legal status of Serbo-Lusatians as citizens of the Federal Republic of Germany and a national minority in Germany. The constitutional organization of these federal states guarantees compliance with the principles of a republican, democratic, and socio-legal system (Hudson et al., 2023). In particular, the Constitution of Saxony guarantees the right of an ethnic minority to use its national symbols and flag on an equal footing with the coat of arms and flag of the federal state. The following articles of the Constitution are intended to enshrine the legal equality of the Lusatians as an autochthonous minority with the titular German ethnic group, to regulate the mechanisms of proper protection, and to determine the public authorities that will exercise the rights and freedoms of the Lusatian minority.

In the current circumstances, the experience of the states of the former Yugoslavia, which after the war of the 1990s went through a long stage of restoration and normalization of ethnonational life, including with an emphasis on the status and rights of national minorities, is also important. Based on a study of the legal practices of Croatia and Slovenia (both members of the European Union), it is clear that the proposed models of

normalization are similar in many respects. Their constitutions contain provisions on the fundamental rights of national minorities, which form the legal basis for the relevant legislative framework that details these rights and defines the instruments for their realization. This includes the consolidation of fundamental rights (the right to exist as a self-determined community that identifies itself with a particular ethnic group) and the provision of “compensatory” rights (protected opportunities to use their native language in administrative and educational institutions, receive information, the necessary level of cultural development, free opportunities for interaction, economic development, and the use of their own symbols for self-identification) (Gevorgyan & Baghdasaryan, 2021). “Political” rights are also granted: access to decision-making at the national and local levels, especially in matters that affect one's own political and social status. For example, in Slovenia, where Italians and Hungarians live together, there is a concept of a double guarantee of national minority rights. These representatives of national minorities have the right, along with all other citizens, to vote in national and local elections (Kovalchuk et al., 2021). At the same time, they also vote in the election of managers from national communes (communities) and receive the right to elect representatives from their own environment to legislative or executive bodies.

Austria has a strong democratic tradition of protecting minority rights. In Burgenland, Croats, Slovenes, Hungarians, Czechs, and Slovaks have national minority status. In the future, it is planned to grant this status to the Roma ethnic group. The Austrian Federal Law of July 7, 1976, on the Legal Status of National Minorities defines them as Austrian citizens who do not speak German as their mother tongue, have a separate cultural identity, and have lived in Austria with domicile (80-100 years). An important innovation is the functioning of the Council of Ethno-National Minorities, which has advisory powers to the federal government (Nettheim, 2009). Hungary also sets a minimum period of residence on its territory for obtaining national minority status. Hungary considers

“national or ethnic minority” all ethnic groups that have been living in the territory of the Republic of Hungary for at least one century, constitute a minority among the population of the state, hold Hungarian citizenship, differ from the rest of the population in their language, culture, and traditions, and show an awareness of their unity aimed at preserving this and protecting the interests of their historically formed communities.

The experience of France, which has not ratified the European Charter for Regional or Minority Languages and the Framework Convention for the Protection of National Minorities, is original. According to researchers, constitutional considerations allow the French not to accede to international treaties and not to recognize the existence of minorities (Chikuvadze, 2023).

The politicization of ethnicity poses a serious challenge and destabilizing factor in the realization of the rights of national minorities, especially when it comes to decision-making. The process of politicization of ethnicity emerges when discussing the issues of compact settlement of representatives of a particular national minority outside their homeland. There are several examples of such policies in Europe. First of all, we should mention the Russian minority in the Baltic States and the Serbian minority in the neighboring countries of the Balkan Peninsula. The Kremlin has repeatedly used the consequences of Soviet policy, in particular the large number of Russians who were resettled in other republics during the Soviet Union. Similarly, Serbs use the settlement of their ethnic group in the countries of the former Yugoslavia. Abuse of tolerant attitudes toward national minorities has become an urgent problem for legal response in Latvia, Lithuania, and Estonia. The legally enshrined institution of non-citizens provides an opportunity to overcome the political ambitions of politicians who use their fellow citizens to achieve their personal goals.

Therefore, there are certain challenges to the rights of national minorities in the EU countries related to several important aspects (See Table 3).

Table 3.*Practical challenges and recommendations on the status of national minorities in the EU*

Challenge	Features	Recommendations
Politicization. Politicization of the issue of national minorities (typical for the territory of states that collapsed in the recent past and belonged to the socialist camp). Bureaucratic obstacles and constitutional interests of titular peoples. Formation of deliberately unworkable rules for the legalization of a national minority. It occurs when governments pursue assimilation (legal and ethnic), thus destroying the basis for the functioning of a national minority.	Modern European policy "Unity in Diversity"	1. The Baltic way of solving the problem is to introduce the institution of non-citizens, which allows to isolate of the aggressive minority from participation in legal decision-making 2. Balkan way - integration of minorities based on the concept of a double guarantee of national minority rights. Refusals to seek dialogue (overt and covert) are destructive and lead to social tensions. The response to this legal challenge can probably be primarily a public one - under pressure from society, governments are able to review cases of discrimination against national minorities. It is also relevant to refer to international decisions, conventions, etc. that set certain guidelines in legal decisions regarding national minorities. Although the proposed slogan is demonstrative, it still allows for raising the issue of oppression of national minorities at the international level. Thanks to this, this problem does not remain on the margins of political and legal life and requires constant updating. This includes the search for new legal instruments.

Source: author's development.

Accordingly, much of the solution to the rights of national minorities depends on political will, which generally fits into the modern credo of "Unity in Diversity".

Discussion

As demonstrated, the protection of the rights of national minorities and indigenous peoples has become an extremely important part of acquiring the necessary political criteria to qualify for membership and become EU member states. One can agree with the view that the importance of this element as the foundation of the European integration process is simultaneously and equally important with democratic transformation, the rule of law, and human rights protection (Togebly, 2008; Vrdoljak, 2018; Kumar, 2021). European and international standards for ensuring the rights of indigenous peoples and national minorities are also relevant for Ukraine. In particular, the current Association Agreement between Ukraine and the European Union also

includes these factors. The parties that approved it showed their commitment to close and valuable relations based on democratic values, respect for democratic principles, the rule of law, human rights, and fundamental freedoms (Kovalchuk et al., 2021). In particular, it was also about the rights of persons belonging to national minorities, non-discrimination, respect for national feelings and traditions, etc.

A problem that leads to destabilization in the realization of the rights of national minorities is the politicization of ethnicity (Paravina, 2022). This means that the issue of compact settlement of representatives of a particular national minority outside their homeland becomes a subject of political disagreement (Korhecz, 2022; Sarkki et al., 2023). European examples of such politicization have several manifestations. In particular, it concerns the Russian minority in the Baltic States and the Serbian minority in the neighboring countries of the Balkan Peninsula. The Kremlin has repeatedly used the

consequences of Soviet policy, in particular, the large number of Russians who were resettled in other republics during the Soviet era, for political purposes.

In Ukraine, the problem of national minorities and indigenous peoples was addressed at the legislative level quite late. Although the definition of “indigenous people” appeared in the Constitution of Ukraine in 1996, there was no clear definition of who fell under this concept. The reason for this situation can be identified in the political sphere: for a long time, certain political forces in Ukraine have been speculating on the national question. Their focus was not so much on the Russian part of the population as on the pro-Russian part of the Ukrainian population, whose sentiments were not in line with European integration. Delays and artificial inflating of the “national question”, the status of the Russian language, etc. led to the deployment of full-scale Russian aggression - the Russian authoritarian regime used this situation to launch a full-scale aggression against Ukraine. Only on March 20, 2014, after an illegitimate “referendum” in Crimea, the Crimean Tatars were recognized as an indigenous people - the Verkhovna Rada of Ukraine adopted a resolution and officially supported the UN “Declaration” on the Rights of Indigenous Peoples.

However, it was only in July 2021 that the Law of Ukraine “On Indigenous Peoples of Ukraine” was adopted. For the first time in Ukrainian realities, the concept of an indigenous people of Ukraine was defined as an autochthonous ethnic community that originated on the territory of Ukraine, has an original language and culture, has traditional, social, cultural, or representative bodies, self-identifies as the indigenous population of Ukraine, constitutes an ethnic minority within it and does not have its own state formations outside Ukraine (which separates them from national minorities). According to this act, the Crimean Tatars, Karaites, and Krymchaks are recognized as indigenous peoples of Ukraine (the latter ethnic groups, according to the 2001 census, amounted to only 1,196 and 406 people, respectively). Thanks to the adopted law, these indigenous peoples were able to self-determine, as no other country protects them. The law also recognizes the representative bodies of indigenous peoples, which require the appropriate permission of the Cabinet of Ministers of Ukraine to perform their functions. Against the background of European and international practice, this decision is quite reasonable and relevant. However, there are several problems in its implementation.

First of all, the decisions were made too late, when the Crimean peninsula was occupied by Russians under the guise of the results of a “referendum.” It is unrealistic to implement the resolutions of the Ukrainian government in such circumstances, at least as of today.

The possible formation of national autonomy of the Crimean Tatars is also a cause for concern among researchers, as it could become a precedent for other, primarily national minorities. Although the analyzed law clearly refers to indigenous peoples, other interpretations may appear in practice. This indicates the continuing politicization of the national issue in Ukraine and weak definitions in legislative acts that allow for two interpretations even in cases where terms seem to be clearly defined. European experience allows us to reconsider and normalize the issue (Lautensach, 2016). It is about gradually abandoning the politicization of the issue and using the legislative experience of other countries in dealing with indigenous peoples and national minorities. Therefore, the solution to the national issue in European countries is entirely applied in nature.

Conclusions

Therefore, the issue of practical challenges and recommendations regarding the status of national minorities and indigenous peoples (based on a comparative analysis of the approaches of the EU states) is relevant for modern legal science. In particular, the author identifies the following challenges to the functioning of legal definitions of indigenous peoples: political and legal. To overcome them, it is recommended to:

1. Strict adherence to the UN “Declaration”, which can become a legal basis for defining the legal rights of indigenous peoples. Currently, only the rights of the Sami people (in Finland) are defined in the EU. At the same time, the assertion of the principle of the impossibility of gaining independence based on the Declaration may become the basis for further development of legal regulation of indigenous peoples (one example is Ukraine, which is oriented towards EU accession and has granted indigenous status to Crimean ethnic groups).
2. A political and legal solution to this issue will allow for the development of an appropriate legal framework to overcome conflict or controversial cases. The interest of the leading European countries (Germany, the Netherlands, Luxembourg) in

this issue indicates their interest in this legal process and the existence of political solidarity with unrecognized indigenous peoples.

Among the current legal challenges to the existence of national minorities, national minorities are the following: the use of national minorities in political interests, ignoring the existence of national minorities on their territory. To overcome them, it is proposed to:

1. Use of the Baltic approach (introduction of the institute of non-citizens) or appeal to the Balkan experience (double guarantee of national minority rights).
2. Intensification of public reaction to discrimination and development of appropriate legal mechanisms based on international law, national legislation, and general trends towards democratization of public life in the EU.

At the same time, the experience of countries in implementing specific measures and regulating the rights of national minorities and indigenous peoples will require additional research in terms of developing the necessary terminology. In particular, this is relevant for countries seeking to join the EU and harmonize their legislation (including Ukraine).

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The most attractive companies in the labour market based on culture place of origin

Las empresas más atractivas del mercado laboral en función de la cultura del lugar de origen

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Abstract

This paper analyses the differences in the attractiveness of companies according to their country of origin. The aim is to expand knowledge about which characteristics make organisations more attractive to workers based on their place of origin (Anglo-Saxon, Northern-Central European, Mediterranean, Asian regions). In addition, it is analysed if the COVID-19 has caused changes in the elements that make up the attractiveness.

The sample comprises the ranking published by the journal *Actualidad Económica* about the most attractive companies to work for in Spain, during 2013-21. The variables used in the ranking are: Talent-Management, Remuneration, Work-Environment, CSR and Training. Other control variables like geocultural area are used. For this purpose, an econometric model of unbalanced panel data with random effects is proposed.

Results show there are differences in the assessment of professional attractiveness according to the companies' place of origin and culture. Remuneration and permanence in the ranking are the only variables which are relevant regardless of the culture. Talent Management, Working Environment and Training, size, and stock price influence Western countries

Resumen

Este trabajo analiza las diferencias en el atractivo de las empresas según su país de origen. El objetivo es ampliar el conocimiento sobre qué características hacen que las organizaciones sean más atractivas para los trabajadores en función de su lugar de origen (regiones anglosajonas, centro-norte de Europa, mediterráneas, asiáticas). Además, se analiza si el COVID-19 ha provocado cambios en los elementos que componen el atractivo.

La muestra está compuesta por el ranking publicado por la revista *Actualidad Económica* sobre las empresas más atractivas para trabajar en España, durante 2013-21. Las variables utilizadas en el ranking son: Talento-Gestión, Remuneración, Clima Laboral, RSC y Formación. Se utilizan otras variables de control como el área geocultural. Para ello se propone un modelo econométrico de datos de panel no balanceado con efectos aleatorios.

Los resultados muestran que existen diferencias en la valoración del atractivo profesional según el lugar de origen y la cultura de las empresas. La remuneración y la permanencia en el ranking son las únicas variables relevantes independientemente de la cultura. La gestión del talento, el entorno laboral y la formación, el tamaño y el precio de las acciones influyen de manera desigual en los países

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unequally. The opposite occurs for SCR, which only affects Asian companies. Also, COVID-19 has affected unequally the assessment of the attractiveness of companies.

Keywords: organizational culture, cross-country differences, talent-management, remuneration, work-environment.

Article classification: Research work.

occidentales. Lo contrario ocurre con el SCR, que solo afecta a las empresas asiáticas. Asimismo, el COVID-19 ha afectado de manera desigual la valoración del atractivo de las empresas.

Palabras clave: cultura organizacional, diferencias entre países, gestión del talento, remuneración, clima laboral.

Clasificación del artículo: Trabajo de investigación.

Introduction

Over the last decades, the economy of knowledge and human capital have acquired relevance. This work aims to expand knowledge about the attractiveness of companies for job seekers. Firstly, to shed light on which aspects and/or attributes of organizational culture make up their attractiveness; secondly, to determine if there are differences in these aspects according to the organisation's country of origin and, thirdly, to assess whether COVID-19 has modified the attributes that make up said attractiveness.

The companies ranked among the 100 best Spanish companies to work for by the Revista de Actualidad Económica (RAE) motivated the publication of this study. The ranking, published annually, takes five parameters into consideration, which the literature recognises as key indicators in assessing the attractiveness of companies by workers and professionals; these variables are: Talent Management, Remuneration, Working Environment, Corporate Social Responsibility (CSR) and Training. This ranking has also been used in studies on organisational learning capacity (Guinot et al., 2015). In addition to these five parameters, other variables have been studied, such as their size, whether the company is listed on the stock market or not and the continuity in the ranking over the years.

The results of the aforementioned ranking for the period 2013-21 revealed a crucial circumstance to elicit this research: the presence of different multinational companies (MNCs) operating in Spain. This phenomenon highlights the international scope of the ranking published by RAE, and it leads to a more profound reasoning: Are differences in the attractiveness of companies dependant on their place of origin? Is the way companies address employer branding and projected image conditioned by their culture? How has COVID-19 influenced attractiveness?

Based on the ranking published annually by the RAE for the period 2013-21, along with other control variables such as size, listing on the stock market, field of activity and continuity in the ranking of the highest-rated companies, the main objective of this article is to analyse whether there are differences in the level of attractiveness and in the different elements described when assessing attractiveness according to the nationality of the parent company (Anglo-Saxon, European, Mediterranean or Asian). Variables which are likely to influence professional attractiveness will also be analysed to study how the COVID-19 pandemic might have affected them. This knowledge will produce useful information for companies regarding human resource management with the aim of improving the recruitment and retention of talent.

Literature Review

There are numerous studies on the attractiveness of organizations, focusing on the five variables mentioned above, and the influence that the origin of companies has on organizational culture.

Attracting and retaining talented employees has become a fundamental aspect for organisations around the world (Eger et al., 2019). In fact, recent studies reveal that the vast majority of companies have a real interest in providing an ideal work environment for their employees (Senarathne, 2020). This occurs because the current state of business values talent as a key factor for the successful performance of companies (Alparslan & Saner, 2020; Vilciauskaite et al., 2020). Finding an appropriate strategy to attract and retain talented employees requires investing in employer branding policies (Monteiro et al., 2020). A good design and implementation of human resources strategies, including the employer's brand, are key aspects for attracting and retaining employees and for the growth and competitiveness of the organisation (Amarakoon & Colley, 2022). Although this concept has been established for more than two decades, its

process and consequences have not been analysed in full yet (Gregorka et al., 2020). However, it is strongly believed that a solid employer brand may help organisations stand out in the market and attract the best professionals. Ultimately, the brand facilitates the communication of the uniqueness of an organisation, and it also contributes to determining its intangible value (Rath & Vasantha, 2018).

The attractiveness of organisations to job seekers. Influential factors

Companies included in the study are taken from the ranking *The 100 best Spanish companies to work for*, which was published by RAE. This ranking has been selected because it includes variables that are recognised in the literature as the most suitable indicators to measure the attractiveness of a company.

Job satisfaction, affective organisational commitment, and turnover intention are considered important concerns in the **talent management** literature, (Alferaih, 2017). Several works also observed a positive relationship between talent management and job performance, (Kwame Mensah et al., 2016). High-performance and ethical organisational cultures have strong effects on attracting and retaining talent, (Kontoghiorghes, 2016).

Findings from a study conducted in the UK, US, Greece and Australia suggest that the main strategies for retaining talent include a friendly and open access culture, teamwork, compensation, training and development, as well as the involvement of staff, (Marinakou, 2019). Studies carried out in Belgium indicate that talent retention practices occur mostly in promotion opportunities and financial rewards, rather than those related to social environment or a balance between work and personal life (De Vos & Meganck, A., 2009). Various studies on the health sector in Germany point to **remuneration** as one of the most important factors to increase the attractiveness of the job, Herget et al., (2021). Other sectors such as construction have shown that remuneration is among the most important motivational factors, (Aghayeva & Ślusarczyk., 2019). The same is also stated in another study about the information technology sector, which indicates that the motivation of employees is related to additional payments, (Chistyakov et al., 2021). In the case of the shipping industry in China, the results show that promotion is the most significant factor in job satisfaction, followed by salary and benefits, (Li et al., 2014).

There have also been studies found on the importance of the **work environment**. With that being said, Aghayeva & Ślusarczyk (2019) conclude that one of the more discouraging aspects for professionals was the aggressive treatment from their supervisors/bosses and the conditions of an unsafe workplace that generate an unhealthy work environment. Li et al., (2014) concluded that one of the main aspects that are valued by the Chinese professions were work environment and the usage of status-describing titles.

Empirical studies carried out in various sectors of different countries conclude that there is a positive relationship between workers' perception of **CSR** and the organisational attractiveness: Belinda et al., (2018), in the USA; Menaga & Shanmugam (2021), and Bharadwaj & Yameen (2021) in India; Choi et al., (2020) in South Korea; Ouyang et al., (2021), in China, or Tarigan et al., (2021) in Indonesia. The constructs of corporate social responsibility have significant influence on the evaluation of the employer brand, (Xinsheng & Yoon, 2016).

'Millennials' are of special interest, highlighting their greater sensitivity to CSR practices when assessing the attractiveness of a company, Waples & Brachle (2020) in the USA; Catano & Morrow (2016) in Canada. Besides their attractiveness to job seekers, CSR practices also lead to greater employee motivation and job retention rates, which in turn has had a positive impact on corporate performance, (Sharma & Mishra, 2019).

Empirical evidence supports the positive relationship between **training** employees and job satisfaction, (Choi et al., (2020), Paais (2019), Cerdin et al., (2020); Gaspar et al., (2021)). Training positively influences internal and external job satisfaction according to a study conducted in Chinese state-owned enterprises, (Zhang & Lee, 2016). A study conducted for Japanese companies in Malaysia concludes that the elements that make up attractiveness differ with age, with skill training being more attractive for students, (Mori et al, 2019).

Cross-Country Differences

Globalisation has caused organisations to operate in a huge number of culturally diverse countries (Valverde-Moreno et al., 2021). As a result, multinational companies (MNCs) are becoming increasingly

common in many economies. However, authors like Guthrie et al., (2008) already emphasise the existence of substantial differences among MNCs according to their country of origin.

Consequently, organisations in today's globalised world must determine whether it would be better to use one corporate strategy or to customise their employer brand according to the cultural differences among nations. Therefore, MNCs are under the complex pressure of finding appropriate balance between global, national and local practices, especially in the area of human resource management (Hussein & Kachwamba, 2009). This is the reason why the country-of-origin effect (COE) on employment practices in multinational enterprises has become an important area of international human resource management research (Zhu & Jack, 2017). According to theories of ethnocentricity, MNCs tend to transplant the dominant business strategic practices of the country of origin into their subsidiaries and apply them wherever they operate (Hussein & Kachwamba, 2009).

Various works in which comparative research is conducted using several econometric techniques highlight contrasts between human resources practices across countries (Amossé et al., 2016; Grimshaw & Rubery, 2009). With regard to this approach, little research has been done into different cultural perspectives towards **talent management (TM)** around the globe. In emerging market economies (such as Asia, Eastern Europe, Middle East, Africa, and BRICS), it is a largely unexplored area of practice and research (Dirani & Nafukho, 2018). Furthermore, most research on TM is conducted in the West, while the current state and indigenous practices of TM in most countries of the world are not explored.

There are some studies in this respect, but they are too specific. Research conducted by De Guzman et al., (2011) about the current Human Resource (HR) philosophy and the specific roles practiced by HR professionals among Asian companies in four Asian countries demonstrates that differences among countries exist depending on the type of organisation, the size of the organisation, and whether the HR managers work for HR departments or for other functional departments. Likewise, Poocharoen & Lee (2013) have investigated public sector TM schemes in Thailand, Malaysia, and Singapore, concluding that while the countries have comparable names of TM schemes, a closer look at these reveals that there are also many differences.

Studies about **remuneration and compensation** mostly focus on comparatives between remuneration policies for CEOs, especially in countries such as Japan or the United States. That is the case of the study conducted by Pan & Zhou (2018), whose results show strikingly large differences between the Japanese and American systems that are difficult to explain by differences in conventional incentive contracts. These findings differ from other recent studies, which portray that international differentials in CEO wages have largely disappeared since the mid-2000s. However, no scientific studies have been found which evaluate remuneration differences within non-executive positions in the companies around the world.

Similarly, there are very few studies on the variable **work environment**. Indeed, articles that deal with these issues from an overall perspective are scarce, thus reducing the amount of available works related to these factors, as well as the number of authors who have analysed these variables from a perspective centred in places of origin.

Regarding Corporate Social Responsibility (**CSR**), differences appear among practices implemented by companies in developing countries (BRICS) and two developed countries (USA and UK), which result in developed countries having higher CSR disclosure scores than developing countries (Bhatia & Makkar, 2019). Regarding the rest of the studies, their scope is too specific. For instance, a study reflects that consumers in Albania, as post-communist countries, have more expectations in terms of CSR than Germans and Italians, Minoja et al., (2022).

Identifying cross-country differences in personnel **training** is easier through the existing literature. On the one hand, statistically significant differences have been found among training practices in the sample of nine Central and Eastern European (CEE) countries, Berber et al., (2020). If we look at specific countries, a study in China finds both similarities and differences between Chinese and German companies, particularly in terms of the links between the national training system, the national labour market, and the social setting, Li et al., (2014). A case study for companies listed at the Korean capital market has provided empirical evidence on the effect of training on companies and it has identified the need to analyse firms in other countries, such as Japan, the USA and China, (Kwon, 2019). In contrast, a study regarding the

relationship between training and development of employees and the observed organisational performance in countries of the Danube region has not detected significant differences, (Slavić & Berber, 2019).

Multinational companies face fierce competition to attract local talent. In this sense, Kim et al., (2018) analyze the influence of professionals' cultural values when assessing the attractiveness of Japanese companies in Malaysia. The results indicate that the attractiveness of the employer for a professional or job seeker depends on the fit between the cultural values of the latter and those of the country of origin of the employing company of the individual cultural value with the country of origin of the employing company.

The work of Jyoti & Kour (2017) points to cultural intelligence as a key element for the success of organizations, especially in the case of multinationals whose culture is linked to their country of origin but who are forced to interact with professionals from different cultures. Cultural intelligence allows interaction to a greater extent with professionals from different cultures and increases their productivity.

Methodology

Hypotheses

Hypothesis 1 (H1): The assessment of Talent Management made by workers regarding the labour attractiveness of companies differs according to the place of origin of the parent company.

Hypothesis 2 (H2): The assessment of Remuneration made by workers regarding the labour attractiveness of companies differs according to the place of origin of the parent company.

Hypothesis 3 (H3): The assessment of the Work Environment made by workers regarding the labour attractiveness of companies differs according to the place of origin of the parent company.

Hypothesis 4 (H4): The assessment of CSR made by workers regarding the labour attractiveness of companies differs according to the place of origin of the parent company.

Hypothesis 5 (H5): The assessment of Training made by workers regarding the labour attractiveness of companies differs according to the place of origin of the parent company.

Hypothesis 6 (H6): The assessment of economic activity made by workers regarding the labour attractiveness of companies differs according to the place of origin of the parent company.

Hypothesis 7 (H7): The assessment of company size made by workers regarding the labour attractiveness of companies differs according to the place of origin of the parent company.

Hypothesis 8 (H8): The assessment of the stock price made by workers regarding the labour attractiveness of companies differs according to the place of origin of the parent company.

Hypothesis 9 (H9): The assessment of continuity of a company in the ranking made by workers regarding the labour attractiveness of companies differs according to the place of origin of the parent company.

Sample

The RAE publishes an annual ranking of the 100 most important companies to work for in Spain. We have a total of 894 records in the years of 2013-2021. The total number of companies that appear in the ranking amounts to 300, of which 4.7% appear on all nine rankings.

Table I provides a breakdown of records by international categories, with Mediterranean companies being the most present (55,0%) followed by Anglo-Saxons (24.7%), Northern-Central European (18.3%) and Asian (2%). There are two large clusters: one gathers Western companies, with a smaller presence of Eastern companies.

Table I.

Classification of companies in the RAE ranking by region (2013-21)

Region/Country	Nº records	Companies	
		Nº	%
Anglo-Saxon	249	74	24.7
Canada	1	1	0.3
United States	147	46	15.3
Ireland	12	3	1.0
UK	89	24	8.0
Asian	17	6	2.0
China	2	1	0.3

South Korea	5	1	0.3
Japan	10		1.3
Northern and Central Europe	157	55	18.3
Germany	57	21	7.0
Belgium	1	1	0.3
Denmark	3	3	1.0
Finland	6	1	0.3
Luxembourg	2	2	0.7
Norway	1	1	0.3
Sweden	44	12	4.0
Switzerland	22	7	2.3
Netherlands	21	7	2.3
Mediterranean Europe	471	165	55.0
Spain	363	134	44.7
France	75	26	8.7
Italy	24	3	1.0
Portugal	9	2	0.7
Overall	894	300	100.0

Source: Own elaboration, using data published in Actualidad Económica

Variables and Methods

Table II describes the variables used by the RAE that make up the five indicators used in the preparation of the annual ranking. The ranking is drawn up using a questionnaire with a hundred questions. The questionnaire canvasses experts in human resources from more than 500 companies. The companies eligible for participation in the ranking must meet the following criteria: to operate in Spain, to have been in operation for more than five years and to have a workforce of more than 100 employees.

Table II¹.
Variables used by the RAE

Variable	Description	Maximum score
Talent management	Projection, performance and undesired turnover	240
Remuneration	Assesses fixed and variable wages, non-monetary remuneration and social benefits	225
Work environment	Working hours, teleworking, work-life balance and working conditions	205
Corporate Social Responsibility	Social and volunteering policies involving personnel	50
Training	The investment received by the employee	220
Total	Total score	1,000

Source: Own elaboration, using data published in Actualidad Económica

Table III shows the control variables added to carry out the study.

Table III.
Control variables added to the study for companies in the RAE ranking

Variables	Justification
Nationality	To classify the quantitative information of the ranking by nationality. They are grouped by cultural regions.
Economic activity	To know the economic sectors to which companies belong and, for this purpose, they are classified according to CNAE code, grouped to the first digit.
Size	To know the size of the companies that are in this ranking.
Stock Market Listing	Classifying companies according to whether they are listed on the Secondary Stock Market or not.
Continuity in the ranking	Number of times the company appears in the ranking.

Source: Own elaboration

¹ A variable named "Employees' perception" was included only until 2021, therefore it was left out of the analysis. Likewise, the rating scale was changed in 2020, thus newer values have been adjusted to the original ratio for data homogeneity.

The information available has led us to compile two econometric models of unbalanced panel data with random effects. Using this type of econometric model, we can assess whether the individual coefficients α_i and/or the temporal coefficients ϕ_t are not fixed effects in the regression-independent term, but rather are left to vary randomly over time and across companies. The general expression of the panel data regression model with random effects would be the following, equation 1:

$$Y_{it} = \beta_0 + \sum_{i=1}^K \beta_k X_{kit} + u_{it} \quad (1)$$

Where Y_{it} is a linear function of K explanatory variables ($i=1,2,...N$ companies and $t=1,2,...T$ observations in time), but the error term has the following structure, equation 2:

$$u_{it} = \alpha_i + \phi_t + \varepsilon_{it} \quad (2)$$

Where:

$$E[\alpha_i] = E[\phi_t] = E[\varepsilon_{it}] = 0 \quad (3)$$

$$Var[\alpha_i] = \sigma_\alpha^2; Var[\phi_t] = \sigma_\phi^2; Var[\varepsilon_{it}] = \sigma_\varepsilon^2 \quad (4)$$

$$Cov[\alpha_i, \alpha_j] = 0; Cov[\phi_t, \phi_s] = 0; Cov[\varepsilon_{it}, \varepsilon_{jt}] = 0 \quad (5)$$

Equation (1) in this work has been broken down into two equations, the first of which will include the variables that make up the six indicators of the RAE ranking and the control variables minus the economic sector variable, whose expression is shown in equation 6:

$$Ranking_{it} = \beta_0 + \sum_{i=1}^K \beta_k X_{kit} + \sum_{h=1}^H \beta_h Z_{hit} + u_{it} \quad (6)$$

Its disaggregated form is expressed as equation (7), in which the dummy variable $D2021$ has been introduced, which takes a value of 1 in the years 2020 and 2021 and 0 in the rest of the years, to check if COVID-19 has caused a change in the structure of equation (6), both at the origin and at the slope. This will show whether COVID-19 affected the characteristics that workers value in a company. In other words, this work aims to answer the following question: Has COVID-19 caused workers to change their priorities when evaluating a company?

$$\begin{aligned} Ranking_{it} = & \beta_0 + \beta_1 TALENT\_MANAGEMENT_{it} + \beta_2 REMUNERATION_{it} + \beta_3 CSR_{it} + \\ & \beta_4 WORKING\_ENVIRONMENT_{it} + \beta_5 TRAINING_{it} + \beta_6 EMPLOYEE\_PERCEPTION_{it} + \\ & \beta_7 SIZE_{it} + \beta_8 PERMANENCE\_RANKING_{it} + \beta_9 STOCK\_QUOTATION_{it} + \beta_{10} D2021_{it} + \beta_{11} D2021 * \\ & TALENT\_MANAGEMENT_{it} + \beta_{12} D2021 * REMUNERATION_{it} + \beta_{13} D2021 * CSR_{it} + \beta_{14} D2021 * \\ & WORKING\_ENVIRONMENT_{it} + \beta_{15} D2021 * TRAINING_{it} + \beta_{16} D2021 * \\ & EMPLOYEE\_PERCEPTION_{it} + \beta_{17} D2021 * SIZE_{it} + \beta_{18} D2021 * PERMANENCE\_RANKING_{it} + \\ & \beta_{19} D2021 * STOCK\_QUOTATION_{it} + u_{it} \quad (7) \end{aligned}$$

The second equation would only take the control variables, equation (8):

$$\begin{aligned} Ranking_{it} = & \beta_0 + \beta_1 SIZE_{it} + \beta_2 STOCK\_MARKET\_QUOTATION_{it} + \beta_3 PERMANENCE\_RANKING_{it} + \\ & \sum_{s=1}^S \beta_s ECONOMIC\_ACTIVITY_{sit} + \beta_4 D2021_{it} + \beta_5 D2021_{it} * SIZE_{it} + \beta_6 D2021_{it} * \\ & STOCK\_MARKET\_QUOTATION_{it} + \beta_7 D2021_{it} * PERMANENCE\_RANKING_{it} + \sum_{s=1}^S \beta_s D2021 * \\ & ECONOMIC\_ACTIVITY_{sit} + u_{it} \\ Ranking_{it} = & \beta_0 + \beta_1 SIZE_{it} + \beta_2 STOCK\_MARKET\_QUOTATION_{it} + \beta_3 PERMANENCE\_RANKING_{it} + \\ & \sum_{s=1}^S \beta_s ECONOMIC\_ACTIVITY_{sit} + u_{it} \quad (8) \end{aligned}$$

Results and discussion

Table IV shows that the companies most valued by workers are the Anglo-Saxon ones, with an average score of 723.9 points, highlighting the American ones (729.7) followed by the British ones (721.3).

Table IV.
 Average values by region and country, period 2013-21

Region/Country	Talent Management	Remuneration	Work Environment	CSR	Training	Total
Anglo-Saxon	184.5	163.7	159.3	41.4	175.1	723.9
Canada	160.0	140.0	100.0	35.0	120.0	555.0
United States	186.0	162.9	162.1	40.9	177.7	729.7
Ireland	172.7	145.7	151.6	44.8	172.2	687.0
UK	183.7	167.6	156.3	41.9	171.7	721.3
Northern and Central Europe	176.7	164.2	156.4	40.1	173.9	711.3
Germany	173.5	166.4	150.3	39.8	171.0	700.9
Belgium	136.2	199.0	149.3	34.8	137.9	657.3
Denmark	152.4	154.1	157.6	37.1	146.4	647.6
Finland	196.0	165.9	149.1	37.9	176.2	725.0
Luxembourg	162.5	145.0	130.0	35.0	160.0	632.5
Norway	165.0	135.0	145.0	30.0	165.0	640.0
Netherlands	179.2	169.3	162.6	39.4	174.7	725.3
Sweden	175.6	149.8	153.1	39.1	176.0	693.6
Switzerland	183.1	165.2	168.5	45.7	184.9	747.4
Mediterranean Europe	177.5	163.4	153.9	41.4	174.1	710.3
Spain	176.7	161.3	154.3	41.2	172.4	706.0
France	182.1	164.1	152.1	42.2	180.2	720.7
Italy	180.3	187.1	156.9	42.0	178.2	744.3
Portugal	166.2	177.0	142.9	41.7	182.3	710.1
Asian	183.5	165.0	156.5	41.4	160.9	707.4
China	175.0	150.0	120.0	30.0	130.0	605.0
South Korea	189.0	176.0	174.0	43.0	186.0	768.0
Japan	182.4	162.6	155.1	42.9	154.6	697.6
Overall	179.4	163.6	155.9	41.2	174.1	714.2

Source: Own elaboration, using data published in Actualidad Económica

Table V shows the summary results of the econometric model obtained from Appendices I to IV, which will be contrasted with the result of the hypotheses.

Table V.
 Summary of significant variables sorted by the significance of the standardised coefficient and classified by geo-cultural región

	Anglo-Saxon		Northern and Central Europe		Mediterranean		Asian	
Variable	Std. Coefficient Pre-COVID-19 (2013-2019)	Std. Coefficient Post-COVID-19 (2013-2021)	Std. Coefficient Pre-COVID-19 (2013-2019)	Std. Coefficient Post-COVID-19 (2013-2021)	Std. Coefficient Pre-COVID-19 (2013-2019)	Std. Coefficient Post-COVID-19 (2013-2021)	Std. Coefficient Pre-COVID-19 (2013-2019)	Std. Coefficient Post-COVID-19 (2013-2021)
Variables excluding economic sectors (Appendix 1a,2a,3a,4a)								
Talent Management	-	-0.2822***	-0.2591***	-0.2591***	-0.2446***	-0.2446***		
Remuneration	-0.3347***	-0.5674***	-0.3595***	-0.3595***	-0.3682***	-0.3682***	-0.3766***	-0.3766***
Work Environment	-0.3300***	-0.3300***	-0.4103***	-0.4103***	-0.2239***	-0.7796***		
SCR							-0.2327***	-0.2327***
Training	-0.1959***	-0.5023***	-0.2859***	-0.2859***	-0.1601***	-0.8900***		
Size	-0.0506**	-0.0986**			0.0415**	-0.0415**		
Stock Market Listing			-0.0656**	-0.0656**				
Continuity in the Ranking	-0.1100***	-0.0077**	-0.0641**	-0.0641**	-0.1314***	-0.0391**	-0.4896***	-0.4896***

Variables including economic sectors (Appendix 1b,2b,3b,4b)							
Size						-3,9339***	-3,9339***
Stock Market Listing			-0,2801***	-0,2801***		-2,2765***	-2,2765***
Continuity in the Ranking	-0,5253***	-0,5253***		-0,5394***	-0,5394***	-0,8152**	-0,8152**
Financial and insurance (K)	-0,1576***	-0,1576***		-0,3073***	-0,2323***		
Information and Communication (J)				-0,0964**	-0,0964**		
Professional, scientific, and technical services(M)				-0,1381***	-0,0905**		
Administrative and auxiliary services (N)				-0,1013**	-0,0805**	-0,0805**	
Wholesale and retail trade (G)	-0,2375***	-0,2375***		-0,1177***	-0,0508*	-1,8608***	-1,8608***
Energy supply (D)				-0,1372***	-0,0491*		
Healthcare and social services (Q)	-0,2021***	-0,2021***					

Source: Own elaboration, using data published in Actualidad Económica

(H1): *The assessment of Talent Management made by workers regarding the labour attractiveness of companies differs according to the place of origin of the parent company.*

Talent management is an attractive factor for all the regions considered, except for Asian companies (see table V and appendices Ia,IIa,IIIa,IVa). According to the regions considered, the relative significance reached by this variable varies, so we can affirm that hypothesis I is fulfilled (see table V). It can be seen that Anglo-Saxon companies are the ones that achieve the highest score in Talent Management. In addition, it is the variable that reaches the highest score among the set of variables (see table IV).

If we compare the situation before and during the pandemic, its relative importance decreases. This reduction is more intense in the case of regions with the greatest presence of companies, the Anglo-Saxon¹ (3→4) and the Mediterranean (2→4), (see table V).

Numerous authors highlight Talent Management in organisations as an attractive factor for professionals and job seekers (Alparslan & Saner, 2020; Vilciauskaite et al., 2020). Other authors highlight the positive relationship between talent management and job satisfaction, Victor & Hoole (2017) and Marinakou (2019). Ferreiro-Seoane et al., (2021) had studied the importance of Talent Management in the most attractive companies to work for. However, there are few studies that verify the existence of differences in Talent Management according to the cultural perspective or the place of origin of the organisation, (Dirani & Nafukho, 2018). Existing studies have been focused on the West (Bonache & Trullen, 2021), although there are also analyses which study Asian countries (De Guzman et al., 2011).

(H2): *The assessment of Remuneration made by workers regarding the labour attractiveness of companies differs according to the place of origin of the parent company.*

Remuneration is a factor that makes the company attractive to workers for all the regions considered (see table V and appendices Ia,IIa,IIIa,IVa) and the score differs based on the place of origin of the companies (see table IV). With these results, it can be affirmed that hypothesis 2 is fulfilled (see Table V).

It can also be observed that the COVID-19 pandemic has triggered changes in the relevance of this variable, losing relative significance, especially for Mediterranean companies (1→3), (see table V).

The importance of Remuneration is recognised by professionals and job seekers Herget et al., (2021), and Chistyakov et al., (2021). However, there are no studies that analyze and compare the impact of remuneration on the attractiveness of the company considering companies from different regions. The results of the analysis realized show that Remuneration is a factor of influence for all regions and its relevance differs by region.

¹ This indicates that the Talent Management variable occupies the third position as an influential factor and that it has moved to fourth position with COVID-19.

(H3): *The assessment of the Work Environment made by workers regarding the labour attractiveness of companies differs according to the place of origin of the parent company.*

The work environment is an attractive factor for all the regions considered except in the case of Asian companies (see table V and appendices Ia, IIa, IIIa, IVa). Moreover, in the regions for which this variable stands out, its intensity differs depending on the place of origin, scoring higher in companies from Northern and Central Europe (see table V). With these results, it is affirmed that hypothesis 3 is fulfilled. COVID-19 affected the score of this variable: its relevance increased for Mediterranean companies (3→2), with an opposite impact on Anglo-Saxon firms (see table V).

(H4): *The assessment of CSR made by workers regarding the labour attractiveness of companies differs according to the place of origin of the parent company.*

SCR influences attractiveness only for Asian companies (see table V and appendices Ia, IIa, IIIa, IVa). While in the rest of the geographical areas it is not considered an attractiveness variable, so Hypothesis 4 is fulfilled.

There are numerous works that indicate the existence of a positive influence between job seekers' perception CSR and the attractiveness of a company, Menaga & Shanmugam (2021), Bharadwaj & Yameen (2021), Choi et al., (2020), Ouyang et al., (2021), Xinsheng & Yoon (2016) in China, or Tarigan et al., (2021). However, the number of studies decreases when isolating those which try to link the influence of CSR on attractiveness according to the country of origin of the company (Table V). It is concluded that CSR is an influential factor in the attractive only in Asian companies.

(H5): *The assessment of Training made by workers regarding the labour attractiveness of companies differs according to the place of origin of the parent company.*

Training is a factor influencing attractiveness for all regions considered, excluding Asian. Differences in its values are observed between regions being the Anglo-Saxon companies are the most valued. Thus, hypothesis 5 is fulfilled (see table V, appendices Ia, IIa, IIIa, IVa and table IV).

When incorporating the year 2020 and 2021 (impact of COVID-19), changes in the variable are observed, especially in Mediterranean (4→1) and Anglo-Saxon (4→2) companies.

There are many authors who highlight the importance of training in companies in the attractiveness of organizations (Cerdin et al., 2020). Empirical evidence supports the positive relationship between the training of workers and job satisfaction, (Choi et al., 2020; Paais 2019; Cerdin et al., 2020 and Zhang & Lee, 2016). This work confirms that training is an influential factor on business attractiveness, in line with what was concluded by the cited authors, except in Asian countries. This finding once again highlights the differential behaviour between Western and Asian countries.

(H6): *The assessment of economic activity made by workers regarding the labour attractiveness of companies differs according to the place of origin of the parent company.*

Differences in the obtained scores for all variables are observed between both industry sectors and regions, with no specific sector being equally significant for all regions (see table V and appendices Ia, IIa, IIIa, IVa), therefore hypothesis 6 is fulfilled. The two most valued sectors are energy and financials, highlighting Mediterranean companies. The third most valued sector is professional services, in which Anglo-Saxon companies stand out (see table VI).

Before COVID-19, the region in which most of the sectors have a high score is the Mediterranean region (6), followed by the Anglo-Saxon region (3). There have been little to no changes in this variable since the start of the COVID-19 pandemic (see table V).

Table VI.*Mean values by economic sector and geo-cultural region, period 2013-21*

Sector	Anglo-Saxon	Northern and Central Europe	Mediterranean Europe	Asian	Overall
Administrative and auxiliary services	715.4	726.6	665.5		705,8
Wholesale and retail	735,2	678.1	684.2	714,9	704,6
Construction sector		725.0	723.1		723,6
Financial and insurance	726.4	723.6	746.7		739,1
Hospitality	709.0		624.0		652,3
Manufacturing Industry	716.4	700.9	699.4	700.0	704,6
Information and Communication	701.1	731.0	695.0	700.9	702,5
Real Estate	677.1		713.1		687,7
Professional, scientific and technical services	734.9	729.4	702.1		719.0
Healthcare and social services	784.6		604.0		686.1
Energy supply		615.0	747.8		741.8
Transportation and storage	665.0		671.3		671.0

Source: Own elaboration, using data published in Actualidad Económica

(H7): *The assessment of company size made by workers regarding the labour attractiveness of companies differs according to the place of origin of the parent company.*

Ferreiro-Seoane et al., (2023) had concluded that the size variable was significant for the most attractive firms during the COVID-19 pandemic but had not studied its influence according to the origin of the firms. There are differences in the assessment of company size, measured through the number of workers, depending on the place of origin of the companies (see table VII). The results show that size is a relevant factor to the attractiveness of companies in the Anglo-Saxon and Mediterranean regions. Hypothesis 7 is fulfilled. With COVID-19, the relative influence of this variable on attractiveness has increased (see table V and appendices Ia, IIa, IIIa, IVa). The pandemic increased workers' concern about the possibility of losing their job and seriously affected the income of many companies and workers. It could be that size is considered a security element when it comes to keeping a job, since larger companies have a higher survival rate.

Table VII.*Mean size of companies by geo-cultural region, period 2013-21*

Region/Country	Mean size	Listed on the stock market	
		No	Yes
Anglo-Saxon	1,880.7	709.5	731.3
Canada	860,0		555.0
United States	1,930.6	713.9	736.0
Ireland	5,002.5	649.1	724.9
UK	1,388.8	714.4	725.9
Northern and Central Europe	2,626.3	674.2	724.8
Germany	1,191.8	667.2	716.4
Belgium	120.0	657.3	
Denmark	1,101.3	647.6	
Finland	650.0		725.0
Luxembourg	11,373.5		632.5
Norway	784.0		640.0
Netherlands	2,341.8	693.5	737,3
Sweden	7,891.9	657.4	704,3
Switzerland	1,756.3	699.7	755.4
Mediterranean Europe	6,367.3	690.8	726.5
Spain	7,478.1	684.9	730.1
France	3,390.5	724.2	720.1
Italy	986.8	780.7	722.5
Portugal	722.2		710.1
Asian	3,089.2	680.8	745.4
China	1,000.0	605.0	
South Korea	270.0		768.0
Japan	4,916.7	699.8	689.0
Overall	4,398.4	693.0	727.8

Source: Own elaboration, using data published in Actualidad Económica

(H8): *The assessment of the stock price made by workers regarding the labour attractiveness of companies differs according to the place of origin of the parent company.*

60.9% of the most attractive companies to work for are listed in the stock market (see table VII), although there are differences based on their place of origin (see table V and appendices Ia, IIa, IIIa, IVa). The results show that the relationship between the attractiveness of companies and the Stock Market Quotation is only significant in the case of companies from Northern and Central Europe. Hypothesis 8 is fulfilled.

(H9): *The assessment of continuity of a company in the ranking made by workers regarding the labour attractiveness of companies differs according to the place of origin of the parent company.*

The number of companies that remain in the ranking for the full period of 2013-21 is low (4.7%). This percentage differs according to the region considered: Anglo-Saxon (5.4%), (4.8%) and Northern-Central European (3.6%). The results of the econometric models show that there is a relationship between continuity in the ranking and the obtained score on attractiveness in all regions (see figure I). However, the influence of this variable differs depending on the place of origin (see table V and appendices Ia, IIa, IIIa, IVa). If we include the effects of COVID-19, this variable loses influence compared to other variables. Hypothesis 9 is fulfilled.

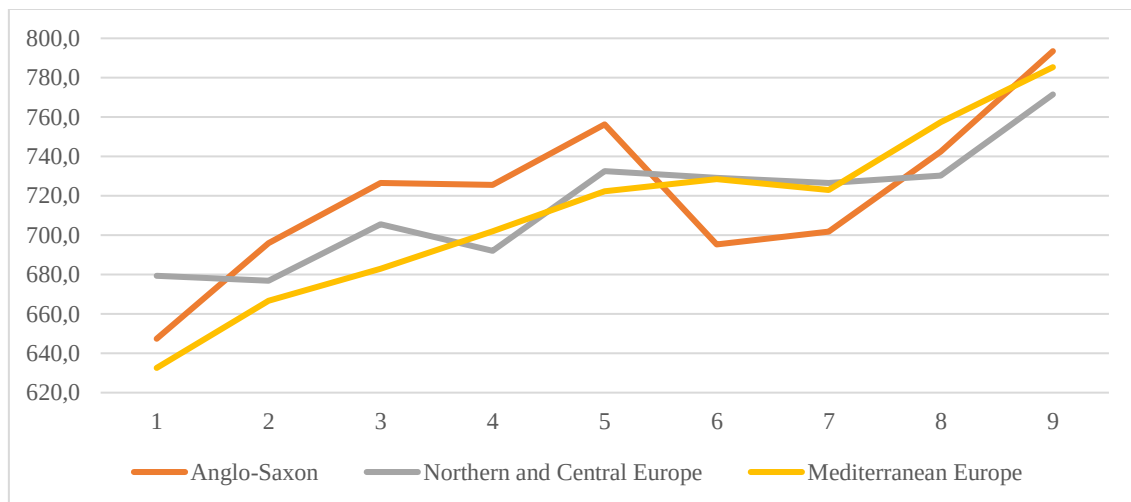


Figure I. Evolution of job attractiveness values by international areas and by years of continuity in the ranking.

Source: Own elaboration, using data published in Actualidad Económica

Conclusions

The international nature of the studied listing is proved by the presence of companies from 20 different countries (Table I). Western companies are classified in 3 predominant regions: the Mediterranean (55.0%), Anglo-Saxon (24.7%) and Northern-Central European (18.3%). Only three Eastern countries are present in the ranking.

One conclusion is that Talent Management is an influential factor in the attractiveness of a company, whose significance depends on the company's place of origin, being relevant in companies from western regions and not in eastern ones. The effect of COVID-19 has reduced the influence of this variable on attractiveness in favour of other factors (Table V).

Anglo-Saxon and Mediterranean companies obtaining the highest scores in the assessment of remuneration (see table IV). With COVID-19, their relative influence has decreased for Mediterranean companies. We can interpret these results as the consequence of a greater fear of losing one's job with higher unemployment rates causing a reduction in salary expectations (see table V).

In companies in Northern and Central Europe, work environment is the most influential factor and with COVID-19 ranked in second place. This change could be explained considering that a situation of maximum turbulence causes workers to value companies that take care of the work environment more

highly. On the contrary, in Asian companies, this factor does not influence attractiveness, showing the differences between eastern and western companies when assessing attractiveness (Table V).

It is concluded that CSR is an influential factor in the attractive only in Asian companies, there is no evidence that the factor is influential in companies from western areas. These results may be due to cultural differences between East and West, if we take into account that Eastern standards value the group over the individual more than Westerners, where individualism is more valued.

This work confirms that training is an influential factor on business attractiveness. But once again highlights the differential behaviour between Western and Asian countries. Another noteworthy aspect is the effect of COVID-19 on the indicators that describe the attractiveness of the company. In the case of Mediterranean companies, in the COVID-19 period, training has reduced its influence on attractiveness (see table V). This fact could be due to the fear of losing one's job, which led to re-establishing the priorities of employees, giving more importance to security in maintaining their jobs.

The results also show the relevance of the activity sector on the attractiveness of a company, establishing differences based on the place of origin (see table V).

The influence of size on attractiveness appears to have increased (see table V). This fact is consistent with the situation caused by COVID-19: workers are aware that their job may be in danger due to the cessation of activity and closure. It is reasonable to think that larger companies will be less likely to cease their activity than small companies, thus size becomes more valued by the worker.

The stock exchange listing is only a factor of influence for companies in Northern Europe, which is logical if we take into account the fact that companies in this region tend to be multinational companies, therefore they need to attend to the capital market to a greater extent.

Continuity in the ranking is an important factor of influence for all areas, although with different intensity; it is very relevant in the case of Asian companies and less so for the rest. Due to COVID-19, the influence of this variable has decreased, being surpassed in valuation by another variable, size. With COVID-19, workers prefer a large company that has appeared in the ranking for more years.

As a final conclusion, it is worth noting that only two variables that are part of the attraction, remuneration and continuity in the ranking are influential factors for all the international areas considered, and the degree of influence differs by the culture of origin of the companies. Three variables, Talent Management, Work Environment, and Training have an influence on the attractiveness of companies in Western culture, but they are not variables that influence countries of oriental culture. With SCR, the opposite happens. The influence of size and stock price listing is unevenly manifested in western areas.

Finally, it should be noted that COVID-19 has affected the indicators responsible for company attractiveness and that this impact has been unequal depending on the regions considered. It can be concluded that there are differences in the attractiveness of firms according to their place of origin. Thus, human capital attractiveness strategies will have to take into account the traits that characterise the firm's country of origin and adapt to each environment.

Future research should focus on highlighting these changes in other countries with two objectives. Firstly, to expand knowledge about what other factors might influence the attractiveness of firms and secondly, to investigate the differences according to the geographical scope of the firm.

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Corporate management in the economic sphere under martial law: a response to the challenges of the times

La gestión empresarial en el ámbito económico bajo la ley marcial: una respuesta a los retos de la época

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Abstract

The relevance of the research lies in the fact that at the current stage in Ukraine, a national concept of corporate governance is being formed, however, this process is complicated by political, social, and economic restrictions provided by the martial law introduced in our country. The purpose of the research is to study the structure, features, and characteristics of corporate management strategies. In accordance with the set goal, the task of the research is to analyze the main trends in the development of corporate management at the current stage, to highlight their features. When conducting the research, general and special methods of scientific knowledge were used. The result of the study is the argumentation of the position that corporate management is a separate type of relationship in a business company, the features of which are determined by the specifics of the corporation, and management is a narrower concept, since it

Resumen

La relevancia de la investigación radica en el hecho de que en la etapa actual en Ucrania, un concepto nacional de gobierno corporativo se está formando, sin embargo, este proceso se complica por las restricciones políticas, sociales y económicas previstas por la ley marcial introducida en nuestro país. El objetivo de la investigación es estudiar la estructura, los rasgos y las características de las estrategias de gestión empresarial. De acuerdo con el objetivo fijado, la tarea de la investigación consiste en analizar las principales tendencias del desarrollo de la gestión empresarial en la etapa actual, para destacar sus características. En la realización de la investigación se utilizaron métodos generales y especiales del conocimiento científico. El resultado del estudio es la argumentación de la posición de que la gestión corporativa es un tipo separado de relación en una empresa de negocios, cuyas características están determinadas por las especificidades de la

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is implemented exclusively by the company's management (the top management), and corporate management is carried out by all governing bodies companies (shareholders, board of directors, CEO, and management). Corporate governance is mainly strategic in nature and oriented towards the successful functioning of the business company in the external environment.

Keywords: strategy, owners, capital, joint stock company, management.

Introduction

At the current stage, it is important to develop corporate governance models at all levels of development dynamics. The economy not only in Ukraine but also in other countries requires a completely new approach to it. The essence of corporate governance is the implementation of the corporate governance cycle to achieve maximum efficiency of the corporation, which is its main criterion. The economic and managerial categories of "corporation" and "corporate governance" have become more widely used in scientific research and literature, gradually shaping the idea of the management system adopted by corporations as one of the most important ways of effective management in the conduct of business activities. However, there is no single agreed position on the interpretation of the essence of corporate governance, and the problems of the institutional structure, principles and trends of corporate governance development are not sufficiently covered. In addition, Ukrainian enterprises, institutions and organizations are facing the challenge of developing a system of relations between company managers and their owners, aimed at ensuring the efficiency of the company's activities and taking into account the interests of owners and other stakeholders. Corporate governance is a system of organizational, economic, legal and managerial relations between economic entities whose interests are related to the company's activities. The main factors that significantly affect the efficiency of the company's activities and lead to the emergence of additional competitive advantages include the mechanisms for making organizational and managerial decisions and taking appropriate measures to implement them. Corporate governance as a process of making management decisions, organizing their implementation, controlling their implementation and evaluating the results

corporación, y la gestión es un concepto más estrecho, ya que se lleva a cabo exclusivamente por la dirección de la empresa (la alta dirección), y la gestión corporativa se lleva a cabo por todos los órganos de gobierno de las empresas (accionistas, consejo de administración, director general y la dirección). El gobierno corporativo es principalmente de naturaleza estratégica y está orientado al buen funcionamiento de la empresa comercial en el entorno externo.

Palabras clave: estrategia, propietarios, capital, sociedad anónima, gestión.

achieved includes determining the main goal, means and methods of its achievement.

Poor corporate governance practices have a negative impact on investment performance and contribute to larger systemic problems at the national and regional level. Good corporate governance practices ensure that companies take into account the interests of a wide range of stakeholders and that their management is accountable to the company and its shareholders. This, in turn, helps maintain investor confidence and attracts longer-term capital. Therefore, the main goal of effective corporate governance is to increase the confidence of potential investors in the mechanisms for attracting investments in companies and, on this basis, to increase the capitalization of enterprises, institutions and organizations in Ukraine, and, accordingly, the Ukrainian economy as a whole.

The main condition for achieving the above goal, increasing the efficiency and further development of corporate governance in Ukraine is full accounting, analysis and ensuring the optimal combination and satisfaction of the interests of economic relations - companies. The system of corporate relations determines not only the amount of current dividends paid to shareholders and the current level of the company's share price, but also the prospects for its long-term development, the possibility of attracting additional investments from both internal and external sources, the degree of positive impact of each particular company's activities on the country's economy as a whole, and the overall efficiency of the use of attracted financial resources. Thus, the state of corporate governance is a very important integral indicator characterizing the state of the country's investment process, as well as a relevant area for scientific research, which led to the choice of the research topic.

It is believed that the term “corporate governance” appears simultaneously with the emergence of such an organizational and legal form of entrepreneurial activity as a corporation. The motivation of the owner determines the financial interest and/or the opportunity to participate in management. The corporation is regarded as an artificial entity that exists only by law, the ownership is represented by shares in the capital. In this case, the focus is on the legal component of the functioning of the corporation, which includes a set of formed enterprises as a peculiar system of participation. We are talking here about the process of multistage subordination of some enterprises to others based on participation in the share capital. This approach is very close, in essence, to the definition of the corporation provided by the legislation of Ukraine, but in this case, it should be noted that such an interpretation seems acceptable only under those conditions if we consider the corporation exclusively as an integrated structure. However, this situation is not widespread in the implementation of business activities by business companies. In addition, it should be noted and the fact that we can often observe the identification of the concepts of “association of businesses” and “pooling of capital of owners of the enterprise”, which is unacceptable from the perspective of the economic content of these categories.

At the present stage, there is no clear definition of the basic concepts of corporate relations in Ukraine, which negatively affects the processes of forming a national system of corporate governance, as well as in the practical economic activity of enterprises under martial law.

At the present stage, Ukraine is in a state of military conflict, which significantly affects all spheres of state activity, including the economic one. Accordingly, it is necessary to identify the main tasks for the formation of effective corporate governance and to develop a model of an effective corporate governance method in the context of economic instability caused by the consequences of armed aggression against Ukraine. Thus, in Ukraine today, the issue of improving the corporate governance system is relevant and important from the point of view of both science and practice. Corporate governance under martial law requires the creation and use of a method of complex influence in order to ensure the most stable growth of the value of companies.

Theoretical Framework or Literature Review

Among the domestic scientists who carried out scientific searches on corporate management, it is necessary to note Ya. Tsekhmister, who highlighted the key problems of educational management, namely: practical activities of the manager, implementation of innovations; the process of training professionals; monitoring the effectiveness and quality assessment of educational management (Tsekhmister et al., 2022, p. 556). Indeed, the training of high-level professionals with relevant professional competencies for the implementation of corporate management is extremely important, especially in the conditions of martial law implemented in Ukraine. As P. Gorinov notes in his study, the military aggression of the Kremlin regime against Ukraine, the annexation of Crimea by pro-Russian separatists in Donbas had a great impact on legal science. Thus, the scientist focuses on the fact that the demilitarization of Ukrainian legal opinion took place as a result of general reforms of the Ukrainian legal industry (Gorinov & Mereniuk, 2022, p. 18). Under martial law imposed in Ukraine, it is important to study the regulation and protection of human rights of the fourth generation, as well as the definition of the essence and purpose of these rights, the participation of international organizations is equally important, which is highlighted in his research study by A. Sapiński (Sapiński, 2022, p. 14). M. Latynin in his scientific work accentuates the importance of scientific research in the sphere of economic science, he notes that their relevance is determined by the fact that the initiated structural reforms in Ukraine put forward new requirements for public administration in the economic sphere (Latynin et al., 2021, p. 1). N. Botvina notes in his study that the state of deepening processes of privatization and development of entrepreneurship, the expansion of the infrastructure of market relations necessitate further improvement of credit and monetary relations, as well as mechanisms of corporate governance (Botvina, 2018, p. 115). A. Holovach notes that Ukraine is trying to overcome the negative trends of the economic crisis concerning, among other things, corporate governance by carrying out reforms and adopting appropriate EU accession strategies (Holovach & Pryputen, 2019, p. 92). According to, S. Sliusar, at the current stage of Ukraine's development, support for the establishment and development of entrepreneurship is one of the defining priorities of state policy from the first years of economic reforms (Sliusar, 2019, 206). However, under the

conditions of the introduced martial law in Ukraine, the reforms in the economic and social spheres are suspended, respectively, and the formation of the national concept of corporate governance is at the stage of postponement. In the aspect of the study of corporate governance it is important to study the organizational culture of enterprises, so, N. Rynkevich to the barriers, impeding the effective development of the organizational culture of enterprises, refers to the following: functional failures prevent the exchange of data; lack of digital platforms to manage large databases; lack of digital competence of personnel; lack of a clearly formulated definition of customer focus; lack of understanding of the essence of the customer focus approach to the formation of organizational culture; the inability of the company to communicate with customers (Rynkevich, 2020, p. 123).

As for the study of strategies in foreign countries, it is necessary to note the scientific work of J. Belas, whose search resulted in the substantiation of the position that large companies, old companies, and entrepreneurs with higher education apply a participative style of corporate management (Belas et al., 2020, p. 119). M. Menz, using firm theory as a lens for interpreting corporate governance, focuses his scholarly analysis on the implications of the evolving digital age for three broad areas of corporate strategy: (1) corporate (competitive) advantage, (2) firm scale, scope and boundaries, and (3) internal structure and design (Menz et al., 2021, p. 1695). D. Chatzoudes devotes attention in his scholarly study of corporate governance to the issue of human resources, specifically noting that effective firm performance depends on favorable working relationships, a good organizational climate, and well-planned human resource management practices (Chatzoudes & Chatzoglou, 2022, p. 49). D. Asensio-López emphasizes in his research study that innovation efforts and enterprise performance depend on factors influenced by corporate governance, such as ownership structure or board functioning (Asensio-López, Cabeza-García, & González-Álvarez, 2019, p. 266). A. Veh notes in his scholarly work that corporate reputation has occupied an important place in management research since the 1990s (Veh, Göbel & Vogel, 2018, p. 315). Tiep Le & Nguyen devoted his scholarly research to investigate the impact of corporate governance on firm value, firm earnings, the mediation mechanism of corporate social responsibility, and organizational identification in the relationship between corporate governance and its importance in the

enterprise (Tiep Le & Nguyen, 2022, p. 1). M. Petrin, in an academic study, argues that the next generation of artificial intelligence will be able to take over the management of business organizations and examines the implications of this development for corporate law and governance (Petrin, 2019, p. 1).

Based on the analysis, it can be argued that in Ukraine, in addition to the negative impact of the consequences of martial law, the development of corporate governance is hampered by unfavorable government policies. For example, it is not profitable to increase transparency, as open information makes a company (corporation) more vulnerable to law enforcement and controlling authorities. It can be argued that an “insider model of corporate governance” has emerged in Ukraine, which involves the realization of the interests of existing shareholders who dominate, as well as losses for investors. Currently, Ukrainian corporate governance has the following negative features:

- 1) merger of ownership and management functions, with enterprises that are public corporations continuing to be managed as private firms;
- 2) a weak mechanism of control over management activities. Managers are accountable only to the dominant shareholder and are often affiliated with it;
- 3) distribution of profits through non-dividend channels. In this case, not all shareholders receive profits, only the dominant ones (e.g., through transfer prices or various financial schemes);
- 4) difficult access to information on the financial condition, low transparency of companies (corporations), concealment of real owners, affiliations
- 5) frequent use of illegal methods (e.g., asset diversion, dilution of shareholdings, seizure of shares, non-admission to shareholders' meetings, etc.).

Methodology

When conducting research, we used general methods (induction, deduction, synthesis, analysis), as well as special methods (comparison, prediction) methods of scientific knowledge.

The general methods of scientific research were used to clarify the nature of corporate governance, its strategies, and the peculiarities of functioning under the conditions of martial law introduced in Ukraine. Using general research

methods, it was concluded that there is currently a tendency to base an enterprise in a complex system of interconnections of projects and processes, so the introduction of innovations in management processes is a necessary measure for business survival in a competitive and unstable environment caused by the negative effects of martial law. The use of general research methods has made it possible to find out that a special role should be given to streamlining and optimizing existing business processes, taking into account the requirements of implemented projects, and the process-innovative mechanism for managing business processes is an integral part of the innovative development of an enterprise. The use of general research methods has confirmed the assumption that this mechanism should be implemented as part of the design process, which begins with setting tasks, identifying the main goals and opportunities for implementing the principle of balance in the business process management system. By using general methods, the author has found that a characteristic feature of production resources is flexibility, and this factor indicates that there is a possibility of reorienting the production process from the production of one type of product to the production of an improved one, even if the new product requires the use of other raw materials, which is relevant in the context of the martial law in Ukraine, and, as a result, disruption of numerous production, technological and logistics processes. The use of general research methods has confirmed the assumption that the requirement for a high level of flexibility of enterprises under martial law is the most relevant, as well as in times of market instability, a sharp drop and increase in supply and demand, as well as an increase in the pace of scientific and technological progress in industrial production. Using general research methods, the author has found that the success of a company can be influenced by such factors of the external macro environment that, as a rule, cannot be influenced by the company:

1. political environment - the unstable political situation in Ukraine amid the ongoing military conflict has a negative impact on all areas of business and prevents long-term strategic forecasts;
2. economic environment - recently, purchasing power has significantly decreased due to rising inflation in the context of martial law in Ukraine, which also negatively affects the operations of enterprises;
3. social environment - in the current economic situation under martial law in Ukraine, most

young professionals are looking for sources of income abroad, which in turn causes the aging of personnel and the inability to introduce new technologies due to the lack of highly qualified specialists, which provokes high staff turnover and relatively low wages in the industries;

4. cultural environment - Ukraine has a well-developed organizational culture, and there is a tendency to hold mass cultural and entertainment events. However, in the context of martial law in Ukraine, the desire of citizens to obtain higher education is declining;
5. scientific and technological environment - new technologies are being introduced every year to improve product quality and labor productivity, but under martial law, these processes have slowed down and decreased;
6. ecological environment - people tend to buy products made from environmentally friendly raw materials, even under martial law in Ukraine.

Taking into account these factors, it is worth noting that the macro environment has a significant impact on both the activities of enterprises and the strategy for developing a set of measures to eliminate threats.

By using special research methods, the following points were argued:

1. in the context of martial law in Ukraine, it is necessary to conduct the most thorough analysis of the company's strengths and weaknesses, the main purpose of which is to identify financial risks and improve management efficiency. A full assessment of the company's resources, business processes, and competitiveness is necessary;
2. in the context of martial law in Ukraine, the key factors of analysis are as follows:
 - management - includes control over material and human resources, assesses the potential of employees, their qualifications, motivation, loyalty, and interaction to achieve the goals aimed at achieving the company's main objectives;
 - marketing - the main goal of marketing is to create the most attractive product for consumers, through advertising, personal sales, or PR, which can then bring maximum profit;
 - staff is one of the main strategic resources of the company, as its competence, level of qualification, and personal interest are

- directly related to the achievement of the goal;
- analysis of the sales system allows to estimate the planned sales volume, draw up a scheme of sales channels, compare and equalize the percentage of supply and demand, distribute sales volume, etc.;
 - product portfolio analysis shows the prospects of goods and services in the market, current and expected sales volumes, relative market share, as well as the profitability of the product group and each product separately;
 - competitive analysis allows you to identify your main competitors, analyze their strengths and weaknesses, and use this data to improve your business strategy by changing your products and services to meet market demands;
 - pricing policy is a set of measures and strategies used by a corporation to win and retain markets. Thanks to price elasticity, it is possible to choose the most acceptable prices for the company's goods, focusing on competitors' prices and sales promotion programs.

Results and Discussion

The processes of privatization of state and municipal property, which continue since 1992, are important for the economy of Ukraine because thanks to them citizens had the opportunity to become owners and to realize their economic rights in full. The thus formed enterprises of private form have passed the period of adaptation to new economic conditions, decided on the main directions of their development, and intensified the search for financial resources to implement their strategic plans.

However, certain economic difficulties of the modern period of development of the national economic system, such as the state budget deficit, inflation, caused by the challenges of martial law, are obvious. Despite the objective obstacles, the introduction of an effective system of corporate governance is crucial for the further development of the industrial and financial sectors of the Ukrainian economy. Accordingly, it seems reasonable to assert that the process of formation of the national model of corporate governance takes place under martial law.

The level of development of corporate governance in our country is not high enough, which can be explained by the peculiarities of the Ukrainian joint-stock capital, formed as a result

of the distribution of small blocks of shares of privatized enterprises among a large number of shareholders - individuals. An important specific feature of joint-stock companies in Ukraine is the "close" relationship between the management of companies and owners of large blocks of shares, who, in fact, completely control the company. As a result of this shareholding structure, major shareholders are focused not on increasing their income from the company's shares or increasing its capitalization, but on maintaining their existing relationship with the company. This situation persists even under martial law. Not all shareholders receive profits, but only the dominant owners (due to different financial schemes, for example, with the help of transfer prices). The result of this is the absence of dividend payments and the gradual buying up of shares for a token payment.

Based on all the above and taking into account the existing practice in the real sector of the economy it is advisable to identify those criteria that characterize a corporation as an economic category: clear delimitation of ownership rights; clear definition of the owners' responsibility for the results of financial and economic activities of the corporation; limitation of owners' liability; legal entity status; centralized management of corporate activities of the entire structure; the possibility of free transfer of ownership rights.

In Ukraine, the above criteria are fully met only two types of business entities, joint stock companies, and limited liability companies. It seems appropriate to distinguish the application of the two essentially close concepts "corporation" and "corporate structure" since international experience shows that in most countries with developed market economies, the corporation is synonymous to the joint-stock company. In such circumstances, referring limited liability companies to the category "corporation" will create some confusion in definitions, but the introduction of the category "corporate structure" will solve the problem outlined. Clear terminology is important for the legal regulation of corporate business companies, especially under difficult conditions of martial law, in order to ensure their full functioning and implementation of their objectives.

The concept of "corporate structure" is broader and referring both joint-stock companies and limited liability companies to it seems quite logical and reasonable. We can also conclude that a corporation is a joint-stock company in which, based on the centralization of capital and savings of individuals and legal entities,

collective appropriation of the results of production activities is realized depending on the number of shares received for the contributed funds.

There are certain contradictions regarding the definition of “corporate governance”. It is defined as combining the norms of legislation, regulations, and business practices in the private sector, which allows business communities to attract financial and human resources, effectively carry out business activities and thus continue their functioning, accumulate long-term economic value by increasing share prices and respecting the interests of all persons involved in the implementation and management of economic activities, as well as society as a whole. “Corporate governance” can be viewed from the perspective of those unities of conditions and rules of an organizational, economic, and legal nature that ensure the functioning of the corporation. However, it is obvious that these definitions are dominated by the legal rather than economic aspect, as well as the fact that the institutional approach to it is narrow, as it defines corporate governance as a system of specific relations arising between the bodies of the company and its owners (shareholders) to manage its activities of the company. The management process involves such relationships as arise when owners invest their capitals in the enterprise and delegate a number of powers to manage and dispose of their property to the management apparatus of the corporation (Boards of Directors and relevant competent managers). This process does not presuppose knowledge, skills, and abilities in the management of the corporation, nor in the mechanism of surplus value production by the corporation (production technology, pricing processes, etc.). However, owners have the right to demand from the management of the company, on the one hand, complete, truthful, and comprehensive information on the results of the use of their combined capital, on the other hand, the performance of the original task of investment - receiving income in the form of dividend payments (or, alternatively, growth in the exchange value of securities of the corporation and receiving income in the form of exchange rate differences from the sale of shares on the stock market).

It is clear that members of the Board of Directors and management representatives of a company do not produce surplus value, but through the exercise of their official duties on a professional basis, contribute to its creation and maximization. They are not usually the owners of

the corporation; they are entrusted with their capitals by individuals and companies. The manager also does not need to know the technological and technical features of the production process, but he must have comprehensive primary information for management decisions and ensure the continuity of the reproduction process. Given the specifics of privatization processes in Ukraine, it should be noted that the employees and employees of the corporation in most cases are also not the owners of the enterprise itself, do not have the competence to manage the corporation and the ability to implement it, but it is they who create additional value.

Thus, it seems possible to distinguish two types of relationships that develop between the subjects of the corporation: relationships and information flows that arise between the management of the corporation and the labor collective, as well as relationships and information flows that arise between the owners and the management of the corporation. In the first case, we are talking about financial management, which is of interest from the position of managing the activities of the enterprise but is not corporate management. In the second case, there is a situation where the owners do not manage their property and can only assess the performance of the corporation by the information received from the managers or by the level of dividends paid and the price of shares on the securities market. Thus, managers are a kind of intermediary between the owner and the property, and when this process is carried out, a system of economic and legal relations that are the foundation of corporate governance emerges. However, it is necessary to also note that by the introduction of martial law in Ukraine the tendency to include interested persons (the state, municipal self-government bodies, trade unions, the population of the territory in which the enterprise is located) into this system was widespread.

Consequently, corporate governance is a complex of relationships between the management of the corporation, the board of directors, shareholders, and other stakeholders (stakeholders - trade unions, the state, consumers, etc.) to manage the activities of the corporation to achieve its strategic objectives. Obviously, with the increasing number of participants pooling their capital the degree of their participation in the management of the corporation is reduced, and the process of management decision-making becomes similar to the democratic mechanism in political and

social life. That is, there is a need to create specialized management bodies, such as a supervisory board, management board, auditing committee. In joint-stock companies the function of the implementation of its activities is separated from the ownership of capital, respectively, labor will also be separated from the ownership of the means of production and the additional product.

The economic category "corporate money" is used in the implementation of practical activities of business companies, but it is identified with the concept of "finance of companies" from the position of the provisions of economic theory. The basic directions of financial flows of the corporation are: investment of capitals and savings of owners, reception of credits and loans, state financing (subventions), financing of production costs, investment of funds in corporate rights, payment of dividends, repayment of credits and loans, payment of interest on them, taxes, fees, and other obligatory payments, proceeds from the sale of production and proceeds from the sale of necessary property, dividends, interest, and income from the sale of corporate rights. The above confirms the fact that the main feature of finance and corporate finance is the stock nature of their existence. Corporate finance is in its content a system of economic relations arising between the owners, the management of the corporation, the board of directors, the state, and other interested parties concerning the formation, distribution, and use of the funds of the corporation.

A corporation is the most important institution in the modern economy, especially in the context of martial law in Ukraine. In addition, in developed democracies, corporate governance is an integral part of the system of government. Corporate governance is a system of relations between company managers and owners, which is implemented to ensure the effective operation of the company. In turn, corporate governance mechanisms ensure the responsibility of the board of directors to shareholders, management to the board of directors, owners with a large stake to minority shareholders, and the corporation to employees, customers, and society as a whole. Corporate governance is focused on ensuring that all these groups and institutions perform their functions to the best of their ability while maintaining a balance of interests between them.

Currently, in the context of martial law in Ukraine, the task of developing effective mechanisms that implement the main functions

of a kind of corporate center is emerging. The main mechanisms include the following:

- 1) mechanisms for distributing corporate orders. The main task is to distribute centralized orders received by the corporate center among the enterprises that are part of the corporation;
- 2) mechanisms for the distribution of corporate finances. The task of these mechanisms is to distribute centralized funds among the corporation's enterprises. These mechanisms mainly implement the corporation's investment policy and development strategy;
- 3) corporate pricing mechanisms. The main task of these mechanisms is to determine corporate (transfer) prices for products and services of the corporation's enterprises that are consumed within the corporation;
- 4) corporate taxation mechanisms. The main task of these mechanisms is to determine the shares of profit (or income) to be allocated by the corporation's enterprises to centralized funds;
- 5) mechanisms of corporate strategy formation. The main task of these mechanisms is to identify priority areas and develop a program for the strategic development of the corporation. These mechanisms interact with the mechanisms of corporate finance distribution, which ensure the implementation of the program;
- 6) corporate (mutual) insurance mechanisms. The main task of these mechanisms is to reduce the risks of the corporation's enterprises by creating an insurance fund and developing risk reduction programs financed from this fund;
- 7) mechanisms of corporate resource exchange. The main objective of these mechanisms is to reduce costs and risks of the corporation's enterprises through mutually beneficial exchange of material and financial resources.

It is incorrect to assume that good corporate governance will undoubtedly ensure a company's high competitiveness. Indeed, many large "family-owned" companies do not meet corporate governance standards and are quite competitive, even under the conditions of martial law in Ukraine. It is possible to note that corporate governance insures against abuse, but makes companies less flexible. At the same time, companies that comply with corporate governance standards have an undeniable advantage in attracting investment. According to investors, effective corporate governance ensures management's honesty and transparency

of the company's operations, so the risk of losing money is significantly reduced, even in the unstable economic environment caused by the introduction of martial law in Ukraine.

For companies from developing countries, corporate governance is particularly important, as international investors are particularly concerned about the integrity and business

qualities of their management. The capitalization of companies with good corporate governance is significantly higher than the market average. This difference is especially pronounced in Arab countries, Latin America (except Chile), Turkey, Malaysia, and Indonesia. Let us consider some models of corporate governance in developed market economies (Table 1):

Table 1.
Corporate governance models in developed market economies

	USA	Germany	Japan
Participation of institutional investors	Insurance, pension and mutual funds	Banks	Banks, enterprises
Cross-shareholdings	Rarely	Frequently	Frequently
Shareholder behavior in the presence of poor company performance	Sale of shares	Change of management	Replacement of management
Concentration of capital	Low	High	High

** author' development*

Using the positive experience of foreign countries to rebuild Ukraine in the postwar period in the field of corporate management will have the following consequences:

- 1) investment attractiveness will increase;
- 2) active attraction of long-term investors will be realized;
- 3) the cost of credit resources will decrease;
- 4) the market value of the company will increase.

Effective corporate governance is possible only due to the human factor, its activity and determination in difficult economic conditions, understanding of the causes of the crisis and its overcoming. In order to achieve a stable state and even development of corporations, it is necessary to use the method of anti-crisis financial management, which could ensure overcoming the crisis situation caused by the introduction of martial law in Ukraine, and thus allow corporations to stay stable in the market.

It is undeniable that in Ukraine corporate governance is no longer just management: this process involves the implementation of such functions as planning, forecasting, effective organization, coordination and control. The implementation of these functions will allow corporations to respond confidently and, most importantly, quickly and correctly to non-standard situations in the internal and external environment. Thus, the necessary conditions will be created for them to return to the original normal situation that existed before the introduction of martial law in Ukraine.

Conclusions

Based on the conducted study, the following main problems in the development of corporate governance in the economic sphere in Ukraine can be highlighted, which are complicated by the conditions of martial law: the management of joint stock companies practically has not perceived modern trends of corporate governance development, based on building qualitatively new relationships of subjects of corporate governance; economic companies do not perform the so-called "social" function, which is a necessary component of the existence of a corporation.

In addition, the current level of Ukrainian legislation in the field of corporate governance does not meet generally recognized international standards, as it lacks legal norms regulating the liability of corporate management for actions to the detriment of the joint stock company, as well as norms establishing liability for shareholders' abuse of their rights.

In order to achieve effective corporate governance in Ukraine during martial law, the following requirements must be met in the process of its implementation:

- 1) prepare corporate strategies to create and gain a sustainable position in the market, as well as to control each such strategy, both at the stage of its development and during its implementation;
- 2) identify and search for the external and internal environment factors that have the

greatest impact on corporate governance and its effectiveness in martial law;

- 3) collect information necessary for making management decisions, and based on its processing, analyze the financial and economic condition of the enterprise, taking into account the degree of possible crisis and other risk factors.

It should also be noted that one of the most important problems of the formation of the national system of corporate governance for the future is the lack of understanding of the methodological foundations of the functioning of corporate structures and the low level of economic culture and knowledge of both the population and individual representatives of government agencies, which should regulate these processes. The reason for this is the lack of a clear definition of the basic concepts of corporate governance, such as “corporation”, “corporate governance”, “corporate finance”, in legislation and economic literature. In addition, an effective mechanism of corporate governance in Ukraine under martial law and instability can be achieved by making management decisions to adapt corporations to internal and external changes. Accordingly, further scientific research on the study of these economic categories is relevant.

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Philosophy of mass culture and consumer society: worldview emphasis

Filosofía de la cultura de masas y de la sociedad de consumo: énfasis en la cosmovisión

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Abstract

The formation of new realities of mass culture and consumer society led to a number of crisis phenomena of an ontological and worldview nature. The purpose of the article is to analyze the worldview accents of modernity from the philosophical point of view of mass culture and consumer society, to outline social transformations inherent in social categories of thinking. General scientific methods of analysis of synthesis, deduction, and induction were used to write the article. The results highlighted the main characteristics of mass culture, it was established that it has a specific influence on worldview aspects. Mass production replicated mass things, chimeras of characters, values, etc., which became obsessive in society. Consumer society has turned consumption into the meaning of life. Consumption received leading roles in creating a new type of relations in society, transforming them according to its own development scheme. Consumption has become the dominant socio-cultural aspect in people's consciousness, which has pushed the economic effect into the background. This has led to the

Resumen

La formación de las nuevas realidades de la cultura de masas y la sociedad de consumo condujo a una serie de fenómenos de crisis de carácter ontológico y de cosmovisión. El propósito del artículo es analizar los acentos de cosmovisión de la modernidad desde el punto de vista filosófico de la cultura de masas y la sociedad de consumo, esbozar las transformaciones sociales inherentes a las categorías sociales del pensamiento. Para redactar el artículo se utilizaron métodos científicos generales de análisis de síntesis, deducción e inducción. Los resultados pusieron de relieve las principales características de la cultura de masas, se estableció que tiene una influencia específica en los aspectos de la cosmovisión. La producción de masas replicó cosas de masas, quimeras de personajes, valores, etc., que se volvieron obsesivas en la sociedad. La sociedad de consumo ha convertido el consumo en el sentido de la vida. El consumo recibió protagonismo en la creación de un nuevo tipo de relaciones en la sociedad, transformándolas según su propio esquema de desarrollo. El consumo se ha convertido en el aspecto sociocultural dominante

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formation of a crisis of identities throughout the world, as traditional national ways of demarcation are replaced by social. The conclusions suggest turning to the ideas of the Post-Enlightenment, which contain elements of consumerism.

Keywords: mass culture, consumer society, hedonism, modern technologies, worldview crisis.

Introduction

Since the mid-1960s, European and American thinkers have paid attention to the problem of forming a new, qualitatively different stage of societal development. This stage was called post-industrial or information society, where the main criterion of measurement was the role of information technology, which penetrated into all spheres of human activity. While during the 1960s such considerations regarding the next stage of social development were considered futurological forecasts, the further development of technology and related industrial and domestic transformations later demonstrated the reality of the changes predicted by theorists. First of all, they touched the means of mass communication, the spread of television product, and later, computer technologies, the Internet, augmented and virtual reality technologies, other innovations in medicine, biology, robotics, etc. New developments have made fundamental changes in the traditional life of society, emphasizing the leading role of information activity, which has received strong links with production processes and the ways of transferring information.

These changes have complicated and transformed culture - it has become very difficult to comprehend it in terms of traditional philosophical approaches. Thanks to this, the concepts of mass culture and consumer society have appeared, which have become the main features of modernity and require further research from a philosophical standpoint.

The newest configurations in modern culture have become more tangible due to the actions of informatization of all spheres of life. At the same time, we should also note the transformation in the worldview and aesthetic understanding of the world, the change of approaches in science and culture, the revision of socio-political orientations and political practices. Therefore, the definition of society solely as "information"

en la conciencia de las personas, lo que ha relegado a un segundo plano el efecto económico. Esto ha llevado a la formación de una crisis de identidades en todo el mundo, ya que las formas tradicionales de demarcación nacional son sustituidas por las sociales. Las conclusiones sugieren recurrir a las ideas de la Post-Ilustración, que contienen elementos de consumismo.

Palabras clave: cultura de masas, sociedad de consumo, hedonismo, tecnologías modernas, crisis de la cosmovisión.

or also "post-industrial" demonstrates the limited understanding of the depth of the existing social reality, which is primarily related to the impact of the latest technologies on human life, the formation of consumption. Such an understanding may be sufficient from the point of view of sociology, but not enough to form philosophical generalizations of the entire list of changes. For this reason, it is an urgent task to compare postmodernist trends in culture with the consequences of the spread of the latest technologies, definitely characterizing the information society and indicating its differences from previous stages of social development. The article aims to analyze the worldview accents of modernity from the philosophical points of view of mass culture and consumer society, to identify the profound social transformations that are inherent in the new social categories of thinking. Accordingly, the main objectives of the study are to characterize the phenomenon of mass culture through the prism of worldview changes. Therefore, the main research questions are:

1. Analysis of mass culture in the context of globalization, determination of its impact on the modern world
2. Study of the peculiarities of the society of consumption and consumerism through the prism of worldview aspects of modernity
3. Analysis the concept of "Protean Identity" as a Product of Mass Culture and Consumer Society.

Theoretical Framework or Literature Review

The emergence of the concept of mass culture occurred at the turn of the XIX-XX centuries, after which it became a hallmark of the massification of life. The significance of the human masses in different cultural spheres was analyzed by a number of philosophers of the XX century, who laid the foundation for the interpretation of this phenomenon. In particular,

Pell, Gasset & Cleugh (1933) derive the very concept of “mass” from its cultural content. The researchers note that “society has always been a fluid unity of minority and mass. The minority is the aggregate of persons particularly marked out, the mass is unmarked by anything. The mass is the average person...the quantitative definition” (Pell et al., 1933, p. 120). At the same time, the American philosopher Stanton (1962) characterized the relationship of mass culture and mass communication and communication.

The American sociologist Bell (1965) in *The End of Ideology* believed that the characteristics of society are determined by the emergence of mass production and mass consumption. The key principles of consumer ideology are reflected in the research of Killbourne (1991).

Clearly, the mass has been significantly transformed: it has become educated, digital, and informed. At the same time, the subjects of mass culture are now not just the mass, but individuals united by different ties. According to Iorgulescu & Marcu (2020) the concept of “mass culture” characterizes the peculiarities of the production of cultural values in modern industrial society, designed for the mass consumption of this culture. Also, these researchers note that mass culture leads to the emergence of products of globalization that transcend cultural spaces. Ishaya (2020) characterized the key features of the spread of mass culture. Boström (2021) analyzed how social relations influence the reproduction of consumer culture as well as its decline. The researcher emphasized the intersection of consumer culture and the social integration of everyday rituals. At the same time, Cohen (2020) highlighted how the Covid-19 pandemic affected the spread of consumer culture. Feder et al., (2022) based on the Taking Participation survey and COVID-19 Cultural Participation Monitor found a relationship between cultural consumption and Covid-19. In the results of the study, the author notes that the majority of the population, characterized by a lack of participation in formal cultural forms, did not notice a change in their consumption behavior. However, there are still very few synthetic works that integrate the analysis of mass culture and consumer culture through the lens of philosophical science. The problems of defining precise terminology and analyzing the axiological dimension of mass culture and consumer culture are also marginal.

Methodology

The study is theoretical in nature, so to write the main text, the implementation of the goals and objectives used general and special research methods. Given the importance of the philosophical component in the study, among the general scientific methods, the following take the leading place: comparison, analysis, synthesis, deduction, and induction. In particular, based on the use of the method of comparison it is demonstrated that there is a scientific discussion about different understandings of the essence of consumerism, consumer society, and mass culture.

On the basis of synthesis, it is possible to pass from an understanding of separate facts, definitions, phenomena, and categories to the formation of a holistic picture of ideas about the main problematic of the research. Thanks to deduction there was also the reverse process - the splitting of the collective concept into separate details or the definition of the main features of this concept. Thanks to this it was possible to summarize the interpretations available in the professional literature and to identify individual elements of complex phenomena.

Among special methods of scientific cognition, the method of building abstractions was used first of all for writing the article. Based on abstraction it was possible to move from a general interpretation of consumer society and mass culture to the study of the individual components of these concepts, the definition of important aspects, and the formation of generalizations. The use of the systematic method allowed to form the structure of the research and consistently disclose all the important issues related to the topic. Let us also note that the article was written based on the principles of consistency, impartiality, and comprehensiveness. In particular, thanks to this, the worldview features of modern post-industrial consumer society, consisting of many manifestations and elementary parts, which are in constant renewal and transformation, were considered.

Based on the proposed methodology, the study was carried out in several stages. On the first characterized the novelty and relevance of the study, considered the main theoretical concepts in modern scientific literature. The next stage of the study is the analysis of the influence of consumer society and mass culture on the attitudes of modern society. The last stage - the

formation of the final conclusions, identifying the prospects for further research.

Results and Discussion

Mass culture - the culture of the masses, the culture designed for the consumption of the people, carrying out the standardization of human spiritual activity

The genesis of the spread of mass culture stems from the processes of urbanization caused by industrializing changes. Former peasants, becoming residents of cities, lost touch with the former and the worldview. Such a phenomenon begins with the 19th century in Europe (Bushanskyi, 2012). Consequently, the key

factor of cultural development becomes not the reproduction and dissemination of popular culture, but the imitation of the status lifestyle of the ruling strata.

The reason why modern society has become a mass society is that it has absorbed unified trends, despite the large-scale wars of the population (Boström, 2020). The term consumer society emerged on par with the concept of mass society, which, in turn, is characterized by: the spread of mass communication and mass culture, the standardization of production, the depersonalization of relationships, etc. As a result of these processes, central institutions and accepted systems of values have expanded their scope (See Figure 1).

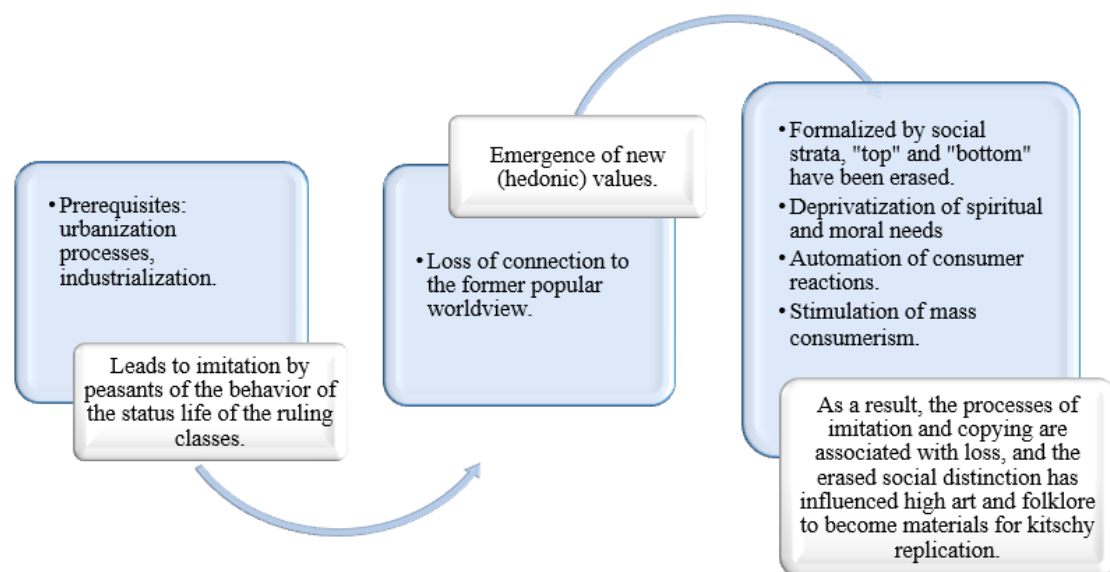


Figure 1. A Model of Mass Culture Development through the Prism of Worldview Transformation
Authors' development

Mass culture is a key phenomenon of postmodern trends. "People tend to eat the same food, dress the same clothes, listen to the same music, have the same eating habits, and believe in the same values and rules" (Iorgulescu & Marcu, 2020, p. 304). Thus, mass consumption leads to products of global culture that transcend cultural spaces (Morska & Davydova, 2021).

The modern concept of the social clearly correlates with the idea of J. Baudrillard in *In the Shadow of the Silent Majority or the End of the Social* (Baudrillard, 1994). He endows the mass with the following typical features of the postmodern world: chaotic, unstructured. The mass has no quality, no attributes, no predicates. It acts as a silent majority, literally absorbing the social (Baudrillard, 1994).

The key directions and manifestations of modern mass culture are the stimulation of mass consumer demand, the development of the industry of image formation and "improvement" of physical qualities of individuals, the transformation of the leisure industry containing mass artistic culture, mass staged and spectacular phenomena, mass resort and cultural and tourist services, where technical techniques of "high" art are used in order to convey a simplified sense infantilized content, that is adapted to unhappy. The role of mass culture from a sociological point of view is conditioned not just by the set of various products that are actively distributed, but also by the degree of their influence on people's consciousness and behavior (Cohen, 2020). Contemporary researchers note that by transforming itself into a special institution, contemporary mass culture has become a

powerful mechanism of psychological control (Iorgulescu & Marcu, 2020). In addition, the elements of repetition, uniformity of this culture lead to the emergence of the so-called automation of consumer reactions. At the same time, copying or imitating “popular” people leads to imitation of their reactions, this leads to the fact that people copy certain behaviors, emotions, imposing a certain taboo on other emotions. Such rejections of certain “stereotypical” emotions and active use of “compulsive” behavioral stamps leads to a low level of emotional intelligence - the ability to deal with one's own and others' emotions, that is, to properly understand, assess, and express them. Today emotional intelligence is an important worldview of the modern developing person.

Mass consumerism is also about mass production (Ishaya, 2020). It is not only a matter of replicating not only certain things, but also imitations of characters, behavior, thoughts, feelings, or cultural values.

A characteristic phenomenon of mass culture is that in it formalized by social strata “top” and “bottom” are erased (Bushanskyi, 2012). If previously a representative of the aristocracy had the opportunity (and should) lead an appropriate way of life and had every opportunity to use objects and artifacts corresponding to his position, in the current conditions all social strata have the same conditions for consumption.

Imitation, repetition, which is characteristic of mass culture, is a loss-making process. The process of imitation has outwardly-formal signs, but the imitator cannot grasp the content and essence of the example he or she is oriented to. Imitation is associated with simplification, and at the same time, to the creation of a copy (Bushanskyi, 2012). Consequently, the spread of hedonistic values in mass society is accompanied by the phenomenon of deprivation of the spiritual and moral needs of man. We are talking about when the process of “mass” affects the person completely and becomes the center of his life. A phenomenon is emerging that is associated with a one-sided dependence on mass trends, things, etc. (Boström, 2020). This, in turn, affects the emergence of several psychological effects. First of all, there is the effect of constant dissatisfaction with one's standard of living, which is maintained through the constant arousal by the culture of mechanisms of social comparison. Television and the Internet, where an exaggerated, rather than real, the standard of living is demonstrated, may be of key importance in this system (Ishaya, 2020). At the same time, this dissatisfaction is accompanied by an increase

in social isolation: individuals are less and less likely to reach the level of personal relationships, preferring to replace them with formal role relations of the exchange type. This is observed not only between employees, neighbors but even between relatives. Thus, a new tendency is emerging - the consumer isolation of family members from one another. At the same time, such things lead to a decrease in emotional intelligence, since emotions are most intensely involved when people communicate with others.

Among such processes that lead to so-called psychological malaise, the main one stands out - the loss of the true meaning of existence since the phenomena of dissatisfaction and isolation are mere manifestations of the mental emptiness that haunts mass society.

At the same time, with the spread of mass culture, there is no social distinction between social strata, which has defined the specific limits of the existence of high culture (classical art) and folklore. They have become mostly materials for kitschy replication. At best, they have become materials for interpretation.

Consumer Society and Consumerism: Worldview Features of Modernity

Consumerism and consumer society are often synonymous. At the same time, there can be a difference between the two. Consumerism is a specific way of life associated with an exclusive desire to buy and consume goods (Boström, 2020). Among its characteristic features is shopping, understood as the direct implementation of spontaneous purchases, and as a form of sensual consumption, associated with the consideration of store windows and goods, but without the motivation to purchase them. From this point of view, consumerism can be seen as a certain component of consumer society, connected directly with the process of purchase itself.

Instead, consumer society is understood as a form of social relations based on the mass consumption of goods and services, which forms the corresponding worldviews and behavior in society (Lorenzen, 2017). At the same time, such practices evolve and, as of today, the purpose of buying things is not so much to satisfy certain natural needs of an individual as to demonstrate an individual's belonging to a particular social stratum (whose representative can buy such a thing). Popular among philosophers and sociologists is the definition of “demonstrative consumption”, which is also called “prestigious”,

“demonstrative”, “status”. The content of this concept is revealed as spending wastefully on the purchase of goods and services that are important primarily to show off one's own wealth, rather than intended to meet immediate needs (Mohr, 2021). Given the above aspects, it is not only said that certain social, economic, and cultural categories are formed, but also that constant anthropological concepts are formed. In a sense, these categories become axiological, moral, aesthetic, and pedagogical, define the standards of characterization of the quality of human life, internal orientations, spiritual and cultural outlook, etc.

Certain cultures of modern consumer culture are based on technological innovations and gadgetization. Life cycles of goods are becoming shorter, new and improved models quickly replace the old ones within a very short period of time. This leads to the notion that durable

consumer goods do not exist at all - things are not adapted to serve people for long periods of time (Boström, 2020). The components of the consumer society are several worldview elements. First of all, consumption gets leading roles in shaping social relations, transforming them in its own way (Yates, 2022). Second, it is not the economic but the social and cultural aspect that has become dominant in consumer consciousness. In this way, consumption is taken beyond economic life and becomes a key part of the social and cultural behavior of individuals. Due to this, consumers create corresponding programs of behavior, various products, and things, facts, other people are characterized due to this.

Thus, actively spreading on a global scale, consumer culture leads to the formation of the following attitudes (See Figure 2).

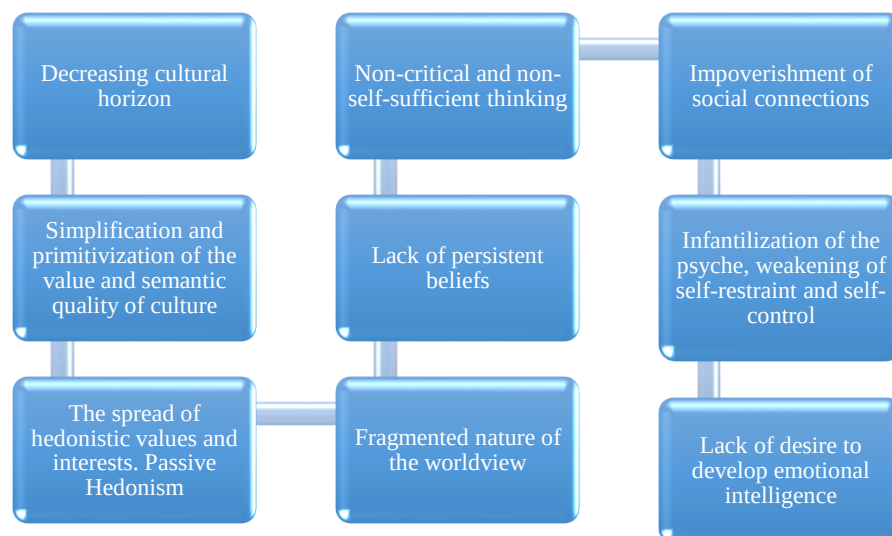


Figure 2. Worldview attitudes of a representative of consumer culture
Authors' development

Consequently, the above attitudes lead to the infantilization of the psyche, the suppression of the will in favor of the emotional, and then the lack of desire to develop emotional intelligence. The latter is important in today's worldview processes because a high level of emotional intelligence forms a greater degree of satisfaction with one's life. The above factors characterize a special anthropological type – “human-consumer”, brought up in the system of meanings and values of mass consumer culture.

“Protean Identity” as a Product of Mass Culture and Consumer Society: Axiological Dimension

Modern people permanently trying on different social roles, following various ideological trends and fashionable brands, find themselves in a “labyrinth of identities”. Researchers use the concept of “protean identity” proposed by the American psychiatrist R. Lifton to explain this condition. Its essence is that a person's identity in modern conditions cannot be in a static state and is constantly transforming, so people become similar to the ancient god Proteus, who was permanently changing his own appearance (Lifton, 2017).

There are a number of reasons for this tendency to change identity. Among them, globalization - the interaction and interpenetration of cultures, as a result of which modern people feel like "citizens of the world" and lose their traditional sense of their roots, their connection to familiar social environments and social institutions that functioned as powerful mechanisms of identification and self-identification - is one of them. The challenge in the globalized context was the spread of mass culture, which, in turn, provoked the emergence of mass man. The mass man in terms of identification is in a difficult situation of axiological choice (Boström, 2020). In particular, if being a special individual in today's circumstances means remaining the same as everyone else, then the traits of personal individuality can only be obtained when one refuses to be an individual. This gives rise to the rather strange but true notion that not wanting to be an individual at a time when everyone wants to be one allows one's individuality to emerge.

In modern circumstances it is difficult for people to form a well-established image of their own self: its structure, consisting of a certain number of diverse images, becomes significantly more complicated, turning into a multi-level structure, in which there are almost no connections, unified belonging, etc. The formation of identity according to the traditional scheme creates a balanced system of views and images, perceived as natural and indicating a part of the individual's consciousness. Mass culture through the mechanisms of globalization has caused the emergence of crisis identity, which is manifested in the violation of certain connections and the unity of the whole structure. For this reason, the problems of personal identity are currently among the extremely relevant parts of philosophical discourse.

Consumption in modern conditions is considered one of the key phenomena, a certain category, which is extremely important for the characterization of reality and allows us to assess the state of society and individuals (Feder et al., 2022).

Such a phenomenon influences the formation of the current social reality, and in many respects determines the identity of individuals and the way they perceive the world around them because every individual is also a consumer. From this perspective, consumption is much more than just the possession and use of things for personal purposes. Consumption becomes the identity of the world of goods around us.

Consumption itself is interpreted in many contemporary scholarly texts as one of the main values, primarily through its role and significance in economic life and in the functioning system of social axiology. Consumption has been transformed from a means of obtaining a perceived goal into a peculiar kind of human activity (Ostropolska, 2021). Consumption has transformed from an ordinary operation into an activity through which a person creates his or her own image, achieves his or her goals, and realizes his or her own values through specific behavior. In fact, consumer activity (and professional activity) has become the main expression of self-realization, identity. So, the culture of mass consumption society also presents a challenge to identity formation. In today's world, many new cultural symbols have emerged, which, using the mechanisms of global dissemination, the Internet, and mass media, transcend national borders, allowing individuals a new sense of connection between loved ones, but also with others (Verganti, Vendraminelli & Iansiti, 2020). Under such conditions, individuals gradually lose their sense of autonomy and insularity, but the autonomization of society is also characteristic, where a sense of community does not contribute to mental or moral rapprochement. The crisis of identities is therefore conditioned by a reassessment of values, which have always been the basis for any identification.

An important tool for overcoming the state of uncertainty can be the philosophy of the "New Enlightenment", the essence of which consists in global transformations in the system of thought. As a consequence, the human worldview will remain humanistic, integral, but free of egoistic anthropocentrism. It will be open to development, but moderately conservative (to ensure stability and peace). On this basis, there will be a need to inhibit excessive consumerism, but to appeal to ideas of environmental protection, the search for balance, and moderation in the use of technology, gadgets, etc. Through this, a global cosmopolitan identity is possible, taking the best achievements of the past and adding new refinements to them. Although such considerations are only suggested in research, they are worthy of attention as a specific form of countering the negative effects of mass culture and egalitarianism.

Conclusions

Thus, modern post-industrial society has given rise to the development of mass culture and consumer society. Considering the globalization

processes, the development of the latter categories has gained a worldwide character and is important from the point of view of philosophical research. In the realities of the spread of mass culture, the social distinction between social strata has been erased, that is, in the present conditions, all social strata have the same conditions for consumption. This phenomenon has also defined the specific limits of the development of high culture and folklore: they have become mainly materials for kitschy replication. As we have been able to establish the importance of mass culture is conditioned not only by the totality of a variety of products that are actively distributed but also by the degree of their influence on the consciousness of people. The peculiarities of the worldview inherent in modern mass culture are the formation of global consumer markets, the influence of image improvement industries, the transformation of the leisure industry, which have transformed artistic culture, simplifying it to tourism and entertainment services, the infantilization of art, egalitarian trends of society.

Consumerism and consumer society, as demonstrated, are different concepts. Consumerism as a part of consumer philosophy constitutes an integral part of consumer society, which has formed certain worldview guidelines of its own: the primitivizing of sociological-semantic qualities of culture, the spread of hedonistic moods and egoism, the infantilization of psychological processes, the non-acceptance of criticism and the lack of critical thought. Man, a representative of consumer and mass culture in general is characterized by a lack of desire to develop emotional intelligence, which ultimately leads to a decrease in life satisfaction.

The formation of mass culture, which created the mass man, led to the emergence of the "Protean identity," which shows the crisis of contemporary identities in the world. In the same way, consumption has changed its meaning from a means to an end to an activity. The emergence of worldwide new cultural symbols and their dissemination through global channels of information transmission have changed the worldview motives of identification, which has become more social than national. This crisis requires a solution, and a possible solution could be an appeal to the ideas of post-enlightenment, the main theses of which are related to the restriction of consumer activity and the appeal to spiritual reference points.

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The role of education quality monitoring in ensuring quality higher education

Роль моніторингу якості освіти для забезпечення якісної вищої освіти

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Abstract

The article shows the necessity of monitoring the quality of education. The main educational criteria of the process of ensuring the higher education (monitoring activities, academic integrity) are highlighted. The essence of the concepts is revealed: monitoring the quality of education (presented in two aspects: first, compliance with specifications or standards; second, compliance with consumer requests). Levels of education monitoring (regional, institutional, international, national) are proposed. The need for continuous monitoring of the quality of education has been proved. Specific stages of education quality monitoring are highlighted. The requirements for the diagnostic tools and main functions (analytical and informational, prognostic, diagnostic, corrective) for monitoring have been submitted. To study the importance of these problem of

Анотація

У статті показано необхідність моніторингу якості освіти. Виокремлено основні освітні критерії процесу забезпечення якості вищої освіти (моніторингова діяльність, академічна доброчесність). Розкрито сутність понять: моніторинг якості освіти, якість освіти (представлено у двох аспектах: перший, відповідність специфікації або стандартам; другий, відповідність споживацьким запитам). Запропоновано рівні здійснення моніторингу (регіональний, інституційний, міжнародний, національний). Доведено необхідність постійної дії моніторингу якості освіти. Виокремлено конкретні етапи моніторингу якості освіти. Подано вимоги до діагностичного інструментарію моніторингу. Охарактеризовано основні функції моніторингу якості освіти (аналітико-інформаційна, прогностична, діагностична,

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future specialists professional training, methodological approaches (personal, system, competence, activity, benchmarking) have been determined.

Keywords: monitoring, quality, education, quality assurance of higher education, higher education institutions.

Introduction

The XXI century exists under the name: the era of quality. The explanation for this name is that the development and improvement of the education system determine the state of the educational space, and quality has become its main factor. Modernization of the educational space is carried out through significant changes, and innovative transformations in the educational field. There is a change in the content of education and modernization of its results, integration of the non-state sector about the market of services provided to the educational space, etc.

An important argument that brings great benefit in the implementation of monitoring the quality of the educational sector and affects the achievements of students is innovative ways of providing each student of education, by his abilities and needs, with information about his opportunities on the way to employment and the state of educational training and, if necessary, ensuring his by helping or correcting this condition.

The information obtained during the monitoring of the quality of the educational sector will make it possible to: timely and quickly find negative factors in education, prevent the emergence of negative factors, forecast the speed of development of the education system, update and improve such a process and create favorable conditions for future specialists to obtain qualified higher education, because the future of the nation, the future of science, and the future of the country will depend on the level of their competitiveness (Baydatska, 2007).

The purpose of the article. Show the need for monitoring the quality of education to ensure the quality of the educational process. Describe the main functions, approaches, and principles of monitoring.

корекційна). З метою дослідження значущості моніторингу якості професійної підготовки майбутніх фахівців визначено методологічні підходи (особистісний, системний, компетентнісний, діяльнісний, бенчмаркінговий). Представлено та показано значущість основних принципів загального управління якістю.

Ключові слова: моніторинг, якість, освіта, забезпечення якості вищої освіти, заклади вищої освіти.

Literature Review

A. Sbruyeva (2019) revealed the features of management methods for the quality of education, characterized the education management system, drew attention to the possibilities of implementing an innovative system of educational quality control tools, clarified the ways of implementation of accreditation, licensing, attestation of the teaching contingent in institutions of higher education, showed the consistency of the innovative system at carrying out such procedures.

M. Kisil (2008) characterized the double determination of the quality of education, and focused attention on its external manifestation, with the existing globalization and European integration processes. He proved that internal determination is impossible without modern scientific approaches because they provide humanistic, democratic tendencies; values of national culture. The proposals formulated by the scientist regarding guaranteeing the quality of higher education deserve attention.

O. Bilyk (2009) presented an analysis of the development of general educational institutions, considering the information technology of their quality monitoring, which is based on indicators of the quality of education, on innovative approaches to educational statistics.

N. Zhigotska (2002) developed a system of rating evaluation models and the concept of rating evaluation and showed the possibilities of higher education institutions to manage the quality of educational services. Submitted requirements for the quality of education with the help of diagnostic monitoring tools. She characterized the main functions of monitoring the quality of education: diagnostic, prognostic, analytical and informational, and corrective.

L. Dovgan et al., (2017) presented in a systematized form the essence of the concepts: quality of education, and monitoring of the quality of education. The quality of education is shown in the following aspects: compliance with consumer requests, and compliance with specifications or standards. A system management model was developed. They considered the management of organizations, described the tools, methods, and principles needed for anti-crisis management.

V. Muradova (2021) developed tools used by students during distance learning and a model for training specialists to increase the effectiveness of monitoring the quality of knowledge through subject-oriented technologies. A diagnostic toolkit for monitoring the quality of education has been developed and requirements for it have been submitted. The main functions of monitoring the quality of education are characterized.

I. Annenkova (2016) developed and tested the effectiveness of the model of professional activity of scientific and pedagogical workers of a higher education institution. The theoretical and methodological principles for monitoring the quality of their professional activities have been developed for scientific and pedagogical workers in higher education institutions.

S. Sadrytska (2011) conducted research that serves as a basis for improving the quality of educational services; devoted research to innovative ways of evaluating the quality of education. Using the examples of individual educational institutions and at the regional and state levels, she showed the possibilities of evaluating the quality of education.

L. Savchenko (2014) theoretically and experimentally approached the study of the problem of training future teachers of technology and drawing; the author shows ways of innovative pedagogical diagnosis of the quality of education. The concept of training future teachers of technology and drawing for pedagogical diagnosis of the quality of education has been developed.

I. Dobroskok (2008) analyzed the problem of the quality of education and showed the importance of assessing the quality of the educational process. The stages of monitoring the quality of education are distinguished: forecasting the development of the monitoring system of the quality of education, assessment of the state of the education system, forecasting the quality of

education, and opportunities for regulation for making successful management decisions.

V. Bilokopytov (2013) analyzed the activities of the European Association of Universities. Proved the effectiveness of the formation of the European space of higher education; showed innovative ways of providing education to every student, outlined the activities of the European Association of Universities, and showed the levels of quality assurance in the context of the Bologna process. According to the needs of learners, developing innovative ways to provide each learner, according to his abilities.

V. Zinchenko (2012) outlined the object, subject, goals, functions, tasks, and principles of monitoring; described the possibilities of monitoring the quality management of the educational process of higher education institutions; singled out negative factors for education; proposed measures to prevent the occurrence of negative factors; analyzed the varieties of educational and managerial monitoring.

Methodology

To solve the set tasks and achieve the goal, a set of research methods was used: theoretical: analysis of philosophical, pedagogical, psychological, methodological literature, normative documents and dissertations on the topic of research in order to identify the state of development of the problem of monitoring the quality of education in higher education institutions in the modern scientific discourse and taking into account the positive experience that was implemented in the monitoring process; structural and systemic method in order to substantiate the author's approach to the research problem; method of generalization for the purpose of formulating conclusions and recommendations regarding the solution of the problem of monitoring organization; empirical: obtaining knowledge from experience; questionnaires, testing; interpretative and analytical method, study of scientific sources using analysis, synthesis, systematization and generalization; concrete scientific methods: semantic and terminological method for substantiating the conceptual and terminological apparatus of research; scientific method for identifying progressive ideas in scientific works. The named methods complement each other and can provide the possibility of comprehensive knowledge of the subject of research.

The leading idea of the study is to substantiate and develop such a system of monitoring the quality of education to ensure the quality of the educational process, the basis of which is the creation and functioning of a culturally oriented environment, which will be necessary for high-quality professional training of specialists at a strategic level, using modernization, rationalization, and modification of all components of the educational content to ensure the quality of the educational process, will allow to single out the main functions, approaches, principles of monitoring and will contribute to increasing the level of cultural competence of future specialists, will ensure their successful entry into the social and multicultural professional space.

Based on a comparison of own experience, approaches of scientists, theoretical research, and the necessity of monitoring the quality of education to ensure the quality of the educational process is shown, the main functions, approaches, and principles of monitoring are characterized, the ability of an individual to reproduce, perceive, realize, and independently enrich experience in the professional field at a productive level is highlighted. relevant knowledge about the world and national culture based on universal, humanistic spiritual values.

The methodological concept reflects the conceptual connections between the subject, goal, and tasks of scientific research, determines the set of problems, the sequence of their solution, and the theoretical focus on explaining the obtained results of monitoring the quality of education to ensure the quality of the educational process.

At the philosophical level, this concept is based on the doctrine of personality development, determined by a set of social, cultural, and pedagogical influences, taking into account scientific provisions, ideas regarding the foundations of the professional training system; fundamental general methodological provisions of values, dialectical theory of cognition, activity; interdependence and integrity of nature and man; psychological and pedagogical regularities about the external and internal factors of monitoring the quality of education to ensure the quality of the educational process for the professional formation of an individual in the innovative cultural dimension. This level of research covers philosophy, psychology, cultural studies, sociology, and pedagogy, and contains a set of general principles of knowledge, with the help of which it is possible to interpret the basic

concepts and categories of research, the justification for monitoring the quality of education to ensure the quality of the educational process; definition of the main functions, approaches, principles of monitoring, psychological and pedagogical conditions, analysis, generalization and synthesis of the studied phenomena.

The general scientific level of the methodological concept of the research is based on a system of approaches that made it possible to specify the content and essence of the researched problem of monitoring the quality of education to ensure the quality of the educational process and to substantiate specific regularities, general didactic and special principles of its formation, namely:

- the competence approach makes it possible to formulate the goal of monitoring the quality of education to ensure the quality of the educational process in the context of the formation of professional competence of future specialists, to optimize the assimilation of the system of abilities, skills, and experience of the effective implementation of key knowledge about the monitoring of the quality of education to ensure the quality of the educational process, one's socio-cultural self-sufficiency in terms of professional activity;
- the cultural approach contributes to the formation of the emotional, thinking, activity, and behavioral culture of the individual; moral-ethical and spiritual development, strengthening the importance of cultural content in the context of monitoring the quality of education to ensure the quality of the educational process;
- a synergistic approach allows considering the monitoring of the quality of education to ensure the quality of the educational process as an open pedagogical system, which is characterized by the presence of structural interrelationships and functional interaction of components in the context of self-development and self-improvement, nonlinearity and multivariate development;
- the axiological approach reveals the role of value orientations in monitoring the quality of education to ensure the quality of the educational process, determines the awareness and perception of the individual through the hierarchy of personal and professional values of monitoring the quality of education to ensure the quality of the educational process, activity, readiness, self-sufficiency, awareness;

- the subject-activity approach is aimed at organizing the monitoring of the quality of education to ensure the quality of the educational process by creating an atmosphere of cooperation and trust to strengthen the personal motivation of students to master professional competence, deploy high-quality professional potential in the field of independent, scientific and research activities, educational, outside of educational activities and during practical training;
- the professional approach guides the process of monitoring the quality of education to ensure the quality of the educational process by the requirements of the professional sphere of the future pedagogical activity, integrates the components of professional competence into the professional profile of future specialists;
- the ethnic-regional approach determines ways of solving the monitoring the quality of education of specialists to ensure the quality of the educational process as representatives of regional, national, and world culture, which ensures the improvement of the system of professional training of such trained specialists.

The methodological and technological concept reflects the specific scientific level of monitoring the quality of education to ensure the quality of the educational process. The level is based on the development and application of scientific and methodological support for the introduction of monitoring the quality of education to ensure the quality of the educational process, and the formation of such a pedagogical phenomenon in the professional training of future specialists.

Results and Discussion

Today, quality education is the main factor determining the development of education, and the improvement of the educational sector is a necessary process for the development of society. That is why the 21st century exists under the name: the era of quality. Modernization of national education is based on:

- significant changes in education itself;
- observance of academic integrity;
- formation of innovative views on education;
- monitoring the results of the educational sector;
- integration of the non-state sector into the market of educational services, etc.

In society, a priority task appears: to assist each person in adjusting his educational status throughout his life by human abilities and needs; to provide each individual with high-quality training for professional activity. The main educational criteria of this process are 1) monitoring activity, 2) academic integrity.

- 1) Information obtained through monitoring the quality of the education system as a whole and the education of the individual, in particular, makes it possible to timely identify negative factors of personality formation and prevent their occurrence, to build and improve the educational space and forecast the development of the education system, making it innovative, to create conditions for citizens to receive Ukraine's qualified higher education, the level of intellectualization of which will shape the future of science, the country, and the nation (Baydatska, 2007).
- 2) The issue of academic integrity has begun to receive worldwide attention in recent years. Academic integrity and attention to its significance became urgent in connection with the emergence of the need to adhere to moral and ethical principles when writing scientific papers.

At the conference on higher education (city of Bucharest, September 2004) with the assistance of the UNESCO European Center, the Declaration on Ethical Principles of Personal Values in the European Region was adopted. The main components of academic integrity are grouped in the Declaration:

- honesty,
- justice,
- trust,
- responsibility,
- respect
- accountability.

The goal of academic integrity is not only to follow the correct citation, and constant reference to literary sources but also to provide the correct information when writing scientific papers about the results of research, to respect the work of scientists who previously dealt with the same problem and have already expressed their attitude to this problem, conducted research and substantiated their point of view. Sanctions are imposed for violations of norms of academic integrity. These are: deprivation of the awarded scientific degree, expulsion from the university, repeated passing of the discipline and retaking of the final module control, exam. Academic

integrity includes many moral and ethical qualities of a person, which focus attention on the behavior of all participants in the educational space, and cause a direct influence on the quality of higher education (Sopova, 2018).

The American Council for International Education in Ukraine, in partnership with the Ministry of Education and Science of Ukraine, with the support of the US Embassy, currently implements the Strengthening Academic Integrity in Ukraine Project (SAIUP).

The project is designed for 4 years and embodies the proactive direction of the entire educational community for systemic changes in Ukrainian higher education. First of all, these are: ensuring favorable conditions for the realization of gifted students, ensuring the innovative image of Ukrainian universities, and improving the quality of the entire educational sector.

The project to promote academic integrity in Ukraine embodies four main areas of activity:

- educational campaign;
- practical training at universities;
- implementation of international practices in Ukrainian universities;
- purposeful work on regulatory mechanisms and regulatory framework.

The goal of the Project to promote academic integrity in Ukraine is to eliminate manifestations of academic dishonesty (plagiarism, plagiarism, corruption), as they destroy the educational industry, making the educational process only an imitation. To change this situation, systematic and long-term work is necessary, first of all, to form the academic integrity of higher education seekers and ensure its work at the level of higher education institutions (American Councils, 2022).

We see that academic integrity is a necessary unit for ensuring quality higher education. Another main educational criterion for the quality of the education process is monitoring activity. We will dwell on it in more detail.

We consider the system (that operates continuously and systematically) of processing, distribution, permanent collection, and storage of information about the quality of students' education as monitoring the quality of students' educational achievements. Such a system makes it possible to forecast the development of the educational process and can record judgments about the state of the educational process at any

moment in time. We consider monitoring to be a holistic management tool. Let's define its components: control and evaluation, research, and diagnostics, which manifest themselves depending on the monitoring tasks, are in a constant relationship (Baydatska, 2007).

The concept of monitoring the quality of education is broader than such concepts as assessment, control, and observation. Monitoring the quality of education can be considered both as a system and as a process.

To ensure high-quality higher education, monitoring of the quality of education is carried out at the following levels:

- institutional;
- national;
- regional;
- international.

Monitoring of the quality of education to ensure high-quality higher education is ongoing and includes the following stages:

- forecasting the development and state of the educational system;
- assessment of the most important factors and the current state of the education system with the constant influence of innovations on the state of monitoring;
- assessment of the projected state of the quality of education to ensure high-quality higher education;
- regulation of the quality of education for management decision-making to ensure high-quality higher education (Kozubovska, 2011).

We will analyze in detail the types of monitoring: internal and external.

Internal monitoring is characterized by the fact that it is carried out by specialists of the educational management body, the educational institution, i.e. the institution itself, to identify deficiencies in the knowledge and skills of the students of education, improve and rationalize pedagogical methods, improving the administration of the educational institution and increasing its efficiency, activating activities educational process, conducting research work. Monitoring takes place and is implemented practically by the team itself, whose representatives do not always receive proper professional training. Internal monitoring is carried out simultaneously or before external evaluation.

External monitoring of the quality of education to ensure high-quality higher education is carried out by special institutions that are independent. Such institutions include monitoring centers and sociological research centers. External monitoring of the quality of education to ensure high-quality higher education is carried out using appropriate technology and qualified specialists (the standardized methodology is applied). Most often, external monitoring of the quality of education to ensure high-quality higher education is carried out to obtain statistically significant and reliable information, which is the basis of the state's educational statistics. Such monitoring of the quality of education to ensure high-quality higher education is a system of information support of the management structure. External monitoring of the quality of education ensures:

- high reliability and reliability of information;
- development of variable recommendations;
- the possibility of generalization and comparison at any level of education management;
- professionalism of evaluators;
- use of special proven methods;
- standardization of information;
- an information basis for the analysis and development of educational policy at all levels.

The main forms of external evaluation of the quality of education to ensure high-quality higher professional education are accreditation and licensing of educational institutions, conducted for verification, based on defined criteria. The main question of verification is whether educational institutions can provide the quality services needed today (Hyrylovska, 2020).

Educators, students, administration, parents, and employers, that is, every subject of the educational process, have an interest in providing quality education.

The quality of education can have conflicting meanings:

- for society, the quality of higher education is related to those values of education seekers and value orientations that will find their expression in professional activity, in civic position, in technical or humanistic orientation.
- for business and industry, the quality of education to ensure high-quality higher education correlates with the life position,

professional skills, practical skills, and innovative knowledge of graduates;

- for teachers, the quality of education to ensure high-quality higher education can mean the presence of a high-quality educational plan, provided with educational materials;
- for parents, the quality of education can be compared with the development of the individuality of their children;
- for education seekers, the quality of education is related to the climate of the educational institution;

The concept of quality is defined by two aspects:

- the first is compliance with the specification or standards;
- the second - is compliance with the employer's requests.

We will show the stages of pedagogical monitoring:

1. regulatory and guidance monitoring of the quality of education to ensure high-quality higher education;
2. analytical and diagnostic monitoring of the quality of education to ensure high-quality higher education;
3. prognostic monitoring of the quality of education to ensure quality higher education;
4. activity-technological monitoring of the quality of education to ensure high-quality higher education;
5. intermediate diagnostic monitoring of the quality of education to ensure high-quality higher education;
6. final diagnostic monitoring of the quality of education to ensure quality higher education.

When analyzing the data of the results of the conducted research, it is worth taking into account the factors that have a direct impact on the results of monitoring the quality of education to ensure high-quality higher education and can lead to a negative or positive consequence:

- factors (preparedness, professionalism, quality of tools, equivalence of groups, constant change of personnel in the process of experimental work, distortion of results, external environment, social situation) that distort true assessments;
- the perfection of diagnostic tools (psychological and pedagogical, medical research methods, social and psychological).

By analyzing various aspects of the factors that have an impact on the results of monitoring the quality of education to ensure high-quality higher education, it is possible to improve the effectiveness of the educational process (Bodnenko et al., 2014).

We will analyze the main functions of monitoring, namely: analytical and informational, diagnostic, prognostic, and corrective.

The analytical and informational function contributes to the assessment of the effectiveness of the educational process, talks about the analysis and obtaining information, general training, clarifies the basis of studying the peculiarities of education, the course of the educational process, and factors that have a certain influence on it; helps provide feedback, etc. The data obtained during the monitoring of the quality of education are analyzed and interpreted to ensure high-quality higher education (Lukina, 2005).

The diagnostic function of monitoring the quality of education to ensure high-quality higher education is manifested in the form of checking the level of potential opportunities of the future specialist, his skills, and knowledge in comparison with previous achievements with the help of the achieved state of the education system, various means of research, identifying factors, problems, deviations from certain norms and standards (Lukina, 2000).

Predictive function. Monitoring shows the current state of the educational process and contributes to the forecasting of modern trends in the development of the quality of education to ensure high-quality higher education and the introduction of appropriate corrections (Kasyanova, 2000).

The corrective function involves the identification of causes that have an impact on the level and quality of assimilation of the content of education, tracking during monitoring studies of the quality of education to ensure high-quality higher education and specific gaps in the knowledge of student acquirers. Fixation of unexpected results of monitoring the quality of education to ensure high-quality higher education in educational and educational work in the future involves the organization of corrective activities (Baydatska, 2007).

Monitoring the quality of education to ensure high-quality higher education is carried out to

obtain clear final results, which serve as a basis for making management decisions by the heads of educational institutions, where the student of education is perceived as the recipient of the necessary information.

We will define the methodological approaches used for monitoring the quality of professional training of future specialists: system, activity, personal, competence, and benchmarking.

The system approach made it possible to apply the elements that form the structure of monitoring the quality of education to ensure high-quality higher education, and to distinguish the following subsystems: the managing "pedagogical workers" and the managed "education seekers".

The application of the activity approach to the study of monitoring the quality of professional training of future specialists made it possible to distinguish the following types of activities: "pedagogical activity of teachers", "managerial activity of managers", "educational activity of education seekers", which are constantly in coordination, interconnection, and interaction. The activity approach determines the purpose, result, and content of monitoring activities for each category of participants. With this approach, the work of each category of monitoring participants is motivated, characterized by purposefulness, and objective, carried out in a certain way, and leads to an overall positive result.

A personal approach provides opportunities for creating conditions for self-actualization, self-development, and self-realization of education seekers and the formation and continuous development of professionally important general qualities in them, which ensure the formation of the personality of a future professional; determines the application of active forms of monitoring the quality of education to ensure high-quality higher education, the introduction of innovative pedagogical technologies, the observance of the humanistic orientation of the interaction of teachers and students of education, and the determination of optimal means of education.

A competent approach in the professional training of future specialists helps to distinguish invariant components, provides an opportunity for monitoring assessment to determine the content of test tasks, and organizes an educational and preparatory stage of monitoring for those seeking education (Hyrylovska, 2020).

Monitoring the quality of education to ensure high-quality higher education is based on the requirements of international standards ISO 9000; on the concept of implementing the principles of the European Foundation for Quality Management (EFQM) business model.

The international standards of ISO include the basic principles of total quality management (TQM), with the help of which it is possible to successfully implement them using educational quality management systems:

1. Application to the consumer. The task of the principal is the analysis of students and future needs of students, the satisfaction of consumer requirements in full; study of perspectives, which increases the expectations of employers as well as the quality of the training of fax workers.
2. The field of entrepreneurship in total quality management. Creation of an internal atmosphere by the enterprise to attract and interest the staff in quality training of students.
3. Involvement of teaching staff. The use of evidence of personnel of the educational institution, their qualifications, and skills; Analyzing customer needs and creating innovative conditions that constantly encourage innovation.
4. Initial access. Business management in the form of a process that can be used to achieve the desired result; determination of innovative processes that contribute to the creation of innovative types of activity within the educational system.
5. System approach. Management, to achieve a certain result, through interconnected processes.
6. Subsequent execution. Improvement of the indicators of scientific, educational, and economic work with the help, provision, approval, and analysis of warning measures implementation.
7. Making decisions based on facts. Ensuring confidence in writing, and its availability.
8. Mutually beneficial relationships with customers. Proof of work at a lyceum, technical school, college, or school with a higher education institution allows you to improve the quality of education and monitor the quality of services.

Therefore, implementing the ISO standard in education will help improve the management system and identify shortcomings in the field of quality assurance of education to ensure high-quality higher education.

The main problem during the approval of quality management procedures in education is personnel. Therefore, it is quite important to train and motivate employees of public institutions, managers and auditors, etc. (Petrychenko, 2014).

Conclusions

The essence of the concepts is revealed: monitoring the quality of education, the quality of education is outlined in two aspects (compliance with specifications or standards; compliance with consumer requests).

Levels of monitoring the quality of education to ensure high-quality higher education are distinguished: institutional, regional, national, and international. The stages of monitoring the quality of education to ensure high-quality higher education are proposed: forecasting the development and state of the educational system; assessment of the actual state of the education system and the most important factors; assessment of the predicted state and, as a result, regulation of the quality of education for management decision-making. The requirements for diagnostic tools are outlined. The main functions of monitoring (analytical and informational, diagnostic, prognostic, and corrective) are characterized.

Methodological approaches for monitoring the quality of professional training of future specialists (system, activity, personal, competence, and benchmarking) have been determined.

Presented are the modern principles of total quality management (TQM), which are developed using the system of quality management of education (the field of trade in the system of quality management; customer feedback; etc. critical approach; decision-making based on facts; involvement of teaching staff; systematic approach; continuous improvement; mutually beneficial equations with prepositions). We see further research in the analysis of methodological approaches for research monitoring the quality of professional training of future specialists

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State policy and legal provision of socially hazardous diseases in Ukraine: the case of HIV/AIDS analyzed from bioethical, medical, and legal perspectives¹

Державна політика та правове забезпечення соціально небезпечних захворювань в Україні: аналіз випадків ВІЛ/СНІД з біоетичної, медичної та правової позицій

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Abstract

This article analyzes the legal and policy aspects related to HIV/AIDS in Ukraine from bioethical, medical, and legal perspectives. The objective of this study is to examine the adequacy of existing policies and legal provisions to address socially hazardous diseases such as HIV/AIDS in the country. The methodology employed includes a review of existing literature and legal documents related to HIV/AIDS. The findings suggest that although Ukraine has made significant progress in tackling HIV/AIDS, there are still significant gaps in the legal and policy framework regarding the disease. These gaps include a lack of comprehensive legislation and policies, inadequate funding for the prevention and treatment of HIV/AIDS, and stigma and

Анотація

Дана стаття аналізує правові та політичні аспекти, пов'язані з ВІЛ/СНІДом в Україні з біоетичної, медичної та правової перспектив. Метою дослідження є оцінка належності існуючих політик та правових норм для боротьби з суспільно небезпечними хворобами, такими як ВІЛ/СНІД, в країні. Методологія включає огляд існуючої літератури та правових документів, пов'язаних з ВІЛ/СНІДом. Дослідження показує, що хоча Україна зробила значні кроки у боротьбі з ВІЛ/СНІДом, все ще існують значні прогалини в правовій та політичній сферах щодо цієї хвороби. Ці прогалини включають відсутність комплексної законодавчої та політичної бази, недостатнє фінансування для профілактики та лікування

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discrimination against those living with the disease. Overall, this study highlights the urgent need for a more holistic approach to address HIV/AIDS in Ukraine, including strengthening the legal and policy framework, increasing funding for prevention and treatment programs, and addressing the societal stigma and discrimination associated with the disease.

Keywords: state policy, legal provision, treatment programs, HIV, AIDS.

Introduction

For many years, the HIV/AIDS pandemic has affected millions of people worldwide, and the number of individuals infected with the virus continues to grow. The scale of this virus has taken on a global character and poses a real threat to the socio-economic development of most countries around the world. According to experts and research, HIV/AIDS is a significant challenge for the international community (Staupe-Delgado & Rubin, 2022).

The HIV epidemic has become one of the most dangerous factors negatively impacting personal and societal development, resulting in a decrease in the average life span, an increase in demand for medical services, and an exacerbation of poverty and social inequality issues (Osamika & Mayungbo, 2019). Fighting this disease has become a top priority for countries' public health sector. Achieving success in this mission requires proper legal and regulatory support and a consistent and transparent government policy.

The rapid spread of HIV infection and AIDS, which is spreading in Ukraine, poses a threat to both public health and the strategic development of our country. The epidemic negatively affects national security, economic growth, and social development. The policy to counter the epidemic should involve prevention, overcoming, and reducing its consequences.

One of the directions in the social policy of any civilized state is the health care of the population (Hartanto, 2020). Preservation and strengthening of health are components of state building, social policy, the system of national security, and one of the most important functions and internal tasks of the state.

The purpose of this research is to review the current state of state policy and provide recommendations for improving state regulation

ВІЛ/СНІДу, а також стигматизацію та дискримінацію проти людей, що живуть з цією хворобою. Загалом, це дослідження підкреслює необхідність негайного впровадження більш глибокого підходу до боротьби з ВІЛ/СНІДом в Україні, в тому числі зміцнення правової та політичної бази, збільшення фінансування для програм профілактики та лікування, а також боротьба зі стигматизацією та дискримінацією, пов'язаними з цією хворобою.

Ключові слова: державна політика, правове забезпечення, програми лікування, ВІЛ, СНІД.

to combat socially dangerous diseases in Ukraine, particularly HIV/AIDS, based on domestic and international experience, with the goal of improving the provision of medical and social services to the population.

To achieve this aim, the following tasks were set:

- To determine the essence and role of socially dangerous diseases as a medical and social problem in Ukraine, particularly acquired immunodeficiency syndrome (HIV/AIDS);
- To investigate international and domestic legislative and regulatory experience in combating HIV/AIDS and conduct a comparative analysis;
- To analyze the peculiarities of HIV/AIDS in Ukraine as an epidemic process and its monitoring;
- To study the role of specialists and public organizations in state regulation to combat HIV/AIDS in Ukraine;
- To justify the use of international experience in improving state regulation to combat HIV/AIDS in Ukraine on the principles of decentralization.

Literature Review

The rational selection of policy tools to counter the HIV/AIDS epidemic and the evaluation of their results are vital given the complex epidemiological situation. However, it should be noted that in Ukraine, there are relatively few scientific publications dedicated to the problems of public administration and policy in the field of HIV/AIDS. Among them, the works of Krysko (2015), Khozhylo (2008), Yakobchuk (2012), and others are noteworthy. Some aspects of the formation and development of a modern system to counter HIV/AIDS in Ukraine are addressed in the works of Ariaiev et al., (2006), Balakirieva (2017), Semigina & Tymoshenko (2016),

Owczarzak et al., (2018), and others. Issues of standardizing public services, the relationship between social services and public and administrative research are also explored by Kyselyova et al., (2019), Hubar (2020), Bohdan et al., (2019), Kyselov (2008), and others.

The peculiar feature of the current state of the domestic healthcare system is a deep management crisis, most notably evident in the prevention of socially dangerous diseases such as HIV/AIDS. Today, local self-government bodies objectively play a leading role in shaping an effective mechanism for preventing HIV infection/AIDS, since the local level is the basis upon which cooperation is formed and subsequently effectively developed between state and civil institutions responsible for implementing preventive programs (Kuzin et al., 2020). However, it should be noted that the issue of distinguishing powers between executive authorities at the central level and local self-government bodies in the provision of program tasks for HIV infection/AIDS prevention has yet to be definitively regulated by legislative and regulatory acts.

Despite the research conducted by scientists and practitioners today (Pobiianska et al., 2021, 2022), the issue of state regulation of socially dangerous diseases in Ukraine, in particular HIV/AIDS, remains a special subject of comprehensive scientific and practical analysis (Yanishevska et al., 2021). This gives rise to the objective need to substantiate theoretical approaches to improving the mechanisms of state-civil society interaction in the field of HIV/AIDS prevention and monitoring, as well as to determine their effectiveness. It also necessitates the development of practical recommendations for the application of state-civil society cooperation in the field under study (Bilovus et al., 2021).

According to Barnett et al., (2000), socially dangerous diseases in Ukraine have a significant impact on the demographic and labor potential of the nation, as well as on its economic, political stability, and overall security. Given the importance and complexity of this socio-medical problem, influencing the prevalence of socially dangerous diseases, organizing prevention measures, and combating them is possible through cooperation between local governments, executive authorities, international and national non-governmental organizations.

Waitzkin (1989) believes that improvement of mechanisms for state regulation of socially

dangerous diseases plays a decisive role in addressing this socio-medical problem, which becomes particularly relevant against the backdrop of demographic crisis, social transformations in society, and marginalization of certain segments of the population of the state.

The analysis of literary sources has shown that international organizations such as the International Labor Organization and the World Health Organization attach significant attention to information and awareness-raising work among the population, especially among young people, as a means of overcoming the HIV/AIDS epidemic. It is necessary to develop and adopt prevention strategies adapted to national conditions, taking into account gender, cultural, social, and economic aspects (Sodoma et al., 2021).

Methodology

The *subject* of the research is state regulation to combat HIV/AIDS in Ukraine.

The *object* of the research is social relations that have developed in the field of combating HIV/AIDS in Ukraine.

To *achieve the defined goals and objectives* in the research process, a complex of general scientific and special methods was used, including abstract-logical analysis of scientific sources and regulatory framework on the topic of research, structural-functional and systemic study of state-civil society cooperation in the field of HIV/AIDS prevention and control in Ukraine, as well as of its components, coordination mechanism between them, relationships among the cooperation actors, their authorities, and peculiarities of the functions they perform. Historical analysis was also conducted, which examined the retrospective history and evolution of the domestic state-civil society cooperation system in the fight against HIV/AIDS in Ukraine.

Synthesis and modelling were employed to formulate recommendations for improving the mechanisms of state management in cooperation with civil society to combat HIV/AIDS in Ukraine. Additionally, prognostic and abstracting analyses were utilized to generate scientific novelty, conclusions, and practical recommendations for improving the mechanisms of state management in cooperation with civil society in combating HIV/AIDS in Ukraine. The analytical review in the work consists of the analysis of international and Ukrainian

legislation, scientific publications related to the themes of the review tasks.

Results and Discussion

State policy in the field of combating HIV/AIDS and other socially dangerous infectious diseases is a complex of measures that encompasses political, legislative, managerial, economic, social, medical, sanitary, communicative, educational, and other aspects. This policy is aimed at protecting the population from infectious diseases, ensuring effective control of the epidemiological situation, and reducing incidence, prevalence, and mortality rates. It also seeks to address social, economic, and medical factors and consequences of epidemics. However, in Ukraine, this policy is typically implemented through the solution of narrow-profile medical tasks.

The Role of Civil Society Organizations in State Regulation for HIV/AIDS Prevention and Control in Ukraine

Preventive measures in Ukraine have proven to be ineffective, as evidenced by the rapid spread of HIV infection in the country. It is therefore crucial to enhance the effectiveness of HIV epidemic prevention and control in Ukraine by utilizing reliable scientific data and validated program models to reach HIV-infected individuals and those at high risk of infection.

To further develop conceptual approaches towards the creation of a functional-organizational model for the integration of medical care for HIV-infected and AIDS patients at the primary healthcare level in Ukraine, civil society organizations must be involved in providing this care. Data obtained from a cross-sectoral expert group, comprised of 50 independent experts, was used to establish a list of preventive and treatment organizational measures for HIV prevention and control (Krysko, 2015).

Mechanisms for regulatory and legal control for HIV/AIDS-related medical aid provision at the primary healthcare level and mechanisms for coordinating specialized healthcare institutions and primary medical and sanitary centers need to be further developed. As we propose incorporating civil society organizations as an auxiliary component of medical care for HIV/AIDS at the primary healthcare level, it is necessary to regulate these issues at the legislative level. This would ensure that such interaction is not just theoretical, but practical

and legitimate (Yakobchuk, 2012). There may be risks associated with integrating medical care for HIV/AIDS at the primary healthcare level.

To overcome these risks, we propose involving community organizations through educational work, various district and local-level campaigns, engaging international-level experts and community organizations to improve the normative-legal framework. We can also utilize the experience of international organizations and projects that have practical and successful experience in preparing medical professionals to provide medical services to those infected with HIV, with the involvement of specialists from community organizations who have experience in training medical professionals. Such training will not only expand the knowledge of primary healthcare workers but also reduce stigmatization towards those living with HIV and serve as motivation for community organization representatives to successfully interact with this population.

The key idea in achieving the goal is the consistent solution to the priority problem of improving the efficiency of activities aimed at reducing the spread of the HIV/AIDS epidemic in Ukraine and increasing the accessibility and quality of medical and social assistance to those infected with HIV and those with AIDS. We aim to involve general practitioners and family doctors, as well as community organizations, in the process through continuous comprehensive information campaigns to inform the public about the ways of transmitting HIV and prevention of infection, forming a motivated responsible attitude towards personal health, promoting behavior that prevents transmission of HIV with consideration of personal risk factors, informing people about the available diagnostic and treatment services and basic safe care for those who are seriously ill, methods of preventing mother-to-child transmission of HIV, and ensuring the reproductive rights of discordant couples to have a healthy child.

Additionally, there are plans to establish an effective and accessible (both physically and economically) system for providing services related to HIV/AIDS. These measures involve the distribution of responsibilities and tasks between public organizations and medical representatives, aimed at increasing the coverage of the population and reducing the workload for healthcare professionals through the involvement of representatives of public organizations. This will enable the establishment of effective work with the general population (rather than just high-

risk groups) and reduce the level of stigma and discrimination towards HIV-positive individuals. Furthermore, since public organizations are currently mostly funded by international organizations, such forms of government and public interaction are economically advantageous for the state (Fidria et al., 2020).

The proposed measures aim to prevent HIV infection through the adoption of motivated safe behavior by the population. The family is the central element in the activities of family doctors and public organizations. The proposed model includes communicative measures of individual and group nature, which are conducted by social workers and psychologists of public organizations with the support and participation of family doctors, depending on the target group category, the workload of the doctor, the capabilities of public organizations, and outpatient clinics. The target groups are divided into healthy individuals, high-risk groups for HIV infection, HIV-infected individuals and their family members, volunteers in the fight against HIV/AIDS epidemic, and others. Various forms and means of public communication regarding this problem are used in this approach.

Taking into account the experience of community organizations in conducting preventative work with at-risk populations and establishing contact, this will enable healthcare professionals to focus solely on medical issues. By establishing contact with hard-to-reach at-risk groups, such as injection drug users, men who have sex with men, and sex workers, HIV infection and transmission can be prevented, opportunistic illnesses can be identified early, and patients can be included in a dispensary register.

The problems that need to be addressed in integrating HIV/AIDS medical care into primary healthcare with the involvement of community organizations are as follows:

- 1) Legislatively defining the transfer of medical care to people living with HIV to the primary healthcare level, including establishing a mechanism for transferring data on cases of HIV infection to general practitioners and family doctors, determining the payment of medical personnel in primary healthcare for providing medical care to people living with HIV, making changes to the equipment list of family clinics to include medical supplies necessary for providing medical care to people living with HIV, examining the

population at their request and with individual protection means, and prescribing a legislative mechanism for integrating community organization services within the framework of HIV services at the primary healthcare level;

- 2) Conducting calculations of the necessary levels of funding for primary healthcare by administrative territories and regions, taking into account the prevalence of HIV infection and the presence of community organizations that will depend on the level of HIV infection and determining sources of financing;
- 3) Develop and implement a system for the diploma preparation of general practitioners, family doctors, and family nurses. To achieve this, it is necessary to prepare educators from medical educational institutions and representatives from civil society organizations working in the territories of Ukraine. Additionally, instructional and methodological support must be prepared.
- 4) Implement a short-term training system for working general practitioners, family doctors, and family nurses on medical, social, and psychological assistance in HIV/AIDS at the primary level, as well as the peculiarities of state-civil cooperation through training centers. This requires the preparation of national and regional trainers;
- 5) Upgrade family clinics with necessary medical equipment and facilities, as well as provide accommodations for representatives of civil society organizations, who will be working there on a permanent basis;
- 6) Develop communication programs for the population depending on the target groups of communication impact. Continuous communication must be carried out at all levels of management. Moreover, medical practitioners at the primary level and civil society organizations should be provided with methodological and informational materials.

Therefore, community organizations play a crucial role in preventing HIV infection and ensuring that people living with HIV receive proper medical care. Legislative recognition of the value of community organizations and their integration into the healthcare system is essential for the effective management of the HIV epidemic.

The priority problem is to reduce the spread of the HIV/AIDS epidemic in Ukraine and improve medical care for those infected. This involves

increasing awareness among general practitioners and community organizations. Research has shown that collaborating among governmental, international, and non-governmental organizations has a significant impact on public health. Finding additional mechanisms for such collaboration, particularly for drug addiction and difficult life circumstances, is necessary. Regional peculiarities should be considered while implementing healthcare policies to prevent socially dangerous diseases. This will contribute to improving public health and promoting socio-economic development of the region.

Interaction of the State with the Population in Combating HIV/AIDS

The interaction between state and population in the field of HIV/AIDS prevention is a crucial issue in modern public administration. The participation of citizens in governance processes at all levels, from local to national, and at all stages of decision-making, from preparation to implementation, is vital to improving the effectiveness of governmental functions as a whole. Therefore, the determination of mechanisms for interaction between authorities and the public, as well as ways to enhance them, is an urgent problem in contemporary science of public administration.

The problems of combating the spread of HIV/AIDS in Ukraine have long gone beyond the medical sector and become the subject of state management practice. The cornerstone of the national policy on HIV/AIDS epidemic and the intersectoral approach to addressing issues related to its consequences is the normative-legal framework in the field of HIV/AIDS prevention in Ukraine. The beginning of the creation of such a framework can be traced back to 1987 when the official registration of cases of HIV infection in Ukraine started. The Constitution of Ukraine is the primary basis for the legislation in this area, as it proclaims the equality of constitutional rights and freedoms of Ukrainian citizens (Sergiienko et al., 2021; Cherneha et al., 2020) and prohibits privileges or restrictions based on gender, among other characteristics (Article 24). Article 49 of the Constitution of Ukraine declares the right to health protection, medical care, medical insurance and establishes the obligation of the state to create conditions for effective and accessible medical services for all citizens.

The development of most national European structural-functional models of state-civil society interaction in the field of HIV/AIDS prevention primarily occurs in the direction of weakening state functions and introducing new social institutions that organize and manage HIV/AIDS prevention activities (Figure 1).

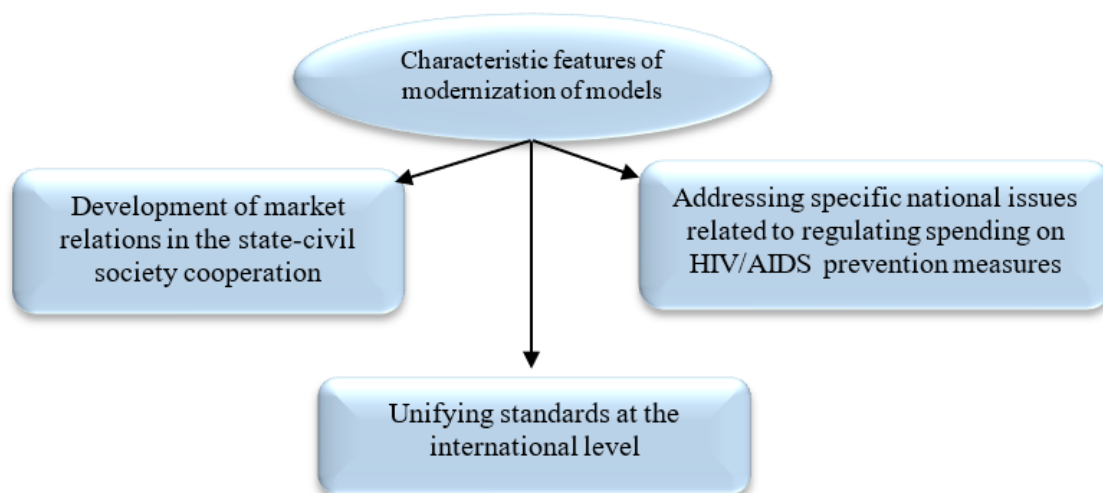


Figure 1. Main features of modernization of models of state-civil society interaction in the field of HIV/AIDS prevention

Source: compiled by the authors based on Salabai et al., 2018.

To improve the effectiveness of governmental functions, the participation of citizens in governance processes at all levels, from local to national, and at all stages of decision-making,

from preparation to implementation, is vital. Therefore, the determination of mechanisms for interaction between authorities and the public, as

well as ways to enhance them, is an urgent problem in contemporary public administration. Despite the expansion of HIV/AIDS prevention programs in Ukraine, these programs are primarily focused on national, regional, and city (in major cities) levels. The main goal of decentralization is to provide universal access to care and support services, HIV treatment, and opportunistic infections (OI) by utilizing available resources to ensure program sustainability. The implementation of decentralization allows for the continuity of services and provides access to services in the nearest facility. Additionally, the implementation of this model will:

- Actively involve local communities and people living with HIV (PLHIV) in decision-making processes (planning service delivery, procurement and distribution of medicines, coordination with non-governmental organizations, etc.).
- Minimize stigmatization and discrimination towards PLHIV in society.
- Increase patient adherence to antiretroviral therapy (ART) through the convenience and comfort of the services provided.
- Rationalize the utilization of available resources (material, human, managerial, etc.) for the speedy expansion of services at all levels of service delivery.

In the field of HIV/AIDS prevention, decentralization involves the transfer (delegation) of significant authority and resources to lower levels (regional, district, city). As a result of this process, each level of healthcare service delivery is capable of independently determining the range and scope of necessary interventions and services. Regional institutions, if necessary, can develop new and region-specific services, expand their spectrum, monitor and evaluate them, identify and resolve problems. As a result – a centralized system can avoid bureaucratic delays (Kuzin et al., 2020).

The shared responsibility of state-civil society cooperation in the decentralized sphere enables the adequate execution of measures for combating HIV/AIDS on various levels, as well as the provision of quality services. While the provision of basic services for PLHIV concerns lower levels, complex cases of treatment (including opportunistic infections) and complications related to receiving antiretroviral therapy (ART) are offered at higher levels through regional or national healthcare institutions (Kuzin et al., 2020).

The Ministry of Health of Ukraine Order No. 102 "On the Functioning of Trust Offices" dated 25.02.2008 (registered by the Ministry of Justice under No. 220/14911 dated 19.03.2008) (Kvitashvili, 2019), along with corresponding orders from regional healthcare management, provides for the establishment of regional quality assessment groups for HIV/AIDS medical care. During the transitional period, these groups play a significant role in the process of decentralizing services.

Their main duties include:

- Establishing cooperation between various healthcare services and other government and non-governmental organizations;
- Developing a plan for decentralizing services for at-risk groups;
- Assessing the quality of medical care for HIV-infected patients, tuberculosis patients and other socially dangerous diseases at the district/city level;
- Organizing and conducting seminars/trainings for medical professionals at the district/city level;
- Monitoring compliance with current clinical protocols, WHO recommendations and Ministry of Health of Ukraine recommendations.

Unfortunately, organizers of general healthcare networks, representatives of the primary healthcare sector – the sector where healthcare for PLHIV is planned to be integrated (decentralized), as well as civil society organizations that could be key partners in providing social services for PLHIV are not included in these groups (Law of Ukraine No. 3611-VI, 2012).

In our opinion, the directions of state-civil society interaction have demonstrated their imperfections in overcoming the HIV epidemic. There is currently a need to reform and improve these structures and functional models of state-civil society interaction in the fight against HIV/AIDS. In order to improve the structural-functional model of state-civil society interaction in the response to HIV/AIDS, the following steps need to be taken:

Step 1. Perform the necessary collection and familiarization with information regarding the decentralization/integration or development of medical and non-medical services in a particular territory. This may include, but is not limited to:

- Strategic plans of the Ministry of Health of Ukraine (Concepts of Medical Care Provision, Concepts of Quality Management in Medical Care, etc.), national strategic documents related to the state's response to the HIV epidemic (National Treatment Strategies, current protocols and standards for providing relevant care);
- Demographic indicators and general health indicators of the region's population (attention should be paid to the number of serviced patients, their age structure, and the structure of morbidity among the population);
- Epidemiological trends in the prevalence of HIV, HIV infection rates, mortality due to HIV-related illnesses in the region;
- Established indicators and goals for healthcare, including targets for ensuring general access to services related to HIV infection (target values for indicators regarding the recruitment of patients for antiretroviral therapy, provision of services for HIV infection prevention, plans for expanding the availability of ARV therapy);
- Data on the existing network of medical facilities and non-governmental organizations in the region (available medical and preventive facilities, laboratory departments, available human resources, etc.);
- A list of interested parties and their possible interests in decentralization and service expansion. This will provide an opportunity to know how and when it is best to involve interested parties in problem-solving situations that may arise;
- Opportunities and risks that may affect the expansion of services related to HIV infection.

Step 2. Stakeholders in the public-private partnership for HIV/AIDS prevention should clearly define local priorities and directions for decentralization/integration or service delivery development on a given territory. The main focus at this stage should be on the following:

- Determining the feasibility of decentralization as the primary means of ensuring universal access to services related to HIV (including achieving target indicators for ART patient enrollment, providing services for HIV prevention, and plans for expanding harm reduction services, among others);
- Identifying key priorities and critical issues that may impede the provision of services. In

addition, developing a strategy to overcome these challenges is necessary.

Step 3. Stakeholders in the public-private partnership for HIV/AIDS prevention should mobilize local health leadership and provide a compelling rationale to engage other stakeholders and implementers in achieving their shared goal. To achieve this, specific regional action plans should be developed. When developing such plans, SWOT and SMART methodologies should be used to guide the process.

The strategy development process, as well as its subsequent detailing in the form of strategic and operational plans, should take place only after conducting a preliminary strategic analysis that covers the most significant external and internal elements. The primary tools necessary for conducting a strategic analysis are primarily SWOT analysis, which represents a strategic balance.

Step 4. The actors of state-civil interaction in the area of HIV/AIDS prevention should develop an annual work plan in collaboration with stakeholders, which takes into account all available resources. In addition, it is advisable to develop a plan for personnel development. General issues related to human resource preparation can be addressed through mentoring or regular visits to lower-level facilities by experienced staff. A well-functioning audit system plays a significant role in this matter, allowing for an express evaluation of the quality of assistance provided at the website level or identifying certain gaps in the knowledge and practices of employees.

Step 5. Incentivization. One of the most critical functions of state-civil actors in the field of HIV/AIDS prevention is the implementation of clear staff incentivization procedures. This can be achieved through:

- Targeted training of physicians using local budget funds at the postgraduate stage for healthcare facilities.
- Implementation of financial incentives.
- Targeted training of physicians using district budget funds at the postgraduate stage for rural clinics and hospitals.
- Reimbursement of travel expenses for local transportation related to job duties, etc.

Step 6. Implementing an effective monitoring and evaluation system, effective feedback channels with healthcare workers, social

workers, and civil society representatives, and creating mechanisms for informational feedback at all levels of healthcare provision are crucial. The main components of this process include the following:

- A. The implementation of an auditing system and mentorship/monitoring visits to lower-level facilities to provide organizational and methodological support and address current management issues.
- B. The implementation of a system for periodic surveying of service users to identify key gaps in the provision of assistance.

It should be noted that the basic principles of integrated healthcare primarily include comprehensive service provision that is concentrated in one place; territorial convenience for patients (Hutsaliuk et al., 2020a); and consideration of gender specificity. The range of services provided may vary; however, in any case, it should cover problems associated with HIV/AIDS, drug addiction, and other socially dangerous diseases. The patient-centric approach and flexibility in the list of services offered according to changes in these needs are also important factors in the strategy.

Information support for state-civil interaction in the field of HIV/AIDS prevention is carried out at two levels (Law No. 531/97-VR, 1997):

1. Internal communication level. At this level, a communicative environment is formed between all actors of state-civil cooperation, and their coordination takes place. This level encompasses all partners of cooperation: government bodies, local self-government bodies, civil society institutions, health care system facilities, advisory bodies of government bodies, and international organizations working in the investigated area.
2. The external level involves establishing cooperation with the media as the most effective tool for shaping public opinion, informational work with the population in general and target groups in particular.

The main vectors of the transition from the existing model to the perspective one are:

- From stationary to outpatient care;
- From specialized to general care;
- From the volume of medical services to their quality;
- From an increase in the number of physicians to the quality of their work;

- From treating diseases to their prevention (Law No. 531/97-VR, 1997).

At the present stage of healthcare system development, the quality of medical care is considered the main objective function and, at the same time, a criterion for the effectiveness of the healthcare system at all levels – from healthcare facilities to the Ministry of Health of Ukraine. Ensuring the quality of medical care is considered the basis of national health policies in most countries (Hutsaliuk et al., 2020b). Many countries have adopted and implemented programs to ensure the quality of medical care.

The effectiveness and clarity of the functioning of all aspects of public-private partnership in the field of HIV/AIDS can only be achieved through coordinated interaction. Therefore, the governing bodies of healthcare at both the state and territorial levels, medical associations, educational institutions, healthcare providers, and service organizations should be guided by a unified strategy and conceptual approaches to improving the quality of services at all levels.

Conclusions

The analysis of the state policy and legal provision of socially hazardous diseases in Ukraine, with a particular focus on HIV/AIDS, reveals several key issues. Firstly, there is a need to enhance public awareness and education on HIV/AIDS to reduce stigma and discrimination against people living with HIV/AIDS. Secondly, there should be greater emphasis on the development and implementation of comprehensive, patient-centred care models that address the complex needs of people with HIV/AIDS. Thirdly, there is a need for more effective legal and regulatory frameworks that better protect the rights of people living with HIV/AIDS and prevent discrimination in various settings. Finally, there is a need to strengthen the role of bioethics in guiding policies and practices related to HIV/AIDS and other socially hazardous diseases in Ukraine. Overall, the findings of this study highlight the need for a multi-disciplinary approach that draws on the expertise and input of stakeholders from the medical, legal, and bioethical fields to address the challenges facing the healthcare system in Ukraine in relation to HIV/AIDS and other socially hazardous diseases.

From the scientific perspective, this research provides a comprehensive analysis of the policy and legal frameworks related to HIV/AIDS in Ukraine, which can serve as a valuable reference

for future studies in the field of public health, healthcare policy, and bioethics. In particular, the multifaceted approach of this study, which examines HIV/AIDS from medical, legal, and bioethical angles, provides a more nuanced understanding of the complex issues surrounding this socially hazardous disease.

From a practical standpoint, this research has significant implications for improving the policies and practices related to HIV/AIDS in Ukraine. The findings of this study suggest the need for reforms in the current legal and healthcare systems to develop more patient-centred care models that can provide comprehensive support for people living with HIV/AIDS in Ukraine. Moreover, the study emphasizes the importance of enhancing public awareness and reducing stigma associated with HIV/AIDS to improve the quality of life for affected individuals.

This study can serve as a foundation for future research on the policy and legal provision of other socially hazardous diseases in Ukraine or in other countries. Specifically, it can inform the development and implementation of evidence-based policies that enable a patient-centred approach to care. Furthermore, the study's bioethical perspective can promote a more ethical approach to healthcare that respects the rights and dignity of patients with socially hazardous diseases. This study's findings can facilitate advancements in healthcare policies that improve the quality of care for patients with socially hazardous diseases.

In summary, our research has important implications for advancing the knowledge and understanding of HIV/AIDS policies and practices in Ukraine, as well as for informing future policy and practice decisions related to socially hazardous diseases more broadly.

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Economic and legal dimension of humanitarian demining of Ukraine: problem and research prospects

Економіко-правовий вимір гуманітарного розмінування України: проблеми та перспективи дослідження

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Abstract

In recent years, issues related to humanitarian demining of the affected territories in Ukraine have become increasingly urgent. In this context, the economic and legal aspects of humanitarian demining are of particular importance as they affect the possibility of rapid restoration of economic and other peaceful use of de-occupied territories. The authors focused on identifying the problems and highlighting the research prospects of the economic and legal dimension of humanitarian demining. It is considered in this

Анотація

Останніми роками дедалі більше актуалізуються питання, пов'язані з гуманітарним розмінуванням постраждалих територій в Україні. У даному контексті особливого значення набувають економіко-правові аспекти гуманітарного розмінування, оскільки вони впливають на можливість швидкого відновлення господарського та іншого мирного використання деокупованих територій. Авторами акцентовано увагу на виявленні проблем та висвітленні перспектив

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study as the first stage of the comprehensive restoration of the Ukrainian territories. The present paper proves the importance of forming economic and legal tools that will contribute to the development of conceptual approaches as well as scientific and practical proposals to ensure humanitarian demining in Ukrainian realities.

Keywords: humanitarian demining, mine action, explosive objects, restoration, de-occupied territories, spatial development .

Introduction

Security is one of the priority functions in any state in the world, which is implemented through a set of legislative and organizational measures in order to protect the vital interests of citizens, the state and society as a whole. Along with outstanding achievements in the field of innovative technologies, the number of mine weapons types is being scaled. The use of these weapons in armed conflicts leads to catastrophic consequences, in particular the death of civilians and the destruction of civilian infrastructure. As defined by the UN, the problem of demining is global in nature, as it requires the consequences elimination of armed conflicts that have already ended or are still ongoing. Therefore, any state to overcome the threat takes appropriate actions within the demining process, which can be humanitarian, military or operational. In this context, humanitarian demining allows mine action operators not only to detect and destroy explosive objects, but also to completely clear the territories and transfer them to the population and the authorities for further restoration and peaceful use.

The hostilities that began in the Eastern Ukraine in 2014 has actualized the need for research in the field of humanitarian demining, since the presence of mine hazard and unexploded ordnance is a serious threat to human safety along with other factors. Full-scale Russian invasion to our country in February 2022 led to an increase in the area of mined territories and multiplied the above problems. Representatives of state authorities and international organizations in their numerous statements and speeches offer ways to solve them. In addition, the affected territories (regions and territorial communities) also need effective humanitarian demining in terms of restoring their socio-economic potential, and this process can become

дослідження економіко-правового виміру гуманітарного розмінування, яке розглядається у даному дослідженні як перший етап комплексного відновлення територій України. Доводиться важливість формування економічного і правового інструментарію, який сприятиме розробленню концептуальних підходів та науково-практичних пропозицій щодо забезпечення гуманітарного розмінування в українських реаліях.

Ключові слова: гуманітарне розмінування, протимінна діяльність, вибухонебезпечні предмети, відновлення, деокуповані території, просторовий розвиток.

a reality only after demining. These and other arguments determine the relevance of the research, emphasize its timeliness and importance for the restoration of the affected territories.

The main **purpose** of the research is to analyze the problems in the field of humanitarian demining and highlight aspects that require theoretical understanding and further scientific and practical solution through the prism of economic and legal approaches to ensure the comprehensive restoration of Ukrainian territories.

Literature Review

The analysis of scientific literature shows that foreign experts mostly research the technical issues of humanitarian demining, as well as the theoretical foundations of this process within the state policy in the field of defence and civil protection. This is indicated by the conclusions and provisions presented in the scientific works of D. Ambruš et al., (2020), T. Bechtel et al., (2021), I. Cruz et al., (2018), T. Hasic (2004), N. Ibrahim et al., (2021), J. Killeen et al., (2022), etc.

Foreign scientific literature also considers certain legal issues of humanitarian demining, namely the types and limits of responsibility of mine action operators, compliance with the requirements of environmental legislation in the process of demining, etc. Special attention should be paid to scientific research on the establishment and development of legislation in the field of humanitarian demining in post-conflict countries, especially in Colombia and Croatia. Scientific ways to solve the legal problems of humanitarian demining in Ukraine

can be justified taking into account some conclusions and approaches of D. Arias Henao & Ospina Perdomo (2020), T. Ban (2010), U. Hofmann & Rapillard (2017), P. Lodhammar (2013), J. Macías Montoya & Corcione Nieto (2020) and other authors.

The analysis of domestic scientific sources regarding the state and prospects for the use of land and resource potential of territories demonstrates that the basis of modern research is the works of I. Storonińska (Storonińska, 2022), T. Chaika (2022), etc. Theoretical aspects of humanitarian demining are studied by V. Horbulin (2022), T. Kurtseitov et al., (2020). These authors analyze the global problem of demining, substantiate the multifaceted nature of the situation related to the demining of Ukrainian territories as well as emphasize the importance of creating the latest technical means of detecting explosive objects. Economic accents of the territorial restoration in the war and post-war time are presented in the studies of V. Heets (2022), I. Zablodska et al., (2022), E. Libanova (2023) and other respected scientists.

At the same time, different legal issues in the field of humanitarian demining and mine action in general are revealed in the scientific works of H. Anisimova et al., (2023), R. Kirin (2020a, 2020b), R. Kotsiuba (2020), I. Lappo et al., (2023), N. Malysheva & Hurova (2022), S. Poteriaiko & Okipnyak (2022) and others.

It is worth noting that the presented scientific publications contain ideas, conclusions and data on other countries, which are useful for carrying out the tasks of this research. However, it should be taken into account that the results of these studies do not give a holistic view of the economic and legal provision of humanitarian demining for the comprehensive restoration of territories. Currently, the scientific vision of this issue remains mostly fragmentary. This explains the need for separate research due to the peculiarities of the socio-economic and environmental situation, the legal and economic system, as well as the legal regime of martial law in Ukraine.

Methodology

The authors use general and special methods and techniques of scientific research. The use of the dialectical method helps to find the truth through the diverse views of scientists. The study of individual elements of the system of economic and legal provision in their functional connection and dependence is carried out using the structural

and functional approach. The hypothetical methods are the basis for formulating assumptions about possible economic and legal ways for solving problems of humanitarian demining. The method of generalization makes it possible to justify the need for research on humanitarian demining in the context of sustainable development of territories. The study of humanitarian demining in the foreign and Ukrainian dimension is based on the unity of historical and logical. The method of abstraction is also important, because it is used to determine the role of humanitarian demining for the restoration of territories. The basis of the textual analysis of laws and other normative legal acts is the formal and legal method.

The basis of this research is the provisions of the theory of state power and local self-government organization, scientific works of foreign and domestic scientists on the features of humanitarian demining, the current normative legal acts of Ukraine regulating relations in the field of demining, information of state authorities, statistical and analytical data, the results of the authors' own research and developments.

Results and Discussion

Since 2014 Ukrainian territories are subjected to the destructive influence of Russian military aggression. The hostilities and activities of terrorist groups in the East of Ukraine resulted in significant contamination of the territories of Donetsk and Luhansk regions with mines, shells and other explosive objects. Open military invasion of the Russian Federation into Ukraine on February 24, 2022 led to even greater scaling and aggravation of the corresponding problem. According to the State Emergency Service of Ukraine, which performs demining tasks throughout Ukraine, the total area of territories contaminated with explosive objects is more than 174 thousand square kilometres (April 2023) (Ukrinform, 2023). This is almost a third of the Ukrainian territory. According to various estimates, a full range of humanitarian demining work can cost from 37.4 to 70 billion US dollars and last for decades (preliminary data from the World Bank and the National Council for the Recovery of Ukraine from the Consequences of the War under the President of Ukraine). Currently, the most polluted are Donetsk, Zaporizhzhia, Kyiv regions as well as partially Mykolaiv, Sumy, Kharkiv, Kherson and Chernihiv regions. At the same time, according to the estimates of the Ministry of Defense of Ukraine, there are 349 supposedly contaminated

and contaminated territories, half of which are agricultural lands. This situation poses significant threats to the functioning of agriculture and other sectors of the Ukrainian economy, hinders the comprehensive restoration of the territories affected by hostilities, delays the normalization of the population life and leads to the cessation of investments. The solution of the outlined problems has a clear correlation with the process of humanitarian demining, which forms today the priority agenda topic both at the national level and at the level of local territories (regions, territorial communities).

The Government of Ukraine faces an urgent task to formulate a comprehensive policy in the field of humanitarian demining. It is impossible to build effective cooperation with European business without this policy. At the meeting between First Deputy Prime Minister of Ukraine – Minister of Economy of Ukraine and Head of EU Service for Foreign Policy Instruments, which took place on May 9, 2023, key elements of the relevant policy were announced. These include: updating national mine action standards; an effective national mine action program with priority areas; creating a market for demining services, competition between demining operators, involvement of as many international operators as possible with the financial support from international partners; educational and communication campaigns; active involvement of innovative technologies.

Humanitarian demining is a priority in the restoration of de-occupied territories of Ukraine, taking into account its complex nature, which involves examining the entire territory where hostilities continued, and includes inspecting the territory, identifying dubious areas and places with mines, remnants of other explosive devices as well as clearing them. At the same time, the preliminary analysis of the foreign studies demonstrates the unity in scientific views on the nature of humanitarian demining, where the security aspect prevails over the complexity and durability of the process. The validity of this approach is confirmed by successful cases based on the restoration of post-conflict territories in Bosnia and Herzegovina, Serbia, Croatia and other countries.

European guidelines on humanitarian demining play a significant role in Ukraine, which is ensured not only by adapting successful practices, but also by implementing program tools. Specifically, an extrabudgetary program of the Organization for Security and Co-operation in Europe to support Ukraine in overcoming

urgent challenges has been implemented since November 2022. This program applies to humanitarian demining. In February 2023, the Prime Minister of Ukraine also announced the European Union program on humanitarian demining of the de-occupied Ukrainian territories worth 25 million euros.

The issues of this study are also important for international organizations dealing with humanitarian demining. This is confirmed by analytical materials and other publications of the UN Mine Action Service (UNMAS) within the Department of Peace Operations, the Geneva International Centre for Humanitarian Demining (GICHD), the International Committee of the Red Cross (ICRC), etc., which reflect the legal, organizational, technical and coordination features of humanitarian demining in different countries of the world.

In order to adapt foreign experience of humanitarian demining to Ukrainian realities, domestic specialists rely not only on the specified scientific and analytical materials, but also on the results of their own research. Most of the studies are devoted to the systematization of the legal framework for mine action in Ukraine, theoretical and applied aspects of the formation of its content, economic and environmental legislation, contractual relations in the field of mine action (Kirin, 2020a; Anisimova et al., 2023), mechanisms of state management in this field in Ukraine (Poteriaiko & Okipnyak, 2022), the legal status of the Mine Action Centre (Lappo et al., 2023), legal aspects of the disarmament of Ukraine in accordance with the Convention on the Prohibition of Anti-Personnel Mines (Kotsiuba, 2020), detection and cataloging the locations of waste generated as a result of military operations (Malysheva & Hurova, 2022) as well as other important issues.

The conclusions presented in the Vision of the Economic Department of the National Academy of Sciences of Ukraine on the post-war revival of Ukraine are also the basis for this study (Post-war revival of Ukraine, 2022). Representatives of all scientific institutes of the Department explored key opportunities and threats within the most important spheres of life and proposed directions for the revival of Ukraine, including national security and defense, critical infrastructure development and a competitive sustainable economy, integrated development of territories, environmental restoration, etc. The issues of demining objects and clearing the territory of ammunition are also considered in the Vision as part of the necessary key changes in the

environmental management and the use of natural resources.

The evaluation of the newly adopted Ukrainian legislation in the field of mine action by foreign scientists who are well aware of the situation in other countries and have a sufficient basis for comparison deserves special attention. In particular, H. Garbino positively assessed the adoption of the Law of Ukraine of December, 06 2018 No. 2642-VIII "On Mine Action in Ukraine", since, despite the beginning of Russian armed aggression back in 2014, Ukraine did not have special legislation in this field until 2019 (with the exception of separate bylaws). At the same time, the researcher noted a number of problems that need to be solved in Ukraine both for the implementation of the Law and related acts of legislation, and for the purpose of their further improvement. For example, the Law of Ukraine "On Mine Action in Ukraine" raised serious concerns among donors, because Article 8 states that "donor-sponsored financial resources are credited to a special fund of the state budget under the relevant budget programs". This restriction complicates the receipt of donor funds intended for humanitarian demining (Garbino, 2019).

The accumulated scientific and analytical material contains significant results and forms the basis for further development of problems in the field of humanitarian demining. At the same time, most specialists propose measures and actions regarding humanitarian demining, which are purely technical. They do not pay enough attention to the role of demining as the first stage in the restoration of the affected territories as well as economic and legal issues of its implementation. Furthermore, legal studies do not always take into account the peculiarities of the situation in Ukraine in the context of a full-scale Russian invasion. This necessitates the revision of existing approaches and means of regulation.

Humanitarian demining is a task that requires a systematic and effective solution at the national and local management levels, since appropriate measures are vital for the comprehensive restoration of regions and territorial communities affected by the war. Information on the need for demining should be included in the programs for the comprehensive restoration of regions and communities in accordance with the Resolution of the Cabinet of Ministers of Ukraine of October, 14 2022 No. 1159 "On Approval of the Procedure for Development, Public Discussion, Approval of Programs for the Comprehensive

Restoration of Region, Territorial Community (its Part) and Amendments to them" (Resolution No. 1159, 2022).

In the Draft Recovery Plan for Ukraine developed by the National Council for the Recovery of Ukraine from the Consequences of the War in August 2022 the issues of demining Ukrainian territories are considered in an inextricable connection with other post-war tasks within the sections "Audit of war damage", "Recovery and development of infrastructure", "Construction, urban planning, modernization of cities and regions", "New agrarian policy". For instance, demining is a necessary step for conducting an inspection of the damaged housing stock and assessing the damage, carrying out repair work on houses that have suffered minor damage, restoring and developing transportation by maritime and inland water transport, restoring the tourism sector.

It should also be noted that demining issues are included in the Government's Priority Action Plan for 2023, which was approved by the Order of the Cabinet of Ministers of Ukraine of February, 14 2023 No. 221-p (Order No. 221-p, 2023). The direction "Security and Defense" of the Plan includes the demining of de-occupied territories to restore normal living conditions of the population and reduce risks from explosive objects. It should be noted that the direction "Rebuilding of the country" provides for the development of the Procedure for classifying territorial communities and regions as the functional type "restoration territory". It also provides for the creation of the Procedure for the development, implementation and monitoring of a plan for the restoration and development of regions and plans for the restoration and development of territorial communities. These steps are key to creating an effective regulatory framework for planning the restoration and development of both regions and territorial communities. It has already been emphasized that humanitarian demining is the first stage in the process of comprehensive restoration of the territories affected by the war, which makes the reconstruction of housing stock and critical infrastructure possible. Consequently, the study of the economic and legal aspects of humanitarian demining is extremely important.

The trend towards the formation and systematization of legislation on mine action, taking into consideration international treaties and the best world experience, has emerged since the special Law of Ukraine "On mine action in Ukraine" was adopted. This Law (as amended on

May, 06 2023) establishes key terminology, defines goals, principles, main components, objects and subjects, sources of funding for mine action in Ukraine, specifies national interests in the relevant field, contains rules for helping victims and transferring responsibility for the cleared territory. The Law of Ukraine "On Mine Action in Ukraine" also sets rules for state regulation and management, economic activity, international cooperation, as well as responsibility for violations of legislation in the field of mine action. However, as Ukrainian scientists emphasize, the Law does not take into account a number of key aspects of mine action that require proper regulation at the level of law (Kirin, 2020b). Firstly, it means full implementation of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction of 1997 (Ottawa Treaty), which has been ratified by the Law of Ukraine of May, 18 2005 No. 2566-IV.

The problem of building an effective institutional mechanism, delimiting the functions and powers of different subjects regarding state regulation and management in the field of humanitarian demining remains open for further scientific research. The establishment of the National Mine Action Authority by the Cabinet of Ministers of Ukraine in December 2021 greatly facilitated the coordination of the activities of ministries and other central and local executive bodies, local self-government bodies, enterprises and organizations involved in activities in the field of mine action. However, the issue of optimal distribution of tasks and powers between the Mine Action Centre and the Centre for Humanitarian Demining remains on the agenda. In particular, it is necessary to eliminate duplication of their powers. The Cabinet of Ministers of Ukraine established the budgetary institution "Centre for Humanitarian Demining" in April 2023 at the suggestion of the State Emergency Service of Ukraine. In order to substantiate the ways of solving this issue, it is advisable to allow for the Guide of the Geneva International Centre for Humanitarian Demining "Developing Mine Action Legislation", which contains the principle provisions on the creation of the National Mine Action Authority and the Mine Action Centre, (GICHD, 2006).

Both theoretically and practically it is important to resolve the issues of legal liability of mine action operators and demining specialists for violation of legal requirements or provisions of national standards, as well as the problem of determining damage caused to Ukraine as a result

of Russian armed aggression in terms of costs associated with demining. According to the current legislation, the costs of engineering and technical, construction and other works necessary to bring the damaged area for further use (demining, etc.) are included in the costs associated with the limit of liability. Such costs are not taken into account in all cases of assessment of needs for restoration of real estate, movable property and property rights. They are the subject of a separate study prior to the assessment of needs for the restoration of the property (the Resolution of the Cabinet of Ministers of Ukraine of March, 20 2022 No. 326 "On Approval of the Procedure for Determining Damage and Losses Caused to Ukraine as a Result of the Armed Aggression of the Russian Federation") (Resolution No. 326, 2022). This approach requires a deeper scientific analysis to ensure a fair assessment of damage caused by humanitarian demining.

The presented arguments determine the need for research on the economic and legal dimension of humanitarian demining. This research will be based on data from previous studies on the Ukrainian territories' restoration, economic development of European countries in the post-war period, sustainable development and management of local territories in conditions of armed conflict, environmental restoration of cities in post-conflict territories, improvement of waste legislation in the context of the restoration and development of Donbas, as well as other issues. Despite the importance of the highlighted issues, they have been studied in Ukraine only in fragments. Therefore, it is advisable to focus on the development of conceptual principles for humanitarian demining to ensure the comprehensive restoration of the territories of Ukraine based on a combination of economic and legal tools.

As part of future research, it is important to solve a complex of theoretical and applied problems, namely: to specify the content of "humanitarian demining" and its significance in the economic and legal context; to analyse the national and foreign experience of economic and legal support of humanitarian demining for the restoration of de-occupied territories; to monitor humanitarian demining in the regions of Ukraine; to explore the features of humanitarian demining through the spatial development of Ukrainian local territories; to identify the key challenges of humanitarian demining and to develop economic and legal ways of responding to them within the comprehensive restoration of the territories of Ukraine.

Solving the specified tasks will create economic and legal prerequisites for improving important indicators and increasing the efficiency of the humanitarian demining process with a focus on the comprehensive restoration of the affected regions of Ukraine. It is expected that conceptual approaches and scientific and practical proposals in the above areas will contribute to the acceleration of humanitarian demining and the active revival of Ukraine, in particular:

- solving these tasks will allow local territories to form programs for their comprehensive restoration, taking into account the action plan for demining agricultural land. This will have a positive effect on the ability of territories to resist security challenges and threats, plan the restoration of territories on the basis of modern approaches (human-centrism, rational spatial planning, etc.);
- developing a set of interrelated economic and legal provisions to improve humanitarian demining within the comprehensive restoration of the territories of Ukraine will allow researchers to reassess the national experience in this area, take into account the best foreign practices of humanitarian demining for the restoration of de-occupied territories, focus on the regional dimension of this process based on the concept of spatial development of local territories and, finally, propose directions for modernizing national legislation in the field of humanitarian demining.

Conclusions

The Russian armed aggression against Ukraine, which began in 2014 and turned into a full-scale war in February 2022, led to the contamination of almost a third of the Ukrainian territory with mines and other explosive objects. This became an obstacle to the functioning of agriculture and various branches of the national economy, made it difficult to restore the affected territories, destabilized the lives of a large part of the population, and resulted in the cessation of investments. In these circumstances, there is an urgent need to carry out humanitarian demining, which is a primary step in the process of comprehensive restoration of de-occupied regions. High-quality humanitarian demining involves a series of sequential measures, namely surveying the entire territory where hostilities took place, identifying suspicious areas and places with mines, remnants of other explosive objects, and clearing them. Humanitarian demining is also aimed at protecting the

population from danger, helping affected persons and providing opportunities for further planning for the restoration of territories and their sustainable development. Handing over the cleared territories to the authorities and the population makes it possible to start the reconstruction of the housing stock and critical infrastructure with the subsequent restoration of economic and other peaceful use of these territories.

It is important to note that the emphasis in humanitarian demining has changed over time. In the past, the focus was on reducing the number of victims, but today the focus is on the consequences of this process in the context of socio-economic recovery of the affected areas. In many countries, mine action measures have been included in the strategic planning of territories at the national and local levels for several decades. This is of great importance for Ukraine, as there is a direct correlation between demining and restoration of the affected territories in the long term.

Within the studied issues, special attention should be paid to the problems, the identification of which is necessary for justifying the directions for improving the legal framework for humanitarian demining and proposing concrete ways to eliminate the shortcomings of the legislation. The legal and organizational foundations for humanitarian demining were created with the adoption of the Law of Ukraine "On Mine Action in Ukraine" in December 2018. However, a number of legal issues in this sphere require both a deeper theoretical understanding and a proper response from public authorities endowed with law-making powers. When conducting the research, it is important to rely on data that make it possible to evaluate the effectiveness of adopted legal acts. This will contribute to the substantiation of theoretically and practically significant conclusions and the fulfillment of the scientific tasks.

The presented conclusions confirm the necessity and prospects of scientific research based on combination of economic and legal instruments. This will allow researchers to develop conceptual approaches, as well as scientific and practical proposals for ensuring humanitarian demining within the comprehensive restoration of the territories of Ukraine.

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Theoretical and methodological principles of integrating CLIL and ESP in educational establishments in Ukraine

Теоретичні та методологічні засади інтеграції предметно-мовного інтегрованого навчання та англійської мови для спеціальних цілей у навчальних закладах України

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Abstract

The article issues the questions of effective teaching both content and second language by integrating CLIL and ESP within the process of professional competence formation at Ukrainian universities – the challenges, prerequisites and perspectives of teaching content and professionally oriented skills through the English language. The authors provide a comparative analysis of the definitions and characteristics of content and language integrated learning (CLIL) and English for specific purposes (ESP) at the present stage of linguodidactics. The investigation is theoretically granted and issues the question of CLIL and ESP integrated principles application, and reflects the main scientific ideas and stages of implementation, the application of which makes it possible to modernize the system of professional training according to European standards. Regarding the integration of the CLIL and ESP approaches in the process of professional training at non-language specialties, the authors state that process of immersion into professional oriented environment facilitates the increase of learning outcome standards.

Анотація

У статті розглядаються питання ефективного поєднання викладання змісту предмета та іноземної мови шляхом застосування предметно-мовного інтегрованого навчання та англійської мови для спеціальних цілей у процес формування професійних умінь та компетентностей в українських університетах – розглянуто виклики, передумови та перспективи викладання змісту предмета та розвитку професійно орієнтованих умінь англійською мовою. Проведено порівняльний аналіз дефініцій і характеристик предметно-мовного інтегрованого навчання (CLIL) та англійської мови для спеціальних цілей (ESP) на сучасному етапі розвитку лінгводидактики. У розвідці теоретично обґрунтовано питання застосування інтегрованих принципів CLIL та ESP, відображено основні наукові ідеї та етапи їх реалізації, застосування яких дає змогу модернізувати систему професійної підготовки за європейськими стандартами. Щодо інтеграції CLIL та ESP у процес професійної підготовки за немовними спеціальностями автори доводять, що процес занурення у професійно орієнтоване середовище сприяє

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Theoretical and methodological review of contemporary teaching approaches, its principles, advantages, challenges and effective ways of CLIL and ESP in Europe and Ukraine are analyzed. The usage of the methods of CLIL and ESP approaches are rational at different stages of professional education.

Keywords: language integrated learning, CLIL approach, ESP approach, language as a learning tool, professional education.

Introduction

The goal of educational modernization in Ukraine is essential and judicious component of effective integration into European and world educational community. At the present investigation we analyze different approaches and methodologies to make the process of teaching more productive and consider the effectiveness of CLIL (content and language and integrated learning) and ESP (English for specific purposes) integration as the most effective methods to create prerequisites teaching professionally oriented courses declared in the curriculum using second language, in our case English. According to the data of the Ministry of Education of Ukraine the English language is a predominant language for taking External independent evaluation, 96,6% among school leavers choose English. Nowadays the Law "Functioning of English as a Language for International Communication" has been developing. A sufficient role in this procedure is aimed at recognition of Ukrainian qualified specialists with command of English to integrate into European educational community with further establishing close contacts with educators and scientists in Europe. Thus, this process requires a significant increase of the level of specialists' training with the profound knowledge of their future profession, creative thinking and openness to absorb and implement new ideas and methods that will contribute to their future professional work.

To achieve the abovementioned goals, the education is to accomplish learning a foreign language on the one hand as an academic discipline and on the other hand as a means of professional training to share their achievements with European colleagues. Tertiary education in

підвищенню стандартів програмних результатів навчання.

Проаналізовано теоретичний та методологічний огляд сучасних підходів, щодо впровадження CLIL та ESP, їх принципів, переваг, ефективності, викликів та шляхів їх імплементації в Європі та Україні. Автори відзначають, що використання методик предметно-мовного інтегрованого навчання та англійської мови для спеціальних цілей є раціональним на різних етапах професійної освіти.

Ключові слова: інтегроване навчання мови, предметно-мовне інтегроване навчання, англійська мова для спеціальних цілей, мова як засіб навчання, професійна освіта.

Ukraine is accomplished according to the requirements of the Bologna Declaration and the language-didactic policy defined by the

Recommendation of the Committee of Ministers to member States on ensuring quality education (Council of Europe, 2012).

Improving the quality of training that is curriculum modernization which is aimed at acquiring professional competencies using contemporary approaches (Andryuschenko et al., 2009). These technologies and methods cannot ensure a high level of learners' professional competence formation of any foreign language applying traditional teaching methods. It is necessary to completely reorganize the ways of professional training where considerable attention is paid to obtaining professional knowledge while mastering a foreign language and methodology of teaching it. One of the best ways is the introduction of integrated learning into tertiary education, namely content language integrated learning (CLIL) that is based on the principles of language immersion approach, where a foreign language or a second language as an instructional material - tools in learning any subject in a particular curriculum that presupposes using media, terminology to develop professional skills using both native and foreign languages. The Ministry of Education and Science of Ukraine work closely with Goethe Institute in order to apply CLIL methodology in the educational process that enables teachers to integrate the study of a foreign language with another educational subject (The Ministry of Education and science of Ukraine, (n/d)).

The research questions highlight the following issues: methodological and theoretical concepts of CLIL and ESP application at different levels of higher education, the prerequisites, challenges and conditions for productive integration of CLIL and ESP, the results of CLIL and ESP synergy to achieve a sufficient level of mastery of a foreign language for professional communication at Mykolaiv V.O. Sukhomlynskyi National University (MNU).

Literature Review

In national as well as foreign pedagogy there are a lot of scientific works on the problems of integration in education devoted to remove language barrier and the barrier of the studied subject by incorporating a learner in a two-fold study (content and language). Pedagogical integration was considered at three levels of functioning: methodological, theoretical and practical. Thus, V. Zagvyazynskyi (2004), E. Medvedok (2004), O. Voznyuk (2013) consider integration in pedagogy as a process and result of inextricably linked, unified and whole. In teaching, it is carried out by merging in one synthesized course elements of different subjects, merging scientific concepts and methods of different disciplines into general scientific concepts and methods of cognition, compiling the foundations of science in the disclosure of interdisciplinary educational problems.

Consequently, it is necessary to teach learners to apply previously learned information in the process of study of other subjects, which is achieved through their didactic integration to systematize the acquired knowledge (Lesca, 2012).

Integration as a linguodidactic process

Currently, didactics considers three levels of integration in Ukraine that has its own logical structure, consisting of a basis (unifying discipline), tasks (problems of basic discipline), tools (theoretical and technical tools of basic and related disciplines) (Yavoruk, 2002).

For the time being the pursuit for methodological bases for the knowledge integration has intensified and it is reflected in various works: humanistic and phenomenological, Zyazyun (2004), L. Ilyenko (1988); ecological (Il'chenko & Guz (2019); cultural (Yavoruk, 2002); economic (Tarnopolsky, 2012); humanitarian (Adams et al., 2017).

Integration as a means of learning contributes to the acquisition of new knowledge, understanding basis of the subject knowledge and is the highest form of embodiment of interdisciplinary links at a qualitatively new level (Il'chenko & Guz, 2019).

By “pedagogical integration” we understand a complex structural process that requires certain conditions, namely:

- consider any phenomenon from different points of view;
- apply knowledge from different fields in solving specific problems;
- develop creative thinking for conducting independent research within the studied material;
- motivate learners for self-improvement at any type and stage of educational activity.

Thus, A. Boyko (1996) reveals new modern technologies of higher education in the integrated course “Theory and History of Pedagogy”. The researcher emphasizes that the advantage of an integrated course over a traditional one is its fundamentality. Fundamental knowledge provides the highest level of historical and theoretical generalizations and their wide transfer to the study of methods and disciplines in the specialty, which increases the prestige of pedagogical sciences in higher education, and helps to implement general professional and cultural functions.

However, there are some courses compiled taking into account the use of the L1 (a native language) and L2 simultaneously. Meanwhile, the integrated courses in English have been developed - integrated lessons in English and geography (L. Lukyashenko, O. Miroshnyk (Non-standard English lessons, 2005)), English language and mathematics (I. Moiseeva (Non-standard English lessons, 2005)) and others.

The understanding of a “foreign language” as a discipline is reflected at schools with extensive learning of L2 that is the curriculum presupposes that some disciplines had been taught by using CLIL approach long before the term was clarified and introduced. The other types of school didn't have and still do not have the opportunity to teach content through L2. But, unfortunately, the attempt to create a field of broad foreign language speech activities for learners during lessons of geography, history and literature did not fully meet the objectives:

- the level of language training of most learners did not correspond to the language material of these courses;
- unfamiliar language material was insufficiently activated in learners' speech, and therefore was perceived and assimilated only at the receptive level, which did not allow its further use in communication;
- if the above disciplines were taught by subject teachers, they were, in most cases, not experts in the field of language teaching; if they were taught by foreign language teachers, they were, for the most part, insufficiently competent in the content of the disciplines.

In general, these shortcomings have led to unsatisfactory results both in the process of improving foreign language skills and in gaining knowledge from the material of the particular course. It should be noted that the situation with teaching content through L2 has changed for the better recently at Ukrainian schools and universities.

Due to the above stated, foreign and national methodologists started to develop educational courses (D. Marsh, P. Mehisto, K. Clark, R.Yu. Martynova, O. Tarnopolsky) which are characterized by theoretical content, relevant and useful for expanding world view, linguistic and language material relevant to the student's knowledge.

Learning a foreign language for specific purposes on the basis of the content integration differs in the degree of concentration on language phenomena (Martynova, 2002).

Though, in professionally directed learning, the attention of a teacher or a student is focused on the language, more precisely, on the subtext of a particular profession. The subject content of a certain specialty (profession) is used as a basis for learning.

We analysed CLIL as an approach at educational institutions of different levels (primary, secondary, high and higher) though speaking about higher educational institutions it would be more reasonable to implement ESP in various courses that presupposes introducing to learners professionally oriented terms and terminology at an advanced level of L2. According to Martín del Pozo, "ESP covers both English for Academic Purposes (EAP) and English for Occupational Purposes (EOP), depending on the degree of specificity of students' needs and purpose". The scientist suggests that potential

synergies between CLIL and ESP should be achieved with the attention to successful ESP traditions such as needs analysis and genre analysis (Martín del Pozo, 2017).

We share the ideas of E. Arno and G. Mancho (2015) that collaboration of CLIL and ESP "can take place both through the integration of language and through the integration of content in ESP courses to make them more relevant to disciplines communicative needs".

Linguistic, sociocultural, pragmatic, discursive and strategic aspects, namely the knowledge of language rules and the ability to use them adequately in accordance with sociocultural norms of communicative behavior and the ability to coherently, logically and functionally express opinions, as well as the desire to constantly compensate for gaps in knowledge, are the most important aspects of readiness for foreign language communication in a professional environment.

Contemporary Approaches in Professional Training

Foreign Language Immersion

Another way that is not so widely used at educational institutions in Ukraine but requires its gradual implementation that is widely used in Europe and Great Britain and increase the level of L2 and professionally oriented subjects as well. Some of the aspects of this approach were studied by Ukrainian scientists R. Martynova, O. Tarnopolsky and others that theoretically granted their implementation but were not widely spread.

In foreign methodology, the issue of foreign language immersion based on the use of content and language integrated learning methodology has been widely studied in the works of such scientists as J. Cummins (2000), K. Clark, P. Mehisto, D. Marsh. The scientists have made a significant contribution to the development of this method of teaching foreign languages, but they have not taken into account the specifics of professional training of graduates on the basis of professionally oriented texts.

There are two definitions of the term "immersion" of vocational training given by European methodologists. They are: 1) according to K. Clark (2000) "immersion" is a method of teaching a foreign language by teaching one or more disciplines in this language; 2) other scholars believe that immersion is a

specific type of integrated foreign language learning, the purpose of which is to master the language for a special purpose, namely for professional development.

Foreign language immersion in the process of foreign language learning for professional purposes allows to select a list of three basic characteristics of any immersion programme:

- immersion can be introduced when the level of learners' knowledge of a foreign language is no longer below average and closer to the advanced. In this case, learners will be able to improve their level of language proficiency during the course, without focusing on language phenomena;
- implementation of immersion programmes becomes more effective when learners have already studied a professionally oriented language course, developed on learning through the content;
- immersion programmes can be implemented both at language specialties and while studying disciplines of the professional cycle of non-language specialties.

Based on the model of immersion technology proposed by D. Marsh (2009) and P. Mehisto et al., (2008) and Z. Korneva (2006) it is possible to distinguish the following goals of integrated learning methodology:

- 1) language goals, which are related to the study of the discipline, which include skills and abilities necessary for understanding and mastering the studied subject (content-obligatory language objectives);
- 2) supplementary language objectives (content-compatible language objectives) which include other skills and abilities related to the language that do not affect the level of mastery of a professionally oriented discipline.

Based on the research of Z. Korneva (2006), we believe that integrated learning is the basis for enhancing foreign language acquisition. Modern and engaging material content contributes to active perception and mastery of language phenomena. Communication in a foreign language provides purposeful and meaningful mastery of the communicative functions of a foreign language and promotes the development of learners' integrated skills.

Thus, the study of the discipline according to the CLIL methodology not only teaches a foreign language, but also transforms the culture of

learners, allowing them to understand and appreciate the achievements of another nation; provides learners' continuous language development at all levels of the educational process of professional training, promotes the contextualization of teaching and learning processes and general receptive and productive activities of teachers and learners in terms of their experience and skills.

Content and Language Integrated Learning

The term CLIL (content and language integrated learning) was formulated by D. Marsh (2009), who defined it as an approach to the educational process based on the links between the L1 (native language) and L2 (the studied language). In his work, the scientist suggests "using the language to learn, and learning to use the language." The scientist also notes that CLIL involves the study of the language, but at the background level, because CLIL is the study of the language without its separate teaching.

D. Marsh emphasizes that in educational situations in which subjects or part of subjects are studied in a foreign language, the subject itself is studied by means of a foreign language.

It should be noted that teaching foreign languages for professional purposes by learning through content and immersion differs in the degree of concentration on the language phenomena. All forms of education, are used by learners to master a foreign language for professional communication or professional purposes. Thus, in professionally oriented education, all the attention of both teachers and learners is focused on the language that is inherent in a particular specialty. Learners' attention is focused on the subject content of a particular specialty.

The experience of foreign methodologists is based on the developing of special courses - English for Specific Purposes (Hutchinson & Waters, 1987), which provides language training for special purposes.

The problem of CLIL introduction in the process of professional training on the basis of professionally oriented texts is not studied sufficiently in the works of modern methodologists. That is why at the level of immersion, which will take place in foreign language classes for professional purposes, special language support will be purely implicit (especially if classes in a foreign language discipline (immersion) are conducted by a native

speaker who does not speak learners' native language). Curricula and educational programmes according to the above method are built around a close intertwining of different disciplines, which is the main trend in the construction of curriculums and programmes in Western Europe.

Among modern researchers of integrated learning approach, we single out P. Mehisto et al., (2008), who is one of the founders of the integrated learning doctrine, namely the interaction of the native language with foreign ones. His work defines a special dual basis of content and language integrated learning, as CLIL provides for the simultaneous improvement of professional skills in parallel with the communicative skills of the studied language. CLIL is defined as a transformational method of modern pedagogy, as the method itself requires comprehensive changes within the educational process from school schedule to training professionals capable to implement this method.

The definition of CLIL as a modern technique is relatively young, so it can be misinterpreted in parallel with the following definitions (Ball, Kelly & Clegg, 2015):

- learning a language as an additional subject (CLIL does not provide the separate study of language as a subject, first of all, language is a tool, and communication skills are developed against the background of the main content);
- it is a form of education only for learners who have a high level of knowledge of the main subject and a foreign language, respectively (CLIL is used to improve the level of learners' knowledge, to increase motivation and self-awareness in the learning process, which means that CLIL has no division by levels of knowledge, in addition, P. Mehisto (2012) notes that integrated learning allows you to control the load placed on the student, determining the intensity of foreign language use);
- teaching the discipline by a native speaker of a foreign language (CLIL guarantees professional training, knowledge of a clearly defined discipline, and the question of who teaches - a native speaker of a foreign language or native language is not fundamental); studying material which has already been mastered by learners (CLIL is a new content learning).

In connection with the above mentioned, S. Giorgio identifies the key characteristics of CLIL methodology:

- subject knowledge;
- balance of language and introduced knowledge.

It should be noted that this "two-vector" nature of CLIL provides a third, especially important, characteristic of integrated learning it is the development of self-learning and self-analysis skills (Montalto et al., 2015).

The purpose of the article: to improve students' English language skills at different levels of higher education by integrating CLIL and ESP methodologies.

Methodology

The investigation is theoretically granted and issues the question of CLIL and ESP integrated principles application within the educational process and, thus, reflects the main scientific ideas and implementation, the improvement of which makes it possible to modernize the system of professional training according to European standards.

The research ideas reveal that the current situation in Ukrainian education, granted by the Law of Ukraine on Higher Education (The Law of Ukraine No. 37-38, 2014), presupposes introduction of CLIL and ESP approaches more widely in Ukrainian educational institutions. The governmental policy is open to the modernization and enhancing the level of the English level proficiency. Integrated lessons focusing on this purpose and thus increase learners' motivation and L2 learning process becomes more conscious. These approaches are oriented toward the personality of a learner, who is capable of applying critical thinking in the process of self-study. The process of studying the content without constant correction of L2 helps learners to overcome a language barrier. At the end of the lesson common language mistakes could be analysed and explained.

The theoretical concepts presuppose that integrated approaches in education have begun to play a dominant role. New academic courses and subjects have been implemented, some of them are underway to modernize curricula – that is an urgent matter for primary, secondary, high and higher educational institutions. They mostly use four main approaches: 1) combining the content of an academic discipline into integrated courses

(Countrystudy); 2) studying all disciplines only in the creative development paradigm (integration by the method); 3) transferring the educational process on a computer basis (integration by technology); 4) selecting common for teachers ways of communication with learners in the classroom (hermeneutics). So, the desire to incorporate the English language into educational professionally oriented material is a natural and leading trend in the educational process in Ukraine that leads to the modernization of the system of education. Modernization of education involves updating its constituents, depending on the needs of the educational space and the aspirations of participants in the educational process (Stepanenko et al., 2022).

The scholars have come to believe that one of the most important conditions for raising the scientific level of studying the basics of science and the effectiveness of the entire educational process is the didactic integration of knowledge - content and a L2 (a foreign language) (Coyle, 2007).

The above stated reasons form the basis for the development of integrated courses, including elements of Country Study, Physics, Geography, Astronomy, Chemistry, Biology, Valeology, Ecology and Anthropology at Ukrainian universities. Such courses "Anthropology", "Me and Ukraine" are proposed to be studied at primary school as integrated courses (Yavoruk, 2002) and some courses are in the process in gradual implementation.

Analysing methodological concepts of CLIL and ESP introduction we come to the conclusion that a foreign language needs to be mastered through communication, restructuring content and related cognitive processes. This language must be understandable that involves interaction in the educational context by means of immersion in the language environment.

Multilingual education has initiated reconsidering of communicative teaching methods and changed the proportion between native and foreign languages in the educational process. Learners should pay attention not only to professional skills, but also to knowledge of foreign languages. That is why CLIL approach based on the principles of immersion is an important tool for professional competence formation.

In spite of positive feedback and the results of successful global implementation of content and

language integrated learning, there are some challenges that should be mentioned:

- CLIL class schedule should consist of three important stages at once: the content of the discipline, the foreign language and its use in educational situations;
- definition of a foreign language at the same time as a means and purpose of learning;
- insufficient number of "subject specialists" capable to conduct full-fledged integrated lessons in a foreign language;
- adaptation and creation of educational material that would meet the needs of integrated learning (Fortanet-Gomez, 2013).

That is why P. Mehisto defines the main criteria for the selection of educational material within CLIL methodology:

- 1) age compliance;
- 2) compliance with the level of knowledge (professional and language);
- 3) level of cultural competence;
- 4) cognitive and social skills (Mehisto, 2012).

The mentioned criteria are specific in their nature, and a teacher must consider all the above components to create integrated courses. According to the research results in linguodidactics, the features of CLIL implementation in different countries are different depending on the chosen model of its implementation. Thus, there are three main models of CLIL:

- soft (language-led) - considers the linguistic features of the special context, namely the use of separate elements of the immersion technique;
- hard (subject-led) - provides the study of half of the subjects in the curriculum in a foreign language;
- partial immersion - occupies an intermediate position and is used when some modules or subjects are studied in a foreign language in the process of professional training (Mehisto et al., 2008).

Regarding the application of the set concepts, the integration of the CLIL and ESP approaches in the process of professional training of non-language specialties, we should note that working with professionally oriented texts, immersion technology facilitates the disclosure of its content and meaning. Before reading a text, learners make assumptions and put forward certain hypotheses comparing it with the known data. Working with professionally oriented texts,

learners already have a significant amount of information on their specialization and can make assumptions about the content of the text, based on the knowledge background. In this case, subject knowledge is primary, because learners often do not have enough vocabulary knowledge to understand the foreign language text on professional topics. However, they can guess the meaning of separate words, phrases and sentences based on the context.

When learners study texts in a foreign language that correspond in content to their professional field of study, they do not need to possess a large amount of vocabulary as reading texts from periodicals. This is due to the fact that the use of CLIL facilitates comprehension of the text, learners increase their self-confidence and self-assessments.

J.M. González Ardeo proves that CLIL is not enough without some kind of EFL support. The researcher points out that "EFL instruction must therefore supplement and enhance language input from CLIL instruction to develop language proficiency by getting the students to use the language for increasingly demanding tasks while providing them with feedback and support" (González Ardeo, J.M. (2013).

Considering theoretical, methodological and practical concepts of our research for successful achievement of the English and content level proficiency using the synergy of CLIL and ESP in the process of professional training, we consider it is necessary to comply with the following conditions:

- concerning the content (professional knowledge): a) readiness for course material perception, erudition and knowledge in the field of professional discipline; b) readiness for analysis, synthesis, induction, deduction and reasoning;
- concerning the English language: a) readiness to perceive new information containing professional terminology (receptive skills); b) readiness to communicate on professional topics (productive skills).

Results and discussion

The explicit theoretical and practical background (P. Mehisto, D. Marsh, R. Martynova, E. Arno and G. Mancho) defined and justified the purpose of the research, challenges and ways to implement the integration of CLIL and ESP in professional training.

CLIL and ESP approaches are based on the fact that a foreign language as a subject of study is used as a means of cognition and communication and discover the opportunities for their integration and application.

The integration of CLIL and ESP, taking into account the studied theoretical and methodological concepts, is used to enhance a foreign language proficiency for professional purposes.

The challenges that still exist are the level of English of the university staff to use during their classes to teach professionally oriented subjects using it that requires urgent attention to update and reform the curriculum and teaching methods, introducing CLIL and ESP at universities.

The research proves that the methodical organization of CLIL and ESP lessons integration can be developed in different ways depending on the content of training:

- choose a topic of interest for language specialties, for other subjects it will be determined by the programme;
- choose the vocabulary that teachers would like to draw learners' attention to. Approximately 6 to 10 words at the initial stage, then you can increase to 20 depending on the learners' level;
- choose certain grammatical structures;
- prepare information in the form of an educational text. In general, any CLIL lesson involves all aspects of language learning, but special attention is paid to reading and listening, as they involve the use of existing texts on a particular topic (magazine articles, articles from the Internet, etc.), which present all the information;
- use a graphic organizer. Graphic organizers are a written communication tool that uses graphic notation to represent knowledge, concepts, ideas, and relationships between them. As a didactic tool that performs illustrative, communicative and cognitive functions, graphic organizers are used not only as media, but also to support learners in planning educational projects, problem solving, decision making, and research;
- introduce the information in a creative way. This can be tasks for individual or group work that will allow learners to personalize information and comprehend the information better. These types of work can be done in class or independently depending on the academic time.

The academic staff of the Germanic Philology Department of MNU introduces CLIL and ESP approaches in the process of learners' professionally oriented training, that is innovative teaching curricula disciplines in English which provide improvement of communicative skills, mastering professional skills and competencies, and formation of intercultural awareness. In consequence, the professionally oriented courses of the curricula were analysed and adopted in compliance with CLIL and ESP integration.

A CLIL and ESP lesson is similar to an English language integrated skills lesson, except that it includes obtaining professionally oriented language material. As a result, the lessons are developed and delivered by one or two teachers (a language and a content teacher) and are based on the material directly related to a content-based subject. The integration of CLIL and ESP

follows the structure we under the guidance of Aston University, the UK.

The data obtained by analyzing the survey for university learners at MNU show that CLIL and ESP integration enhance learners' knowledge of their professionally oriented courses as well as L2, and boost motivation to study.

With this reason to implement the innovative approach for professional training, two models (Figure 1 and Figure 2) were developed and used to enhance L2 proficiency and form professional competences. The models were compiled on the basis of theoretical material, participation in Erasmus Programme grants and our professional experience and applied for BA, MA at MNU.

The figure illustrates the principles of CLIL approach implementation and its components interdependence at MNU.

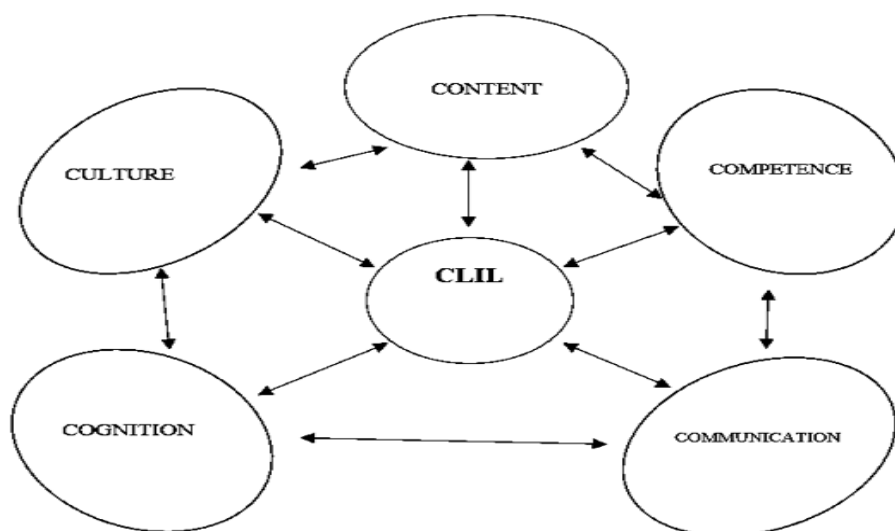


Figure1. The Integration of CLIL Components into Professional Training.

The figure illustrates the feasibility of integration both CLIL and ESP inherent to different

professions during training future specialists at higher educational establishments.

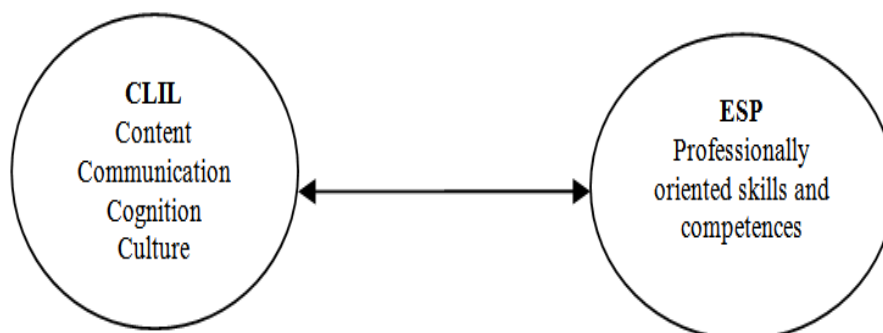


Figure 2. The Integration of CLIL and ESP into Professional Training

In spite of positive feedback and the results of the successful global implementation of CLIL and ESP approaches, we can observe certain challenges. Several components can be attributed to the following:

- compiling and designing the curriculum should conclude three important stages: the content of the subject, L2 in which the subject is taught and its use in educational situations;
- identifying the role of L2 both as a means and a goal of learning;
- insufficient number of subject teachers with good knowledge of L2;
- adaptation and creation of educational material that would meet the needs of integrated education;
- classroom management considering the synergy of CLIL and ESP methodology.

Nevertheless, the advantage of CLIL and ESP implementation in learners' professional training is the use of L2 in a particular context to solve real professional needs in communication. L2 acts as an effective way to establish interdisciplinary links in the curriculum, as well as a language of intercultural communication because learning a foreign language in a foreign professional context presupposes learning content, communication, cognition and culture.

In future we plan to analyse the peculiarities and advantages of using both CLIL and ESP for training future specialists for different spheres and environments.

Conclusion

The studied theoretical material was used as a prerequisite for the reason to investigate CLIL and ESP integration in tertiary education.

The research found and revealed CLIL and ESP methodology focuses on the personality of a learner, who is able to independently form his own needs and interests in the process of study obtaining skills of professional communication. It is considered that contemporary teacher should possess professional knowledge as well as language proficiency.

It is proved that CLIL and ESP approach is becoming innovative in the process of teaching professional communication in English because it incorporates the objectives of professional training. Integration of CLIL and ESP promotes the formation of learners' relevant interpersonal skills, cultural awareness and enhancement of

language and communication skills that are urgent nowadays in Ukraine.

It is stated that a CLIL and ESP lesson is similar to an English language integrated skills lesson, except that it includes obtaining professionally oriented language material.

Theoretical and practical concepts of integrating CLIL and ESP were analysed which allowed to develop two models to enhance learners' English proficiency and form professional competences.

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Influence of gender and marital status on susceptibility of persuasion strategies in advertisement

Влияние на пола и семейния статус върху податливостта на убеждаващите стратегии в реклама

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Abstract

The study has two main objectives: to find out what is the susceptibility of individuals to the persuasion strategies of Cialdini's persuasive power according to gender and to determine some characteristics of users with different marital status in social influence. Cialdini's (2001-2021) persuasion strategies (principles), as well as Keptin's STPS (2009), were applied to measure the susceptibility to persuasion of individuals of both genders with different marital status. The results of an analysis of variance (ANOVA), measuring the influence of gender, showed that on the criterion of susceptibility to persuasion, males were more influenced by the following strategies: liking, reciprocity, authority, and social proof relative to females with the exception of the principle of commitment and consistency, and individuals who are divorced, separated and widowed responded positively to strategies such as social proof, scarcity and authority. Through regression analysis, social influence was found for unmarried users with respect to the reciprocity principle, as well as authority and scarcity when combining the latter strategies. Individuals who are cohabiting or married, as well as divorced, separated, and widowed, gave positive advertising responses to the scarcity principle, but cohabiting and married consumers exhibiting commitment and consistency under the influence of advertising. Hence, this study can serve organizations offering products and services through advertising, and its originality lies in the

Резюме

Изследването има две основни цели: да установи каква е податливостта на индивидите към убеждаващите стратегии на Чиадини по критерия пол и да детерминира някои особености при потребители с различен семеен статус при оказване на социално влияние. Приложени са убеждаващите стратегии (принципи) на Чиадини (2001-2021), както и скалата на Кептейн - STPS (2009) за измерване на податливостта към убеждаване на индивиди от двата пола с различен семеен статус. Резултатите от анализ на вариациите (ANOVA), измерващ влиянието на пола показват, че по критерия податливост на убеждаване мъжете са по-силно повлияни от следните стратегии: харесване, реципрочност, авторитет и социално доказателство спрямо жените с изключение на принципа на ангажираност и последователност, а индивиди, които са разведени, разделени и овдовели, реагират положително на стратегии като социално доказателство, недостиг и авторитет. Чрез регресионен анализ е установено социално влияние при несемейни потребители по отношение на принципа на реципрочност, както и на авторитет и недостиг при комбиниране на последните стратегии. Индивиди, които съжителстват или са женени, както и разведени, разделени и овдовели, дават положителен рекламен отговор на принципа на недостиг, а съжителстващите и женените потребители имат прояви на ангажираност и последователност под влияние на реклама. Следователно това проучване може да послужи

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findings of mixed consumer responses regarding gender and marital status.

Keywords: persuasive strategies, advertising response to persuasion, STPS.

Introduction

This article discusses some of the features of persuasion principles that can be applied in communication, marketing, political science, social psychology, journalism, advertising, and consumer psychology that use persuasion (Knowles & Linn, 2004). There are many reasons for the ongoing research on gender as well as other consumer psycho-demographics regarding the applicability of persuasive principles in advertising, but the main one is that gender is the first most commonly manipulated factor that is associated with marital status. Furthermore, by segmenting consumers by gender and marital status, and understanding the social influence achieved that alters consumer satisfaction and behaviour (Peterson & Wilson, 1992), successful advertising influence is achieved. To be able to interpret and effectively use persuasion principles in advertising, it is necessary to understand what defines them as well as know which variables or factors relate to them (Oyewole, Sankaran & Choudhury, 2008). Typically, socio-demographic factors are well known in the determinants of persuasive communication as they demonstrate significant effects on consumer behaviour, behavioural psychology, and the establishment of individual consumer differences in persuasion (Brug, Oenema & Campbell, 2003). Since there are a lot of empirical evidences regarding gender in the persuasion literature, but there is not enough research to date on whether marital status affects consumers' susceptibility to persuasive strategies in advertising, there is a need for new scientific research.

The paper is organized as follows: the first section reviews previous literature on the determinants of persuasive strategies, as well as some demographic characteristics of advertising consumers. Consistent with this review, hypotheses were formed regarding gender and marital status differences on achieving advertising effectiveness through the use of persuasive strategies. The following sections present the research methodology for measuring persuasive principles and respondents' susceptibility to persuasion, as well as some

на организации, предлагащи продукти и услуги чрез реклама, а неговата оригиналност се изразява в констатираните смесени потребителски реакции относно пол и семеен статус.

Ключови думи: убеждаващи стратегии, рекламен отговор към убеждаване, STPS.

gender and marital characteristics of consumers. The last section of the study comments on the results obtained, as well as generalizations about the social influence achieved through advertising among different groups of consumers, and recommendations for future research on persuasion principles in advertising.

Literature Review

A number of research studies have found that gender as well as marital status are positively associated with individuals' physical and psychological well-being (Glenn, 1975; Williams, 1988), and gender differences in well-being between legally married and unmarried individuals can largely determine consumer behavior following the impact of advertising. Other researchers have pointed out that the assumption of certain social roles in life (Baber & Tucker, 2006), as well as the derivation of benefits from marriage (Williams, 1988), determines the ways in which information from an external source is perceived (Kaptein, Aarts, Ruyter & Markopoulos, 2009; Kaptein & Eckles, 2010a). On the other hand, Fogg and Eckles (2007) demonstrate that persuasive principles achieve reliable influence among diverse individuals, segmented by gender as well as other demographic characteristics when persuasion is delivered at the right time, in the right way, with the right message (Fogg & Eckles, 2007). These findings identify three important aspects of persuasive communication: 1) first, the transmission and reception of information must take place under appropriate conditions; 2) second, the advertising message must reach a group of consumers with specific characteristics: gender and marital status; 3) third, the susceptibility to persuasion, which has a direct relationship to the individual characteristics of consumers, can largely determine their final behavior. Although many researchers in the field of persuasive communication argue about the number of persuasive strategies and the conditions for conducting persuasion, as well as what determines the construction of persuasion - the

adaptation of the user's characteristics to the persuasion or vice versa, it is found to achieve an effect in all areas of public life. Furthermore, many researchers in different subject areas have attempted to apply persuasion strategies to achieve different outcomes. For example, Fogg develops a framework to support the design and evaluation of technological persuasion systems and proposes 40 strategies (Fogg, 2009); Kellermann and Cole (1994) collect 64 taxonomies that describe different persuasion strategies and their operationalization to achieve social influence (Kellermann & Cole, 1994); but there are also those researchers who have listed over 100 strategies for social influence (Rhoads, 2007) and then point out specific ones for use in practice. The reasons for these differences are the result of researchers' desire to be comprehensive or to emphasize different details. More importantly, influence strategies can be useful in research to ascertain the individual characteristics of consumers, as well as to draw conclusions about consumer behavior.

In this study, persuasion strategies (or persuasion principles) are applied to social influence R. Cialdini (2001-2021), with the main objective of identifying the effects of these persuasive principles among different advertising consumers (Cialdini, 2001; Cialdini, 2016; Cialdini, 2021). Social psychologists are not only interested in the persuasion achieved, but also advocate for the outcomes of gender differences in the perception of well-being among legally married and their unmarried peers (Aneshensel, Frerichs, & Clark, 1981; Radloff, 1975; Glenn, 1975) when using products and services from online commerce. On the other hand, psychologists attempt to analyze adaptations of persuasive strategies in identifying individual differences of personality (Gerber et al., 2009; Ribeiro et al., 2011), and marketers are interested in adapting sales tactics to individuals with certain characteristics (McFarland et al., 2006). Among other things, there are empirical evidences that summarizes that with the advent of mass media and technology, mediated communication, as well as persuasion attempts have increased significantly. This is evidenced by the fact that conversion rates in physical stores are many times higher than those in e-commerce (Moe & Fader, 2004). The main contribution of this thesis to our understanding of human behavior is to provide a description of one of the antecedents of persuasive effectiveness in a way that facilitates large-scale application. To examine the achieved impact of persuasion, some individual differences of users by gender and marital status in responses to persuasive social

influence strategies are found. In another study of ours, the practical application of persuasive principles in advertising was shown to be directly related to gender and age characteristics of target groups (Spasova, 2022), and a number of causal relationships between persuasive principles and advertising recall were also found, where persuasion is carried out through a peripheral route (Petty & Wegener, 1999).

In a content analysis on persuasive strategies to achieve social influence among different advertising consumers, it is clear that some of the individual differences of respondents appear to be stable over time and also across contexts (Payan & McFarland, 2005). Therefore, improving understanding of advertising consumers' responses to persuasive strategies, and combining them to achieve more effective impact, is an important research question where the chances of success in advertising communication increase in some cases (Kaptein, Aarts, Ruyter, & Markopoulos, 2009). However, some theoretical and empirical evidence suggests that combining persuasive strategies in social influence does not always achieve success (Kaptein, et al., 2010b). This is the reason to look for explanations in another direction, i.e. whether advertising effectiveness is achieved when combining persuasive principles (also called persuasive strategies) against individual differences of a group of consumers (Kaptein & van Halteren, 2012a). In addition, there is a need to explain the achieved influence of certain demographic characteristics such as gender and marital status on the achieved social influence. The findings made by various researchers regarding the average behavior of groups of individuals in general towards repetitive behavior should not be ignored (Perloff, 2003), because the dynamics in repetitive behavior have a direct bearing on the adaptation of previous consumer responses (Payan & McFarland, 2005). Thus, human behavior appears to be highly variable with respect to individuals' characteristics, but consistent within the persuasion process through different strategies (Kaptein, Aarts, Ruyter, & Markopoulos, 2009). Consequently, if advertising and marketing professionals want to persuade on a large scale, and through actual impact achieved among a large number of individuals with common characteristics, they need to apply combinations of persuasive strategies that match personalization with well-defined goals. In order to establish inferred causal relationships in the influence of persuasive strategies in different communication processes, scientific theories need to be based on some new research on the

course of certain psychological processes in consumers (Noar, Benac & Harris, 2007).

This study hypothesizes that persuasion achieves greater effectiveness among consumers who are married in both genders relative to consumers of advertising who are not married or are divorced and widowed over time. This argument is consistent with some studies which have found that gender differences in the effect of marital status on consumer satisfaction may be due to different orientations and expectations that men and women bring to the use of advertised products and services (Vanfossen, 1981). Because women are more likely to connect with the more emotional content of products, they are also more sensitive to the emotional nuances of product consumption and have more intimate connections with others than male consumers would exhibit (Williams, 1988). In addition, it has been suggested that consumers' social roles, i.e. their gender identity, as well as certain manifested family traits, may determine their online shopping behavior (Williams, 1988; Baber & Tucker, 2006). Hence, the findings in this study on the achievement of persuasion among different groups of consumers through persuasive strategies in advertising may contribute to findings in other studies focusing on consumers' susceptibility to persuasion and its determinants as part of demographic variables (Oyewole, 2001; Ringle, Sarstedt & Zimmermann, 2011; Kim, Vogt & Knutson, 2015). They are important for existing advertising professionals, as well as for all researchers interested in persuasion processes.

According to these previous researches, the researcher puts forward the following hypotheses:

Hypothesis 0: There are no gender differences, as well as differences by marital status, in the effects of persuasive principles on consumers' overall persuasiveness;

Hypothesis 1: There are gender differences, as well as differences by marital status, in the effects of persuasive principles on consumers' general persuasiveness;

Hypothesis 2: There are gender differences, as well as differences by marital status, in the effects of persuasive principles relative to the effects of their combined social influence.

In view of previous research that has found a number of relationships between persuasive strategies and some individual characteristics of consumers, this paper seeks to examine the differential sensitivity of consumers to an

adapted and modified version of the scale proposed by Kaptein Ruyter, Markopoulos, and Aarts - Susceptibility to Persuasion Strategies Scale (STPS) (2009), as well as the application of some persuasive strategies in advertising (Kaptein Ruyter, Markopoulos & Aarts, 2009). The reason for conducting the study is that there are different perspectives on achieving advertising effectiveness among consumers with different demographic characteristics, when combining strategies, and the strength of impact achieved when applying one or more strategies. The results of this study attempt to clarify some problematic aspects in the persuasion process.

Methodology

The research methodology includes the general scientific principles for systematization and generalization of the research results on the achieved effects of advertising influence through persuasive social influence strategies. The purpose of this study is to determine the influence of gender and marital status on consumers' susceptibility to the offer of various persuasive claims in advertising, and the resulting positive and negative consumer advertising responses. An adapted and modified version of the STPS questionnaire or Susceptibility to Persuasion Strategies Scale, developed by Kaptein, Ruyter, Markopoulos and Aarts (Kaptein et al., 2009), is proposed to measure individual respondents' susceptibility to persuasion strategies. After establishing some features of the respondents' susceptibility to persuasion by gender and marital status, some individual reactions of the respondents to the persuasive principles of R. Cialdini (2001-2021) and their combined influence in advertising are sought (Cialdini, 2001; Cialdini, 2016; Cialdini, 2021). In this study, a paper-based survey was implemented with the following modules: 1) first module - identifying respondents' individual susceptibility to persuasion principles using an adapted and modified version of the STPS questionnaire or Susceptibility to Persuasion Strategies Scale, developed by Kaptein, Ruyter, Markopoulos and Aarts (Kaptein, Ruyter, Markopoulos & Aarts, 2009). 2) second module - subjective-objective evaluation of consumers of advertisements containing persuasive strategies; 3) third module - demographic characteristics of respondents to identify some individual characteristics in the impact of advertising. The statements in the advertisements are constructed to match the persuasion strategies: 1) Statements containing only one persuasion strategy: Sports shoe advertisement featuring an authoritative personality (authority); Internet advertisement

offering a product for a short period (scarcity); Cosmetics advertisement featuring a discount (reciprocity); Cosmetics advertisement featuring a beautiful woman (liking); Cosmetics advertisement featuring an online game (commitment and consistency); 2) Statements containing two persuasive strategies: Handbag advertisement featuring a popular influencer and many likes (unity and social proof); Online advertising expert recommends a very rare product for a short period of time (authority and scarcity); Online food advertisement with many likes and making purchases (liking and social proof); Online advertisement featuring a celebrity and receiving a gift (authority and reciprocity). Respondents must accept or reject statements about advertisements with one or two persuasive strategies. The adapted and modified version of the STPS questionnaire or Susceptibility to Persuasion Strategies Scale, developed by Kaptein, Ruyter, Markopoulos, and Aarts (Kaptein et al., 2009), contains 35 items (5 items for one subscale): 26 statements from Kaptein and 9 author statements. The respondents answered a total of 35 questions on a five-point Likert-type scale, which includes grades from 1 - I do not agree, to 5 - I agree.

Cronbach's alpha was used to test the reliability of an adapted and modified version of the STPS questionnaire (Kaptein et al., 2009). The reliability of Liking Scale is $\alpha=0.77$, the reliability of Social Scale is $\alpha=0.82$, the reliability of Commitment and Consistency Scale is $\alpha=0.79$, the reliability of Scarcity Scale is $\alpha=0.95$, the reliability of Reciprocity Scale is

$\alpha=0.92$, the reliability of Unity Scale is $\alpha=0.85$, the reliability of Authority Scale is $\alpha=0.78$. For the whole sample, the Cronbach's alpha coefficient is $\alpha=0.803$. As the values exceed the minimum recommended value of $\alpha=0.70$ (DeVellis, 2012), the internal consistency for the respective subscales is sufficiently high, i.e. the items that make them up form a common scale (Ganeva, 2016).

Results and Discussion

The study was conducted in the period from early 2021 to early 2022. Self-reported data were collected from a total sample of 300 respondents distributed across six age groups, ensuring a 95% representative size (being $e = \pm 5\%$; $p = q = 0.50$). Each case from the general population was equally likely to be included in the study. All respondents filled in the questionnaire on paper because this ensures the correctness of the answers. According to these criteria, the total sample was 52% male (156 people) and 48% female (144 people), и според семейния статус – 62,7 % (188 people) – single, 25,7 % (77 people) – cohabiting or married, 11,7 % (35 people) – divorced, separated or widowed. To determine the influence of persuasion principles on different groups of respondents formed by gender, a one-way analysis of variance (ANOVA) was applied. The hypothesis that the arithmetic means of the persuasive principles were different with respect to gender was also tested, and the results of the one-factor analysis of variance (ANOVA) are presented in Table 1.

Table 1.
Influence of gender on susceptibility to persuasion principles (ANOVA)

Susceptibility to persuasion principles	F	p	Mean (Male)	Mean (Female)
Principle of liking	3.24	0.04	3.43	3.19
Principle of reciprocity	2.28	0.02	3.59	3.47
Principle of authority	2.39	0.00	3.57	3.51
Principle of commitment and consistency	2.24	0.00	3.56	3.61
Principle of social proof	4.91	0.00	3.53	3.33
General susceptibility	17.09	0.00	3.38	3.25

A statistically significant difference was found between study groups by gender for each of the subscales measuring Kaptein's persuasive principles - STPS (Kaptein et al., 2009). The effect size, which ranged from $\eta = 0.39$ to $\eta = 0.58$ and was calculated using the eta coefficient, was seen to be large or larger than typical according to the interpretation made by Cohen (Cohen, 1988). There is a stronger effect for

males relative to females because the means for males are higher except for the principle of commitment and consistency, where $F_{(1,299)} = 2.24$; $p < 0.00$; $\text{Mean}_{(\text{male})} = 3.56$ and $\text{Mean}_{(\text{female})} = 3.61$, (Table 1). The highest values of principle of reciprocity were found in males compared to females where $F_{(1,299)} = 2.28$; $p < 0.02$; $\text{Mean}_{(\text{male})} = 3.59$ and $\text{Mean}_{(\text{female})} = 3.47$, also the principle of authority for males versus females,

where $F_{(1,299)} = 2.39$; $p < 0.00$; $Mean_{(male)} = 3.57$ and $Mean_{(female)} = 3.51$ and the principle of social proof where $F_{(1,299)} = 4.91$; $p < 0.00$; $Mean_{(male)} = 3.53$ and $Mean_{(female)} = 3.33$. The implementations of five of the persuasion strategies were compared and statistically significant results were found for respondents of different genders. The achievement of positive social influence through the principles of reciprocity, of authority and of social proof is explained by the content value of these strategies. This process occurs when individuals are convinced of the rationality of a proposition (Komorita *et al.*, 1991), and this proposition is confirmed by an authority figure (Hazen, Weinstein & Park, 2003). Furthermore, these strategies can also be effective through complex application on individuals because some levels of responsibility and submission to

authority are essential for the existence of any social community (Cialdini, 2001). Consequently, people not only tend to return the favor - reciprocity, but also to conform to authoritative opinions as well as follow the behavior of multiple others who exhibit similar persuasions (Goldstein, Cialdini & Griskevicius, 2008; Zhu & Zhang, 2010).

To determine the influence of persuasion principles on different groups of respondents formed by marital status, a one-way analysis of variance (ANOVA) was applied. The hypothesis that the arithmetic means of persuasion principles by marital status are different was tested and the results of the one-factor analysis of variance (ANOVA) are presented in Table 2.

Table 2.

Influence of marital status on susceptibility to persuasion principles (ANOVA)

Susceptibility to persuasion principles	F	p	Mean (Single)	Mean (Cohabiting/ Married)	Mean (Divorced/Separated/Widowed)
Principle of unity	3.06	0.00	3.36	3.19	3.19
Principle of reciprocity	3.49	0.01	3.56	3.45	3.54
Principle of authority	3.56	0.05	3.55	3.43	3.67
Principle of social proof	4.89	0.00	3.50	3.30	3.62
Principle of scarcity	3.69	0.00	3.48	3.34	3.51
General susceptibility	15.49	0.00	3.50	3.45	3.58

When comparing the means of the respondents by marital status, statistically significant results were found for the following persuasive strategies: unity ($F_{(1,299)} = 3.06$; $p < 0.00$), reciprocity, ($F_{(1,299)} = 3.49$; $p < 0.01$), authority ($F_{(1,299)} = 3.56$; $p < 0.05$), social proof ($F_{(1,299)} = 4.89$; $p < 0.00$), and scarcity ($F_{(1,299)} = 3.69$; $p < 0.00$). Hence, marital status influences the achievement of social influence through persuasion, and the mean values of the reciprocity groups are as follows: $Mean_{(first\ group)} = 3.56$, then $Mean_{(second\ group)} = 3.45$ and $Mean_{(third\ group)} = 3.54$, that is, individuals who are not married or with other family status are the most susceptible to persuasion. This means that individuals who have family are least likely to return the favor (Cialdini, 2004). Other authors report that this social influence strategy, when applied correctly and is extremely powerful, even when it is really unfavorable to the persuaded (Kaptein & Eckles, 2010a).

The significance level for the social proof principle is $p < 0.00$, where $F_{(1,299)} = 4.89$, indicating that significant statistical differences exist between the means of the groups considered. Tukey's HDS post hoc test was used,

which showed that the arithmetic mean for the divorced, separated and widowed people group is $Mean_{(third\ group)} = 3.62$ and is statistically significantly different from the means of the other groups: $Mean_{(first\ group)} = 3.50$ and $Mean_{(second\ group)} = 3.30$. Hence, divorced, separated and widowed people are most affected by the social proof effect, and this is most often achieved in social networks and in advertisements by displaying other consumers' positive evaluations of a product (Goldstein, Cialdini & Griskevicius, 2008).

Social influence was also found by the scarcity principle, where $F_{(1,299)} = 3.69$; $p < 0.00$. Tukey's HDS post hoc test was used and showed that the arithmetic mean for the divorced, separated and widowed people group was $Mean_{(third\ group)} = 3.51$ and was statistically significantly different from the means of the other groups: $Mean_{(first\ group)} = 3.48$ and $Mean_{(second\ group)} = 3.34$. Hence, divorced, separated and widowed people are most affected by the scarcity effect, as perceived scarcity increases the perceived value of products and opportunities (Cialdini, 2001). Another study found that the reason married people, as well as unmarried people, are stricter in

consuming online products under the influence of advertising, is because they have more pressure in their lives and work, as well as in their families. Stress and pressure from children and spouses can adversely affect their online shopping, for example, rushing the time to shop and making quick decisions due to their work responsibilities related to taking care of the home (Nguyen & Homolka, 2021). On the other hand, there is much evidence that identifying a product or service as scarce will favorably influence consumer attitudes and increase the chance of purchase (Eisend, 2008), but our study finds that this is achieved under certain circumstances.

The importance of the authority principle is also inferred in the present results where $F_{(1,299)} = 3.56$; $p < 0.05$. Tukey's HSD post hoc test was used and showed that the arithmetic mean for the divorced, separated and widowed people group was $\text{Mean}_{(\text{third group})} = 3.67$ and was statistically significantly different from the means of the other groups: $\text{Mean}_{(\text{first group})} = 3.55$ and for the second group $\text{Mean}_{(\text{second group})} = 3.47$. What may enhance the influence of authority, a number of scholars have pointed out, is endorsement of products by authorities as "expert reviews"

(Hazen, Weinstein & Park, 2003). In addition, it has also been found that some levels of responsibility and subordination fall away when the opinion of authority figures is adopted (Cialdini, 2001), whereby cognitive dissonance in the purchase decision is reduced (Festinger, 1957).

By measuring users' sensitivity to particular influence strategies and adapting strategy choice accordingly, the effectiveness of persuasion systems is likely to increase. However, STPS should be considered as a starting point, not an end point, in the process of personalizing persuasion attempts (Kaptein et al., 2009). Table 3 presents the results of the STPS (Kaptein et al., 2009) regression with the determinants of persuasion principles based on gender and on the marital status of the users. Panel A presents the determinants of SPTS for the group of single users who have never been legally married. Panel B presents similar results for the group of cohabiting and married who are currently legally married, and Panel C shows the regression results for the group of divorced, separated and widowed, (Table 3).

Table 3.
Influence of marital status on susceptibility to persuasion principles in advertising (β , p)

Dependent: SPTS in Advertising	Panel A: Single		Panel B: Cohabiting/ Married		Panel C: Others (Divorced/Separated/ Widowed)	
	Coefficient	t (p-value)	Coefficient	t (p-value)	Coefficient	t (p-value)
Authority Advertisement (β_1)	0.2844**	4.16 (0.000)	0.1577*	1.81 (0.072)	0.0346	0.34 (0.733)
Scarcity Advertisement (β_2)	-0.038	-0.61 (0.525)	0.260*	1.56 (0.05)	0.122*	2.35 (0.00)
Commitment/ consistency Advertisement (β_3)	-0.280	0.80 (0.68)	0.350**	3.11 (0.00)	0.034	0.371 (0.711)
Reciprocity Advertisement (β_4)	0.470*	2.56 (0.05)	0.088	0.690 (0.490)	-0.011	-2.15 (0.653)
Authority/Scarcit y Advertisement (β_5)	0.570**	3.16 (0.00)	0.034	0.37 (0.720)	-0.034	2.15 (0.342)
Unity/Social proof Advertisement (β_6)	-0.560	1.56 (0.344)	0.044	0.38 (0.152)	-0.012	-3.15 (0.652)
Constant (β_0)	2.235**	6.78 (0.00)	2.243*	4.35 (0.05)	2.089*	3.29 (0.05)
Observations	188		77		35	
Adjusted R Square	0.282		0.288		0.327	

From the regression analysis, it is found that for single consumers of advertising, there are two factors that affect the susceptibility of respondents: the principle of reciprocity and the combined application of authority and scarcity simultaneously (Coefficient = 0.470; $t = 2.56$; $p < 0.05$); (Coefficient = 0.570; $t = 3.16$; $p < 0.00$). Consequently, non-family consumers are more likely than other consumer groups to respond positively to advertisements offering services or benefits, and to respond positively to authoritative appeals or those indicating that the product is scarce, (Table 3). On the other hand, cohabiting and married consumers were influenced by advertisements that contained statements, describing scarcity as well as commitment and consistency (Coefficient = 0.260; $t = 1.56$; $p < 0.05$); (Coefficient = 0.350; $t = 3.11$; $p < 0.00$). The principle of commitment and consistency explains the strength of commitment that people make because they become consistent and strive to fulfill a commitment (Cialdini, 2001).

All cohabiting and married users have made a commitment through marriage or commitment in their lives and treat the commitments made responsibly. In addition, perceived scarcity increases the perceived value of products and opportunities (Cialdini, 2001), so advertisers and marketers often use phrases that create this sense of uniqueness (Knowles & Linn, 2004). The strength of this principle is also found in the final group of advertising consumers, divorced, separated and widowed people, who responded positively only to the scarcity principle (Coefficient = 0.122; $t = 2.35$; $p < 0.00$). There is much empirical evidence that identifying a product or service as scarce will favorably influence consumer attitudes and increase the chance of purchase (Eisend, 2008). Hence, many psychological processes take place through advertising that can explain the effects of different persuasive strategies. From the results obtained in our study, it is clear that for the consumer groups studied, advertisements that contain only one persuasion strategy achieve greater effectiveness than advertisements with two persuasion strategies.

Conclusions

This study aims to investigate whether there are differences in persuasion susceptibility among different groups of advertising consumers based on their gender and marital status. Different evidence was found regarding the influence achieved through advertising, firstly identifying respondents' individual susceptibility to

persuasion in general. A statistically significant difference was found between the study groups by gender for each of the subscales measuring Kaptein's persuasion principles - STPS (Kaptein et al., 2009), with greater influence observed for males for following principles: liking, reciprocity, authority and social proof relative to females, with the exception of the principle of commitment and consistency. Our results reconfirm some empirical evidence regarding the power of achieving social influence through the principles of reciprocity, of authority and of social proof, which was explained by the substantive value of these strategies. These processes take place when individuals are convinced of the rationality of a proposition (Komorita et al., 1991), and this proposition is confirmed by an authority figure (Hazen, Weinstein & Park, 2003).

When comparing and analyzing the three groups of respondents who have their own specific traits regarding their involvement with other people, that is, these are group one-single, group two-cohabiting, married and group three-divorced, separated and widowed, it can be seen that marital status influences the outcomes of social influence achieved. The main persuasive principles through which effects are observed among these groups are the following: unity, reciprocity, authority, social proof and scarcity, with individuals belonging to the third group - divorced, separated and widowed people giving the most positive responses to the principles of social proof, scarcity and authority, i.e. the application of self-influence from these persuasive strategies could achieve its success among consumers with the relevant demographic characteristics.

Finally, our study found differences in the susceptibility of advertising consumers to one or to the combined use of two strategies. In the case of single advertising consumers, there are two factors that influence respondents' susceptibility: the principle of reciprocity and the combined application of authority and scarcity simultaneously, while cohabiting and married consumers, respectively, are influenced by advertising that contains statements, describing scarcity as well as commitment and consistency. Hence, the powerful force of scarcity is inferred, through which advertising effectiveness is achieved, influencing alone or in combination with another strategy. This is also explained by the commodity theory (Brock, 1968), which states that people desire scarce products more because the possession of such products creates

feelings of personal distinctiveness or uniqueness.

The power of commitment that consumers are willing to make, both in their use of products and services when influenced by advertising and in their lives, has also been demonstrated. This conclusion is drawn on the results of the combined influence achieved by advertisements containing persuasive strategies to which cohabiting and married consumers responded most positively. Hence, our results contribute to clarifying some problematic issues regarding persuasion processes in advertising, as well as to studies investigating advertising effectiveness.

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English media discourse of the early 21st Century: Lexical innovations

El discurso de los medios de comunicación ingleses de principios del siglo XXI: Innovaciones léxicas

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Abstract

The emergence of a new kind of discourse on the world stage called media discourse or media discourse produces the trends of globalization and the development of communication technologies in the world. The article deals with the phenomenon of English-language media discourse as a relatively new linguistic phenomenon. The aim of this research work is a thorough analysis of the concept of English-language media discourse, reflecting the dynamics of modern language and identifying the features of lexical innovations in English-language media discourse. The comparative analysis method, typological method, method of component analysis, and descriptive method of research were used to study the issue of English-language media discourse. Using the comparative analysis method, the saturation of linguistic innovations and their prevalence were determined. Using the typological method, the common qualities of English and Ukrainian in the projection on their variety of linguistic characteristics were established. The method of component analysis helped in the study of the content part of the newly formed linguistic units.

Resumen

La aparición de un nuevo tipo de discurso en la escena mundial denominado discurso mediático o discurso de los medios de comunicación produce las tendencias de la globalización y el desarrollo de las tecnologías de la comunicación en el mundo. El artículo aborda el fenómeno del discurso mediático en inglés como un fenómeno lingüístico relativamente nuevo. El objetivo de este trabajo de investigación es analizar en profundidad el concepto de discurso mediático en inglés, reflejando la dinámica de la lengua moderna e identificando las características de las innovaciones léxicas en el discurso mediático en inglés. Para estudiar el tema del discurso mediático en lengua inglesa se utilizó el método de análisis comparativo, el método tipológico, el método de análisis de componentes y el método descriptivo de investigación. Mediante el método de análisis comparativo se determinó la saturación de las innovaciones lingüísticas y su prevalencia. Mediante el método tipológico se establecieron las cualidades comunes del inglés y el ucraniano en la proyección sobre su variedad de características lingüísticas. El método de análisis de componentes ayudó en el estudio de la parte de contenido de las

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Using the descriptive method, the modern state of English-language media discourse was characterized. As a result of the scientific research trends of modern English-language media discourse in content and form have been studied and analyzed, as well as changes in the potential of modern linguistic means through the mechanism of new word formation, which is a prospect for further scientific research in this direction.

Keywords: lexical innovation, linguistics, media discourse, media text, semantic change.

Introduction

In the 21st century, society is in the era of digital development, which inevitably affects most spheres of its life, in connection with which lexical innovations are in the field of attention of linguists around the world.

Media discourse consists of serving a wide audience in a digital format that is convenient for modern society. It should be remembered that the media remain the driving tools of communication from several parties - to a large number of people because with their help there is a broadcasting of political, social, economic, and other information. It is also important to pay attention to the way these news are presented in the media, because society's perception of news and events also depends on this, which is influenced by general ideology, public acceptance of certain things, established stereotypes, accepted morality, gender perception, and the like (Pohorila, 2022). However, the dynamic modern phenomenon of media discourse carries a powerful pragmatic and evaluative potential, influencing the views of society, forming its subjective worldview. In turn, one of the important parts of the mentioned linguistic phenomenon is the modulated situation, which media discourse embodies by means of linguistic form and corresponding genres (Horbatko, 2021).

According to the semantic meaning, the term "mass media" is a communicative and cognitive phenomenon of the linguistic sphere, which society needs because the purpose of this phenomenon is to provide the process of accumulation, study, and formation of general public opinion, namely the views of society (Pecheranskyi & Vaskul, 2018).

unidades lingüísticas recién formadas. Utilizando el método descriptivo, se caracterizó el estado moderno del discurso mediático en lengua inglesa. Como resultado de la investigación científica se han estudiado y analizado las tendencias del discurso moderno de los medios de comunicación en lengua inglesa en cuanto a su contenido y forma, así como los cambios en el potencial de los medios lingüísticos modernos a través del mecanismo de formación de nuevas palabras, lo que constituye una perspectiva para futuras investigaciones científicas en esta dirección.

Palabras clave: innovación léxica, lingüística, discurso mediático, texto mediático, cambio semántico.

This research paper investigated the current trends in English media discourse and identified the features of lexical innovations in English-language media discourse. Also, the article analyzed the formation and development of media discourse in the realities of the XXI century. In accordance with the topic of the study, a review of theoretical studies related to the English media discourse, which forms a general picture of the formation and development of this phenomenon, was carried out. The study examined and analyzed the works of researchers who researched the issues of English media discourse in their works.

Literature Review

In exploring the etymology of the term "discourse," let us turn our attention to Prima's (2022) study, which argues that this linguistic form has its origins in the Latin word *diskursus*, which means to reflect. Discourse at its core, according to Prima, is a basic subject of study in communicative linguistics, which, in turn, aims at a universal consensus.

It is worth noting that, as Miroshnychenko (2020) notes in his own study, it is a linguistic phenomenon of media space, which aims to exchange important information for society, but media discourse is also simultaneously a cognitive and pragmatic environment that broadcasts selected meanings to its audience.

Horbatko (2021), in her study, addressed issues of media discourse features in linguistic theory. The researcher argues that media discourse, which is most relevant in the 21st century, is becoming increasingly important in the life of modern society, which is due to the rapid

development of the media and virtual information platforms. It should be noted the fact that the interpretation of media discourse as “media language”, “mass media language”, “mass media discourse”, and “media discourse” shows this phenomenon as common and necessary for modern society.

In turn, Kozak (2021), in the study of advertising media discourse draws attention to the lack of constant interpretation, as well as the classification of discourse, as due to its interdisciplinary nature. However, the researcher focuses on the complex and multidimensional phenomenon of discourse and its multifunctionality.

In his study of modern terminology of English mass media discourse Krasivskyi (2021) argues that modern media discourse expresses a high degree of compression of terminological units, is engaged in the improvement and actualization of the latest verbal terminological tools and modern conceptual apparatus. Also, O. M. Krasivskyi emphasizes that even the English media term itself, directly integrated into modern media discourse and is a special form of formation of meaning-making terms in speech actualization.

Kopiy (2021) in his study of the linguistic and pragmatic features of realities in English media discourse argues that the specificity of translation of foreign texts is a complete corresponding replacement of the meaning of texts, but the mismatch of certain elements, grammatical structures, stylistic features of such a match becomes impossible. Therefore, according to Kopiy, there is a need to use the terms “adequacy” and “equivalence” in translation between different languages, and the fact that English media discourse has significant features, there are difficulties in translation. However, it is also important to remember what Hron (2021) points out, that media vocabulary is not only part of the active process of communication and dissemination of information, but it also changes the language of the media sphere. It should be noted that the English language has a large stock of word-formation patterns, which are modified into new words with new meanings of phenomena and concepts.

Linguistic innovations have been investigated in their works by Ivanytska (2022) and Yenikeeva (2022). However, Ivanytska in her study focused on homonymic abbreviations, considering that interpretation of such phenomena in English is much easier than in Ukrainian, citing that in English media abbreviations are quite common

and do not require explanation, whereas in Ukrainian discourse to explain each such introduction for clarity. In turn, Yenikeeva, studying newly-formed derivative words in English, argues for the multifaceted functions of affixes, which play full-fledged lexical units. Thus, with the help of variations of word combinations, new words in meaning are formed, which should be taken into account when translating foreign media.

Considering the events of recent years, researchers Marina (2021), Chumak (2022), Babelyuk and Didukh (2020), Bondarenko (2020) studied newly formed lexical units under the influence of the problem of spread and increasing influence of coronavirus infection on the world media community. We should also note the fact that, according to Marina (2021), a new field of linguistic covidology in the sequential accumulation of verbal and non-verbal semiotic modes has formed in modern English-language media discourse. Chumak (2022), in his study of lexical covidic neologisms, notes the impact of the pandemic on the linguistic aspect of social life throughout 2020-2021. The formed lexical units, according to the researcher, contain lexical units of time and realities of life, namely “coronavirus”, “epidemic/pandemic”, “quarantine”, which began to function according to the pattern of the structural component in a number of similar lexical units. The study of Babelyuk and Didukh (2020) revealed the trends of the word-formation system of the English language under the influence of lingual and extralingual factors. The study states that more than 1000 newly formed words and expressions were registered for the COVID-19 phenomenon designation in the Oxford English Dictionary (OED). For her part, Bondarenko (2020) focused on the enrichment of the lexical composition of the modern language of the pandemic period with the help of morphological neologisms. The researcher believes that the majority of neologisms were created with the help of word composition and telescoping. Neologisms-telescopisms, according to Bondarenko, are formed the fastest, so the lion's share of professional subreferences and common vocabulary is exactly them.

A large number of researchers (Semida & Ahmad, 2020; Kovalyuk, Kovalyuk & Fedych, 2022) pay attention to metaphoricity in media discourse. Semida & Ahmad (2020), where the researchers performed an analysis of the portrayal of Ukraine in English discourse, showed the vision of Ukraine through the perception of it within the conceptual domains of

war, TV shows, health, and literature, which depicts the attitude toward Ukrainians and Ukraine in integration with contemporary political events. In turn, Kovalyuk, Kovalyuk, and Fedych (2022) studied the established image of Ukraine in traditional and modern mass-media discourse. The study of scientists formed a number of images, which show the traditional media vision of Ukraine, in which the state is presented as a living being/organism, researcher, human, victim, warrior, hunter, rival, place, polluted place, substance, the object of extermination and employer. If we highlight the modern image of the state, it is a traveling, moving force, an integral part, an object that can be shaped, a protective buffer, a killing field, a testing ground, an object of sacrifice, an engine, a home, a life, a goal. Thus, the metaphoricality of the Ukrainian state in the media discourse is quite broad and it appears in different images in the media space.

In his own study, Kushnirov (2021) mentions such a phenomenon as a distortion of information in media space, due to its subjective, false, or misrepresentation. The author points out that in using English primary sources of information there is a high probability of information distortion, so it is important to study exactly verified sources and to be critical of descriptions of foreign origin presented in media discourse.

Methodology

The methodological basis of the article on the study of lexical innovations of English media discourse of the early 21st century is based on the descriptive method, the method of comparative analysis, the typological method, and the method of component analysis. The descriptive method of scientific research has been used for a thorough and structured characterization of the current state of English-language media discourse. The comparative method was used to determine the saturation of linguistic innovations and their prevalence. The typological method, which was used in writing the article, helped to establish the common qualities of the English and Ukrainian languages in the projection on their diversity of linguistic characteristics. Using the method of component analysis, the meaning of the newly formed language units was under investigation.

In this research, many newly formed words in English media discourse of the early 21st century and lexical innovations have been investigated.

The structure of newly formed words and lexical innovations of English media discourse of the early 21st century was formed in three consecutive stages.

In the course of the first stage of the research work, the literature sources of specialists who have been involved in the study of English media discourse and innovations in this industry were collected and analyzed, which in its turn helped in forming the main issue of this research.

In the second stage of the work, an analysis was carried out, by means of which the main emphases of the study of English media discourse were established. Also, at this stage of the work, the peculiarities of newly formed words and their typological analysis were highlighted.

In the third stage of the research work the generalizations and results, which were formed during the work on the topic of research of English media discourse of the early 21st century and lexical innovations, which helped in summarizing the overall results of this study were carried out.

Results and Discussion

Linguists throughout the world began to be interested in the terminology of media discourse in the mid-50s of the previous century. However, it should be noted that the most common typology of media discourse is based on the types of information transmission channels, which in turn includes the discourses of the press, television, radio, and the Internet (Dovbnya, 2022). According to the modern view of science, discourse is a complex phenomenon that unites all participants of communication and situations in which communication takes place, as well as, in turn, the text presented to media consumers. In other words, the phenomenon of discourse is an abstract invariant description of embodied structural and semantic features directly in the text of media publications (Prima, 2022).

It is important to note that the rapid pace of development of the phenomenon of media discourse now in the world and, in Ukraine in particular, the improvement of digital technology and gadgets, which have become an inseparable part of life in modern society. The use of compressed texts, hyperlinks, and hashtags to indicate the chosen topics and interest of users of social networks by bright keywords is a driving force of the media discourse industry development. Hypertextuality, disjointedness,

multimodality, and interactivity are the main features that media industry masters use to create pragmatic appeal and introduce lexical innovations into the media space (Miroshnichenko, 2020).

However, it is important to remember that within one country the creation of new words is not a problem, because such a phenomenon as word formation occurs according to the rules of this

language, therefore the structure of a newly formed word and its meaning are clear. The problematic thing is the foreign borrowing of words and their use in languages, which leads to the need for their explanation and translation, in which discourse helps (Kopiy, 2021). Therefore, it is important to remember that discourse can only be national, that is, English, German, British, Ukrainian, but the types of discourse can be different (Table 1) (Kozak, 2021).

Table 1.
Examples of homonymic abbreviations in English with interpretation and translation.

№	Types of discourses	Examples
1	socio-specific discourses	holiday, leisure discourse, advertising, pre-election
2	discourses of professional strata	sports, pedagogical, medical, economic, diplomatic
3	discourses of everyday communication	youth, love, family, children's
4	discourses of subcultural and corporate strata	criminal, bank, sacral, revolutionary, terrorist, religious, heroic, partisan, esoteric
5	discourses of virtual communication	fairy-tale, forum, computer, chat-discourse

Source: (Kozak, 2021).

In the twenty-first century, linguistic science has many discursive directions in the form of certain types of public communication. A striking example of such communication is the discourse of mass communication, i.e., mass media, or, actually, mass-media discourse, characterized by the actualization and involvement of modern verbal terminological tools and conceptual apparatus (Krasivskyi, 2021).

Noting the fact that the English language is rich in word-formation models forming new words, including abbreviation, affixation, word formation, telescoping, and conversion, let us pay attention to the fact that newly created concepts and phenomena show human life processes (Hron, 2021).

Given the events of recent years, the Covid-19 pandemic has also contributed to word-formation patterns. Spheres of application of lexical innovations to denote the realities of the time in the strategies of organizing modern English media discourse in the embodiment of accessible interpretation of important information and drawing attention to important things. Thus, the newly-formed positions used to describe new

phenomena, represented by a new lexeme, with the help of a commentary, detailing, and comparison attracted much more attention to the information than usual. For example, the use of the lexeme “crowned” infants as referring to newborns during the reign of the Covid-19 pandemic, etc. (Chumak, 2022).

One of the productive types of lexical compression, abbreviation, accustomed to use in media discourse due to the accelerating pace and changes of modern life, as well as the increasing flow of information is of great importance in the linguistic community's response to the newest societal factors. Abbreviated translations of foreign, particularly English, media texts that adapt to specific readerships can be a problematic point in the interpretation of acronyms in the future. It should be noted that for English media the use of acronyms is typical, so most of them are easily understood by readers based on the indicated context. In connection with this problem - abbreviations that do not have correspondences in other languages should have a full explanation of their meaning. For example, consider the homonymity of English abbreviations (Table 2) (Ivanytska, 2022).

Table 2.

Examples of homonymic abbreviations in English with interpretation and translation.

Abbreviations	inf	AD	AC	ACP	BA	CP
Examples of the meaning of abbreviations/ their translation	infant	attention device	aerodrome control	acceptable message	beam approach – application for a position at the lighthouse	co – pilot – second pilot
	– child	– signaling device	– driving in the control zone	– notice of acceptance	blind approach – application for a position by means of a device	– centre of pressure – центр тиску
	information – info	avalanche diode	air carrier – air carrier	aerodrome control point	– breaking action – breaking triggering	– control panel – control panel
		avalanche diode		air traffic control center		
			absolute ceiling			
			– absolute ceiling			

Source: (Ivanytska, 2022).

Let us also pay attention to the fact that modern English is rich in words that form derivatives, acting as affixes, while remaining in the system of full-fledged lexical units. Such examples are

abuse, aid, free (Figure 1), which have a large number of meanings in combination with other particles while remaining meaningful (Yenikeeva, 2022).

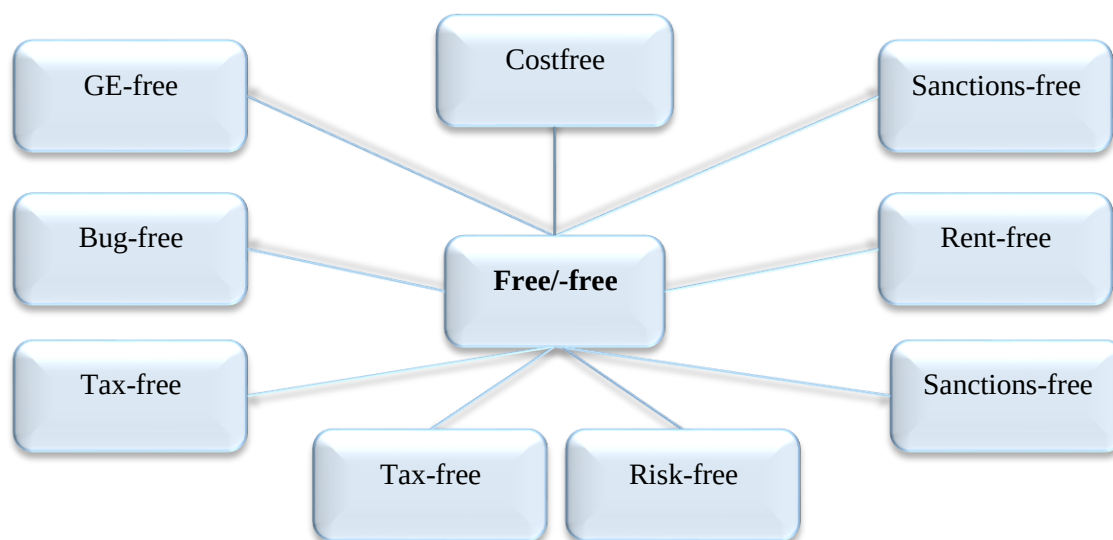


Figure 1. Examples of variation of phrases in English with the word free.

Source: (Yenikeeva, 2022).

It is important to remember that in the case of translation of such forms of newly-formed words created by means of aphyxalization, we should take into account the semantic changes that occurred to the lexemes during the modification of the word-forming elements. As a consequence

- the changes made distort the meaning in favor of their specialization, but the newly formed form can also acquire figurative meaning. The same changes can also occur in the formation of word-formation paradigms of traditional forms, expressing common socio-cultural stereotypes.

For example, let us consider the word-formation paradigm of a lexical unit of the English language - the word Hipster (Figure 2), denoting the socio-cultural stereotype of the moth

category, united in the stereotypical youth subculture, which was actively covered in the media discourse of past years.

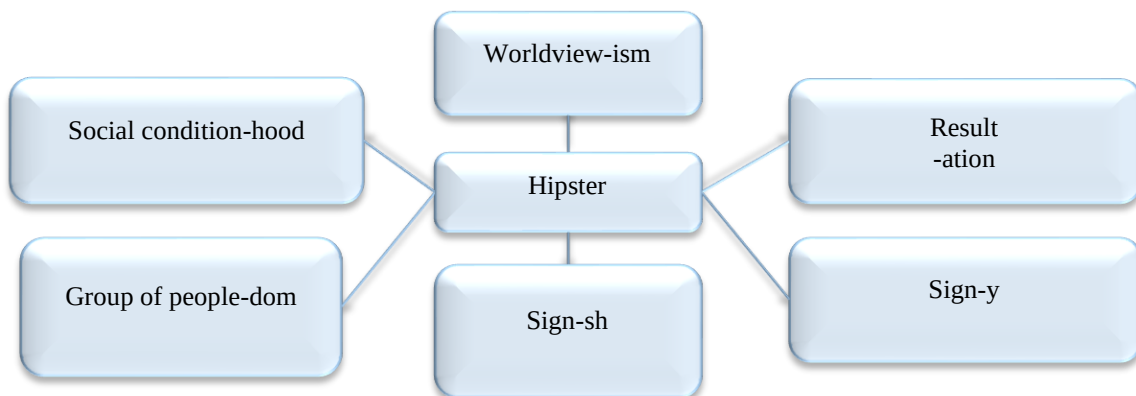


Figure 2. Word-formation paradigm of the word “Hipster”

Source: (Lyubimova, 2022).

The modification of the semantics of the newly formed lexical forms follows two ways of development, which correspond to the generalization and abstraction of the character of the created words. Such characteristics mean a departure from the particular to the general (Figure 3, A), and, in turn, a transformation from

the general to the particular (Figure 3, B). Such changes in the form of their external manifestations of word formation are a clear indicator of the activation of the phenomenon of socio-cultural stereotypes in the field of media discourse.

A)



B)



Figure 3. Conversion of the word “Hipster” from singular to common (A) and from common to singular (B)

Source: (Lyubimova, 2022).

However, it is important to remember that the modification of words in English-language media discourse enriches not only the general lexical base but also the characteristics of certain phenomena and stereotypes, which have gained special significance in the media discourse of English and other languages.

Studying the English-language discourse of metaphorical images of the Ukrainian state, it is important to pay attention to its portrayal through the prism of Ukraine's relations in the political

arena and war, in particular, in the thesis “Ukraine was able to destroy Moscow's energy weapon for good.” (Semida & Ahmad, 2020, p. 195), which portrays the relationship between the Ukrainian state and the Russian state, highlighting the political relations of the countries. It is also important to remember that newly formed words became the linguistic marker of this war because they rallied all the emotions of the Ukrainian people (Grytsenko, 2022).

Subjective, unverified, or misrepresentation are the main factors of change and modification of verbalized information during its transmission. Such characteristics of media distortion of information may have intensional or objective reasons. Intentional modification of the material, or subjective mainly arises as a consequence of the purposeful use of lingual and extralingual means, subordinated to the corresponding vision of the author of the material to achieve the communicative goal. Objective reasons can be in the case of the use of media of the so-called "spoiled telephone", where the content is perverted when disseminated through subjective interpretation, as well as under the influence of a personal attitude to the content of information (Kushnirov, 2021).

Conclusions

Summarizing the research work on the study of English media discourse of the early XXI century and related lexical innovations, we should pay attention to the formation of new words based on the events and phenomena prevailing in the world media arena. Focusing on the spread of lexical innovations borrowed from English media discourse, it is necessary to thoroughly study the contextual issues of word formation, for the correct interpretation and use of new words in modern media platforms.

According to the results of the research study, it should be noted that innovations and word formations continue to be modified depending on the context of circumstances and time, but the use of such phenomena and formations borrowed from other languages require explanations for the audience, for which they are unknown.

As a result of the research work on the study of the issues of English media discourse of the early twenty-first century and related lexical innovations, the following results have been formed. The tendencies of development of modern English media discourse are clear, as, in the Ukrainian media context of the war with the aggressor country - Russia, new words are formed in content and form, which are used in the Ukrainian language and foreign media platforms. However, it is important to understand that the development and the process of word formation is in constant motion, as linguistics and media are very sensitive to social changes, and in turn adapt to the requirements of time and events.

Considering that the world and, in particular, Ukrainian media discourse continues to modify, it is necessary to continue researching this issue.

Researchers of the topic of English media discourse and lexical innovations should delve into the phenomenon of word formation, as well as analyze future research in this linguistic field.

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