Juridisko un Sociālo Zinātņu

BALTIJAS ŽURNĀLS

Baltic Journal of Legal and Social Sciences

Juridisko un Sociālo Zinātņu BALTIJAS ŽURNĀLS

Rīga:
Baltijas Starptautiskā Akadēmija
ISSN 2592-8813

IZDEVNIECĪBA
BALTIJA
PUBLISHING

Baltic Journal of Legal and Social Sciences,
Number 4. Riga, Latvia : "Baltija Publishing", 2024, 424 pages.

Baltic Journal of Legal and Social Sciences is included
in databases ERIH+ and Index Copernicus.

Baltic International Academy is a co-publisher of this periodical.
Printed and bound in Riga by LLC Publishing House "Baltija Publishing".
Journal is available: www.baltijapublishing.lv/index.php/bjlss
DOI: https://doi.org/10.30525/2592-8813

Type of publication from the application:
Journal-Digital-Online
Issue ISSN 2592-8813

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THEORY AND PRACTICES OF LAW

DOI https://doi.org/10.30525/2592-8813-2024-4-1

THE CONNECTIONS ESSENTIAL FOR THE SOLUTION OF PROBLEM ISSUES OF CRIMINAL LAW

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Abstract. The article considers causal and other connections essential and its significance for solving criminal law issues.

The emphasis on the causal approach is carried out at the methodological level of research that is the basic concepts of cause and condition, system, structure, etc. are considered.

The author draws attention to the fact that in addition to the cause, which has legal criminal significance, it is necessary to consider such elements of the causal complex as conditions, reasons, incentives, circumstances that are necessary to clarify the mechanism of causing legal value.

The author notes that if the cause and condition based on their importance in criminal law have the characteristics of «full» factors, the reason, incentive, circumstances can be considered and evaluated as subcausal factors.

These factors are taken into account in criminal law indirectly and, as the author notes, are rather criminal proceedings.

The article separately considers the possibility of using among the causal factors of psychological attitude; it is noted that in accordance with the approaches of the psychological school of Professor Uznadze, the installation is considered at the subconscious level and can't be considered in the implementation of criminal law assessments.

The article mentions a number of other problems related to the causal approach in resolving issues of legal, criminal, and legal nature.

In particular, attention is focused on the term «causal complex», the problem of the inverse effect of the consequence on the cause, the separation of «social» causality from «natural» and others.

The author considers in the article the importance of conducting a causal analysis in the study of criminal law issues.

It is noted that the methodological establishment of the criterion of the cause of the phenomenon (consequence) is also necessary in the case of ambiguous (several or more causes and consequences) causal connection or complex causality.

The author notes that the «vector» of the causal connection is complicated given the previous aspects of the study.

Key words: cause, condition, occasion, causal complex, consequence, other circumstance.

Introduction. It should be noted that the term «causal complex» should be understood as a set of possible factors within the limits of connection: causes, conditions and other circumstances accompanying the causation process.

In the philosophical paradigm, it is emphasized that unlike a cause that directly or indirectly generates a particular phenomenon or process, a condition forms an environment (environment) in which the action of the cause takes place.

However, from the author's point of view, such a characterization is incomplete, since it is not excluded (as already noted) that the condition is a factor that affects the process of causation itself, and in some cases (which should be of interest to jurists) on the formation of the consequence (in criminal – in the legal sense – the formation of so-called «harmful» consequences).

It should be noted that other factors (motive, stimulus, circumstances) are of special importance not for criminal law (solving its tasks), but for criminology and psychology; in criminal law, the specified subcausal factors are taken into account indirectly, cursorily, and as a rule, when the stage of criminal procedural implementation of normative prescriptions of criminal law comes.

As for such a specific factor as psychological attitude, this factor (factor) is relevant, according to Professor Uznadze's scientific approach to the processes occurring in the human subconscious, which takes the analysis of this concept beyond the limits of criminal law evaluations.

In a certain sense, the connection is also related to the concept of «system structure», and therefore to the related concept above, «content».

The structure is considered in the classical philosophical sense as that within which the content is realized; to clarify this statement, the term «sewage» is used. That is, content is what «channels» (develops, forms, exists) within the structure. Connection is an element, the primary component of the structure.

Theoretical foundations of connection understanding

Based on the subject of research, the following can be stated:

1) the category «connection» is in the connections discussed above with other categories («interaction», «system», «structure»);

2) within the framework of the presented correlations, the connection can be either one-way («vector»), in particular, developing from cause to effect, where the effect, within the «classical» approach, does not affect the cause, or two-way;

3) it should be noted that an example of a two-way connection is a functional connection in which the elements forming it interact;

4) the most adaptive form or type of connections is causal; adaptability in this case means that the causal connection is the most used or is characterized by a greater «specific weight» of analysis in social and legal sciences compared to other connections;

5) the causal manifestation of determination should be considered within the limits of the modern system of scientific knowledge, modified, taking into account relatively new and recent ideas about the functional role and content of connection.

It is necessary to clarify that when we are talking about the latest ideas about the functional role and content of the connection, then within the scope of the research topic is meant the possibility of considering the causal connection in criminal law as informational or as such, which can be established on the basis of additional criteria. Additional to the main ones (necessity, regularity of the connection) can be considered an increased degree of probability of the connection, an increased degree of awareness of the development of a causal connection by the person guilty of committing a criminal offense.

A special problem arises when causation becomes «electronic»; in particular, it is possible to consider the situation when criminal offenses are aimed at acquiring «electronic» currency (bitcoins) or tokens, «electronic» securities.

In the opinion of the author, within the framework of the mentioned problems of causation in the above situations that characterize criminal offenses, the problem of establishing a causal connection in general arises.

The consequence of such a problem is the establishment of a causal connection as a fundamental condition of criminal liability.

A significant «specific weight» of the use of the causal approach in law, and in particular, in criminal law, is due to the fact that the clarification of the causal connection provides a legal (normative) description or characterization of acts, the commission of which gives rise to certain legal consequences up to the point of criminal liability of a person (Panov, 2012); at the same time, this is due to the clear «vector» nature of the causal connection.

The latter means that this connection has a generalized form: «cause → effect». But, as outlined above, a number of problems arise within the framework of a systematic and meaningful study of the causal (cause-and-effect) connection. The first of them is establishing the limits of causality for law, criminal law. The second is to establish the nature of the effect of the effect on the cause, which can be used in the analysis of causality, which has legal significance.

A separate problematic issue of causality is the separation of so-called «natural» causality from «social» causality.

«Natural» causality is considered within the limits of natural processes (physical, chemical, and other similar in nature); «social» causality is related to the field of social sciences, including with law, criminal law. The peculiarity of «social» causality, in particular, consists in a specific mechanism of occurrence, causing significant and harmful (formally prohibited, punishable) consequences.

Methodologically, it is also important to determine the criteria for establishing the real cause of a certain phenomenon, consequence.

The defined set of problems does not exhaust all the issues of causality, since new technological manifestations of the functioning of society appear: informational or cyber manifestations and conditioning of social processes. Questions of causality (causality) within the so-called mass phenomena (statistical aggregate of phenomena), establishing the mechanism of causation in case of inaction, etc. are constantly relevant.

Within the social sciences (in particular, criminal law) it is also important to emphasize that any causation is mediated by the subject's behavior. Also, it can be argued that within the limits of the philosophical paradigm, the causal connection is not only a physically necessary connection of phenomena (Lozovoy, 2009) but also socially necessary.

Considering the above, it is possible to assert the existence of a complex of legal problems of causality.

So, regarding causality, its adaptive interpretation within the limits of modern ideas about the social interaction of phenomena, a number of important conclusions can be made:

1) within the scope of the topic of scientific research, it is necessary to find out the peculiarities of social causality in comparison with the so-called «natural» one;

2) it is necessary to find out the mechanisms of occurrence within the limits of social causality;

3) clarification of p.p. 1, 2 will allow to establish novel causality in law and criminal in particular.

It should be noted that in the scientific literature, lawyers emphasize the fact that the causal connection is one of the types of social connections.

If we consider the mechanism of causation within the framework of social causality, then its main characteristic will be the constant mediation of causation by intentions (realized in particular in the planning of a criminal delict), actions, «expression of will» of the subject.

In the system of philosophical knowledge, as a rule, the problem of distinguishing «natural» (related to natural processes: physical, chemical, biological, etc.) causality (causality) from social (socially determined, subjectively mediated) is not investigated. This problem arises where and when there is a need for a cause-and-effect analysis of the development of social (in particular, legal and criminal-legal processes) manifestations of human behavior; in the legal aspect, when it is necessary to establish (prove, argue or determine reliably) the material and legal basis of legal consequences; in the criminal law aspect, when it is necessary to establish a legal basis (composition of a crime, criminal offense or Latin, corpus delicti) of such a legal consequence as the criminal responsibility of

a person (and in the case of the implementation of a legal procedure, the subject of a crime) who, in accordance with the criminal legislation of Ukraine (or another state), committed an act provided for by the Criminal by the code.

Within the scope of elucidating the social and causal connection of phenomena (in comparison with natural ones), the following features can be fixed:

1) this connection is socially necessary, that is, it combines social phenomena, sociologically – facts;

2) as a result of such a causal combination, complex phenomena are formed that are objects of legal regulation;

3) as a result of legal (in particular, criminal law) regulation, the possibility of a scientific explanation of a special social mechanism of causation appears.

Point 1 of the above is interpreted in such a way that the causal connection, since it is immanent in the social process, is also natural for society.

From point 2, we can draw an important conclusion that a combination of social or socio-psychological phenomena form:

a) objects for legal analysis and normalization;

b) within the scope of the research topic, we are talking about the objects of criminal and legal analysis and normalization;

c) being normalized, such objects acquire the meaning of legal phenomena (criminal-legal institutes, sub-institutes, etc.).

Point 3, from the author's point of view, is of particular importance because it provides for the following:

a) transformation or «transformation» of purely social facts and phenomena into socio-legal ones;

b) on the basis of the previous one, it becomes possible to explain the mechanism of causation in complex cases on the basis of legal (in particular, criminal law) ideas about behavior.

One of such difficult cases is, in particular, the explanation of the mechanism of causation by inaction.

Causing by inaction cannot be explained within the framework of natural (physical, chemical, etc.) causation, but as a result of legal regulation of social facts and phenomena, legal (in particular, criminal law) science examines the mechanisms of said causation.

In particular, while objectively not causing a criminal result, inaction is considered as such that it (a criminal result) causes it formally and legally, when the subject does not fulfill the duties assigned to him by the state and society.

So, in this case, social causation (social causation) is considered.

The criminal-legal causal connection within the limits of the criminal delict may overlap with the objective «natural» causality (in the case of causation by action) and may not overlap; in the second case, a certain convention and formalization is necessary to identify the criminal-legal causal connection.

Thus, an important element of the mechanism of «social» and criminal-legal causation (criminal-legal causation) is the inaction that has significance within the limits of the criminal-legal assessment, the formalization of the connection.

In particular, inaction regulated by criminal law (criminal inaction) is associated with failure to fulfill a social duty, with the action of a passive environment, with a complex multi-link combination of components, social and production processes, etc.

All this is the result of legal regulation, accepted legal «conditions».

Adaptation of theoretical concepts of connection to solve criminal legal problems

The problem of determining the limits of causality is also connected with a peculiar adaptation of philosophical provisions about causality to the needs of law and criminal law in particular, since

in the philosophical doctrine there is the concept of «infinite causality», while, within the limits of solving the problems of criminal law, limitation (correction) is necessary the length or number of «links» of a cause-and-effect connection that has legal, criminal-law significance. A separate issue is the issue of the boundary that separates the causal connection from other objective regularities (Pinaev, 2002).

The need to adjust the cause-and-effect connection in criminal law is also related to the need for normative consolidation (implementation, reflection) of the cause-and-effect connection and the legally significant nature of its components (components).

In this sense, causality manifests itself more precisely as a methodological basis for the analysis of legal, criminal-law phenomena, and the cause-and-effect connection, based on the peculiarities of its structure and meaningful «cause-effect» characteristics, sets a certain «form» of the above-mentioned analysis. On this basis, it can be concluded that there is such a special type of analysis as cause-and-effect.

Conclusions. Methodologically, causal connection analysis, in particular of criminal law phenomena, involves:

1) consideration of philosophical ideas (philosophical doctrine) about the peculiarity of the causal connection (one-sidedness, «vectority»);

2) time asymmetry: connection components are in a certain time sequence;

3) finding out that one of the components of the causal connection is characterized by the property of generating another;

4) determination of the conditions for establishing a causal (causal) connection of criminal legal phenomena;

5) the fact that random causal connections do not reflect (Tatsy, 2017) natural development of processes and cannot be considered as an element of cause-and-effect analysis.

Causal analysis, unlike other types of analysis (temporal, logical, etc.), is, from the author's point of view, conceptual, because:

1) all other types of analysis to one degree or another depend on cause and effect;

2) this type of analysis is built on the basis of a categorical «cause-and-effect» model, which allows (and in this also, the special value of cause-and-effect analysis) to simplify or reduce other types of analysis to the specified one;

3) causal analysis has a certain type of connection between things as its source, which can be characterized as necessary (Prychepiy, 2006).

An important point of causal analysis is the corresponding logical analysis.

In particular, the methodological part of the causal analysis is the proposition of the logic of causality, the task of the logical analysis of causality is to systematize those correct schemes of reasoning, premises, and conclusions (conclusions) that are causal, as opposed to non-causal.

Sometimes, attention is paid to the fact that the causal logic and the corresponding analysis are built in such a way that within its limits can be obtained descriptions of complete and incomplete reasons. Within the framework of criminal law, theorists consider the main cause and the combination of the main cause accordingly with other circumstances, which fully characterizes certain causation.

The idea of a complete cause or a logical basis is the basis of the causal approach as it relates to the solution of the tasks of specific sciences.

Causal analysis involves:

1) logical interpretation cause as a set of necessary and sufficient conditions and determination of the cause of the investigated phenomenon;

2) a temporary «check», which consists in establishing the fact that one phenomenon (effect) follows another (cause);

3) finding forms of concretization of causal analysis for a certain system of scientific knowledge (in particular, for law, criminal law);

4) the stage of schematizing the causal connection for social and, in particular, legal processes (procedures);

5) reducing the reason to an acceptable legal form (the reason as an act for criminal law in particular);

6) reducing the consequence to an acceptable legal form (consequence, as a socially dangerous consequence (damage) for criminal law in particular);

7) determination of the causal connection of a certain science (in particular, criminal law).

It is necessary to focus attention on the fact that the formal and logical study of criminal offenses allows to determine the causal basis of the occurrence of a harmful result.

In the process of formal and logical investigation of criminal offenses, sufficient conditions (reasons) are distinguished from necessary conditions; the conditions (reasons) affecting the court's decision to prosecute a person who is guilty of a tort are considered sufficient.

Causal analysis in the philosophical (methodological) sense also involves finding criteria (determining criteriality) of the real cause of this or that ontological object, phenomenon.

In particular, in law and criminal law, the posed problem finds its realization in the need to establish such an act (or acts) in terms of nature, intensity, method of implementation, which would be certain, with a probability close to «1» (100%) or based on legal justification (in the process of establishing, proving) would cause a normatively determined consequence.

Methodological establishment of criteriality of the cause of the phenomenon (consequence) is also necessary in the case of multi-valued (several or more causes and consequences) cause-and-effect connections or complex causality.

The issue of the inverse impact of the consequence (generated, caused phenomenon) is of particular importance in terms of the new understanding of causality.

Terminologically, the reverse effect of an effect on a cause can be characterized as «reverse» causality.

Reverse causality, from the author's point of view, requires a philosophical justification, since within its limits there is a violation of the classical approach to understanding causality and cause-and-effect connection as «vectorially» constructed (from cause to effect). At the same time, taking into account the previous research within the framework of the causal approach, it is necessary to conclude that the «vectority» of the causal connection is complicated and without posing the problem of the inverse influence of the effect on the cause; as a result of the inverse influence of the effect on the cause, a new type of connection arises, which requires justification of its legal and criminal law significance.

The formulation of this problem in the legal (criminal-legal) sense is determined by the specifics, in particular, of the interaction between the criminal and the victim during the commission of certain crimes, in the framework of which the victim's behavior (in the process of committing a crime against him) can be one of the determining factors of the criminal's behavior, but this problem, with in the opinion of the author, has a «mixed» criminal-legal and criminological character.

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DOI https://doi.org/10.30525/2592-8813-2024-4-2

APPLYING BLOCKCHAIN TECHNOLOGY IN ECONOMIC ACTIVITIES

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Abstract. The article examines the use of blockchain distributed ledger technology in various sectors of the economy. It was found that since 2008, blockchain has developed as a tool for cryptocurrency transactions and was later adopted by major transport companies for cargo transportation management, proving its efficiency.

The study is based on general scientific methods of cognition, including the dialectical method for understanding phenomena and the comparative legal method for analyzing approaches to the legal nature of distributed ledger technology. Using a systemic-structural approach, the author examined the benefits and risks of digitalization and blockchain application, leading to the article's conclusions.

Blockchain is applied in IT, energy, finance, agriculture, logistics, and other sectors, improving efficiency and transparency in business processes. However, Ukraine lacks legislative regulation of this technology. If implemented, blockchain could become a tool for promoting transparent business practices, reducing risks, and minimizing interference from government authorities.

Key words: Blockchain, distributed ledger technology, digitalization, digital transformation of the economy, globalization, Ukrainian economy, economic activity.

Introduction. Most analysts today say that the use of blockchain technology will only grow in the near future. However, an effective legal regulation mechanism has not yet been established at both the national and international levels. In Ukraine, 6 years ago, the Concept for the Development of the Digital Economy and Society in Ukraine for 2018-2020 was approved (CMU Resolution, 2018). This concept sets out a vector for the development of Ukraine's digital economy by creating market incentives, motivations, demand, and shaping the needs for the use of digital technologies, products, and services among Ukrainian industry, business, and society.

The issues of digitalization of the economy and the use of blockchain technology and legal regulation have been studied by the following scholars: A. Varnavskyi, O. Vynnyk, A. Zhorniak, O. Kud, M. Kucheriavenko, V. Pashkov, O. Soloviov, E. Smychok, O. Shapovalova, and others. Foreign

scientists B. Carson, D. Romanelli, P. Walsh, A. Economists: Popivniak Y.M., Shyshkova N.L., Kulyk V.A., Kryvoruchko G.V., Semenov K.L. However, there is a need for a comprehensive study of the legal regulation of distributed ledger technology in the context of the prospects for state regulation of domestic and foreign economic activity by reducing the interference of state bodies in the introduction of economic activity by private business entities. Legislative regulation of the use of this technology will reduce the risks of doing business, create comfortable conditions for doing business and improve the attractiveness of the investment climate in the country.

The purpose of this article is to define the main approaches to the content of the "blockchain" category and the procedure for its application in various types of economic activities.

Materials and research methods. The methodological basis of the study is formed by general scientific methods of cognition: the dialectical method of cognition of the phenomena of the surrounding reality and the comparative legal method for comparing the main approaches to determining the legal nature of distributed ledger technology. In accordance with the systemic-structural approach, the author managed to investigate the benefits and risks of digitalization and blockchain application, and to formulate the conclusions of this article.

Results and discussion. Some scholars note that, despite martial law, the processes of digital transformation and development of the digital economy in Ukraine continue. Work is underway to institutionalize these processes and create favorable conditions for the introduction of managerial innovations. An important role in this is played by Ukraine's participation in the Digital Europe program, which aims to accelerate economic recovery and digital transformation of the participating countries. Studies have shown that in the context of the digitalization of the economy, businesses must invest significant resources in the creation and development of digital platforms (Bashlai, S., Yaremko, I., 2023). In this regard, the issue of creating an effective legislative mechanism to regulate investments in the digitalization of the economy with the use of innovative technologies is becoming relevant. When using blockchain technology in business, businesses face issues of protecting confidential information and corporate secrets, as public access to data may negatively affect relations with partners and competition in the industry.

Blockchain, as a distributed open-source database using modern cryptography, facilitates transaction tracking and cooperation. According to Don Tapscott, co-author of the book "The Blockchain Revolution," this technology is able to protect privacy and become a platform for trust (How blockchains can change the world, 2016). Despite the active use of blockchain over the past 8 years, the issue of privacy remains a key challenge that restrains business entities from fully implementing the technology of distributed ledgers both in cooperation with partners and with state control bodies.

Today, blockchain is becoming an important component of the fourth industrial revolution, which is based on the development of Internet communication technologies and significantly changes business processes, forming the digital economy (Digital economy: trends, risks and social determinants, 2020:11). First introduced in 2008, this technology has experienced both ups and downs within the framework of bitcoin's existence, but over time it has been actively tested in various sectors of the economy. The legal aspects of blockchain application are also considered. Leading international companies are developing pilot projects to integrate this technology into their operations.

The rapid changes taking place in the world require the introduction of innovative technologies that would promote transparency and reduce administrative pressure on business. Blockchain allows all participants in the supply chain to track the quality of goods and services, which emphasizes the need for a comprehensive study of the use of this technology in internal and external business activities, as well as in government control.

However, there is a need for a comprehensive study of the legal regulation of distributed ledger technology in the context of the prospects for state regulation of domestic and foreign economic activity by reducing the interference of state authorities in the introduction of economic activity by

private business entities. Legislative regulation of the use of this technology will reduce the risks of doing business, create comfortable conditions for doing business and improve the attractiveness of the investment climate in the country.

Today, it is impossible to imagine that any services of public authorities, both for the private sector and the public sector, will be provided (registered) in paper books (paper registers). Thus, in recent years, virtually all states, regardless of their level of economic or social development, have been moving to the use of electronic databases. It is the use of electronic databases that has great advantages over paper books, but at the same time, it is not without drawbacks that need to be considered when maintaining them.

This is confirmed by scientists who have studied the relations arising from the use of the public registry system, who noted that the unity of the methodology for creating, maintaining, administering, registering and interacting with the registries of the countries that have joined the Global Registry requires a more detailed mechanism for legal regulation of control over public registries by each country. In fact, the recognition of countries as civilized actors in the global information space is possible only if there is institutionally justified and effective control over relations in the system of public registries. In particular, we are talking about the functions of control over the implementation of uniform requirements for the creation, exchange, storage, correction and implementation of the format of information of the relevant basic registers of each country that joins the Global Register of Beneficial Owners (Vinnyk, Shapovalova, 2023:145). Without denying these arguments of scientists, at the same time, it should be emphasized that it is the internal control over the maintenance of public registers in which the entry, use, change of existing information is carried out by private entities (i.e., the responsibility for the accuracy of the information entered is assigned to the latter) that may be a factor in the failure to fulfill obligations to the state.

This is especially important when several business entities (private law) are involved in this process, and government agencies will act as controlling authorities (acting as an active observer with the ability to intervene in the event of a situation where there is no confirmation of any actions or data that would indicate a violation of the law). And here there is a need to turn to the blockchain distributed ledger technology, which received a significant impetus in the regulation of actions related to cryptocurrencies, but then, given the convenience (trust and transparency in the process of performing actions), gradually began to be used in other sectors of the economy.

Recently, the key function of blockchain technology has been expanding, allowing its implementation in many areas: healthcare, transportation and logistics, insurance, public finance and public administration, cryptocurrencies and payment systems (including international ones), financial and banking financial and banking, identification of individuals and assets, legal services, crowdfunding, e-commerce, software sales, travel management, gambling and casinos, charity and donations, education, energy, capital markets, retail, technology, construction, media and telecommunications, as well as taxes, accounting and auditing. At the same time, the feasibility of using blockchain for each type of activity also depends on the technological maturity of the enterprise, existing standards and government regulation, and the characteristics of the ecosystem (Carson, 2018:9).

The need to use blockchain distributed ledger technology by business entities in their activities requires both a subjective approach and objective preparation of society and public authorities in the field of control over business activities. This will lead to the use of this technology as an incentive legal regime for business. The subjective approach will consist of: training of entities that will use this technology; training of personnel who will use this technology in conducting business activities; purchase of special equipment and connection to the technology. The objective one includes the creation of a legislative framework that should encourage business entities to work with the use of blockchain distributed ledger technology. The use of this technology creates opportunities for more transparent business activities, which allows all interested parties (private and public law) to legally monitor the

conduct of business activities, but at the same time prevents unlawful interference in business activities by both society and government agencies.

The advantages of cryptocurrencies and blockchain technology, such as decentralization, no costs and speed in making payments, reliable security, and transparency of payments (the history of any payment can be traced back to the moment of generation) could have a positive impact on the development of the electricity sector. This would help simplify the existing multi-level settlement system that exists between electricity producers, distribution network operators, metering operators, payment banking providers, traders, and consumers themselves. All transactions for the receipt and payment of energy will be carried out directly in a network that brings together equal participants – energy producers and consumers. This may reduce the cost of electricity (Ustymenko, Polishchuk, 2019:65).

Another popular use case, which occupies a significant part of the blockchain technology market, is the area of data storage, reproduction and provenance research related to the necessary business processes of organizations specializing in B2B software, in particular, IT business and computer services. Such technologies allow verifying the origin and authenticity of product components in the value chain management system, in other words, it acts as a family tree of the product. In this area, blockchain technology becomes a key to compliance with regulatory requirements and prevents counterfeiting of end product components (Balaziuk, Pyliavets, 2022:5).

The research of scientists in the field of blockchain technology application in the pharmaceutical industry makes it possible to conclude that this technology will allow: 1) improve clinical trials of medicines; 2) improve the procedure for licensing pharmaceutical products; 3) track the amount of pharmaceutical products from the manufacturer with its subsequent sale; 4) track the sources of origin of pharmaceutical products and the procedure for their use; 5) monitor the registration period, shelf life, transportation and storage conditions of pharmaceutical products; 6) restrict the activities of Internet pharmacies that do not have permission; 7) minimize possible shortages of pharmaceutical products; 8) ensure openness to the public. The system provides for simplification of audit and control of pharmaceutical products, including by specially authorized bodies (Pashkov, Soloviov, 2019:5).

The need for the use of blockchain technology in the pharmaceutical industry is confirmed by the Order of the Ministry of Health № 677, where, according to subparagraph 3 of paragraph 2 of the section "On Approval of the Procedure for Quality Control of Medicines in Wholesale and Retail Trade": "The authorized person has responsibilities for the quality of medicinal products in electronic and paper form with the possibility of forming registers of movement of medicinal products at the request of the central executive body that implements the state policy in the field of control (Order of the Ministry of Health of Ukraine, 2014). Thus, the needs of the present time, the prevention of low-quality medicines from entering the retail trade through the use of electronic registers, are fixed at the regulatory level.

An analysis of the prospects for the use of blockchain technology reveals that the objects of legal relations in this technology are: 1) computer software; 2) telecommunication networks; 3) information resources, productive services; 4) patients' rights to health; 5) information security (Pashkov, Soloviov, 2019:5).

Exploring the prospects for the use of blockchain technology in agriculture, scientists note that blockchain technology allows to optimize and simplify the process of moving products from the place of production to the place of consumption, to track the cultivation, harvesting, processing of the product and payments for it in real time. It has obvious benefits for all participants in the food supply chain. Having passed the necessary testing in various sectors of the economy, this technology is quite capable of becoming commonplace not only for Ukrainian agricultural holdings, but also for small farms producing specific or organic products. At the moment, information about blockchain should be disseminated among our producers to demonstrate its practical use, on the basis of which a final deci-

sion on its economic feasibility will be made. Under favorable conditions, blockchain can become a powerful factor in the accelerated development of Ukrainian agriculture (Hrybyniuk, Dukhnytskyi, Sheremet, 2018:79).

Some scholars studying blockchain technology point to its development in the food industry and the financial sector, namely payment systems based on the use of cryptocurrencies as a specific payment instrument. The authors emphasize that the main feature of blockchain technology is its high innovative potential, which is not limited to the financial sector, but is able to optimize and ensure a high level of security in key areas of enterprise activity, regardless of the scope of their operation (Lapko, Solosich, 2019:81).

When studying the application of blockchain in space activities, scientists note that blockchain technology, integrating into economic sectors, qualitatively transforms them, and the new relations that develop on this basis require a new comprehensive legal regulation that should cover the following legal institutions:

– Property: depending on the legislator's approach, the category of digital rights can be defined either as a property right to a digital asset, i.e., the right to own information (an entry in a register) about a civil right;

– contractual law regarding compliance with the conditions under which a smart contract is recognized as concluded and valid;

– electronic digital signature, including cryptographic keys;

– protection of the rights of consumers who enter into smart contracts and must have a good understanding of the nature of their obligations;

– protection of personal data, which in the blockchain network can be open to everyone and are not deleted during the life of the network;

– Securities and financial regulation, in particular in accordance with the rules on the prevention of money laundering;

– taxation and administration (licensing, granting permits for activities related to the use of blockchain technology, including cloud services) (Hurova, Kirpachova, 2021:272).

Blockchain technology can protect state registers from unlawful interference, thereby increasing their transparency and reducing the level of corruption in the agencies to which they belong. In summary, blockchain is a promising technology for many areas of business, including law, the financial sector, insurance, banking, real estate and many others due to certain advantages of the “block chain”, namely, public accessibility, distribution and full reliability of the database. The increasing use of blockchain and virtual assets necessitates the creation of a legal framework to regulate relations in the field of using systems based on this technology.

When studying the impact on existing legal relations when using blockchain technology, scholars note that there are few legislative acts that are directly intended to regulate blockchain technologies, while existing regulations are not aimed at legal or technical-legal regulation, but mainly at technological regulation. In fact, the rules of various branches of law, including information law, can be applied to blockchain. However, the rapid development of social relations significantly outpaces the state of legal regulation by analog law, and this creates a significant imbalance. The problem of the lack of legal regulation of blockchain at the level of laws leads to the creation of highly specialized regulatory systems and their generation of local bylaws, such as draft regulations for comment, recommendations, industry standards and norms, orders and instructions of individual enterprises and institutions, etc (Kostenko, Radutnyi, 2022:502).

Other scholars note that the legislative framework in Ukraine regarding the regulation of modern financial technologies has positive dynamics, although there is still no comprehensive legislative regulation of fintech, blockchain, and related technologies. Currently, the legislative system of Ukraine is facing an urgent problem – building an enabling infrastructure to stimulate the development of the

system in order to ensure the availability of financial technologies for users (Popova, Hordiienko, 2023:150).

Studying the legislative regulation of blockchain technology, A. Zhorniak noted that there is no single standard of legislative regulation for this technology in the world and models of legal regulation are being developed, which are gradually being introduced into various spheres of public life. Ukraine's state policy on legal regulation of blockchain technology is quite dynamic and is undergoing a stage of development.

The development and implementation of effective legislative regulation of blockchain technology requires balanced decisions and participation of all parties, including government agencies, business representatives and the public, considering transparency, clarity, as well as practical and ethical aspects of blockchain technology in various industries. Moreover, an important aspect for the development of a unified regulatory methodology is the effective joint international cooperation of all participants (Zhorniak, 2024:73, 84). The Law of Ukraine "On Virtual Assets" (adopted but not yet enacted) should become the basic legislative act that will regulate legal relations in this area at the level of law, as expected by both scholars and practicing lawyers.

By studying the use of blockchain technology in the activities of global enterprises through clustering, researchers have shown that the introduction of blockchain technology is only becoming widespread among foreign companies. Businesses are beginning to evaluate the value of storing their own information and ensuring transparency in building a customer-centric approach with the help of high-level databases such as blockchain technology. Those companies that started implementing the technology in the early stages of its development have the opportunity not only to use the existing algorithm but also to modify it, creating a new, more advanced product that can compete in the market. Using clustering, it was proven that companies that have implemented blockchain technology demonstrate a high level of profitability and can be more stable in the market under existing or potential crises. Thus, Ukrainian enterprises should adopt the experience of foreign companies and develop in this direction, which will significantly improve the quality of company operations and eliminate major risks of information loss, particularly in the area of security (Koibichuk, Rozhkova, 2021:122).

Globally, blockchain technologies are actively being introduced to monitor the movement of goods, including at the international level with the involvement of customs control authorities. For example, between 2018 and 2022, IT giant IBM and the leading container shipping company Maersk used the blockchain-based TradeLens platform for freight transportation. According to its creators, the new blockchain-based delivery solution is designed to promote more efficient and reliable global trade by bringing together various stakeholders to support information exchange and transparency while fostering innovation across the entire industry. TradeLens uses IBM Blockchain technology as the foundation for digital supply chains, enabling multiple trade partners to collaborate and create a unified view of transactions without compromising confidentiality. According to the developers, the TradeLens blockchain platform can accelerate freight transportation by 40%.

At the same time, Maersk's competitor, OOCL – a major integrated international company specializing in container shipping, logistics, and terminal operations with offices in 70 countries – began work on the eBL Blockchain service (China COSCO Shipping Corporation Limited).

On the OOCL website, in the e-Services section, it is stated that the eBL Blockchain service was developed by the digital solutions provider IQAX Limited and is built on the blockchain technology platform Global Shipping Business Network (GSBN). This service not only provides the issuance of online bills of lading but also enables various logistics stakeholders, such as shippers, cargo owners, freight forwarders, and banks, to manage eBLs, transfer ownership, complete delivery acceptance, update statuses, and review transaction histories (OOCL). As of now, the GSBN service continues to operate.

In 2018, the legendary World Economic Forum took place in Davos, Switzerland. Ukraine was represented at the forum by two major topics: agriculture and blockchain technology. One of the participants, leading blockchain expert and author of the bestseller *Blockchain Revolution*, Don Tapscott (Canada), presented a map featuring 14 countries leading in the adoption of this breakthrough technology (Ukraine has become one of the leaders in blockchain innovation, 2018).

Independent sources highlight a relatively high level of crypto-activity and crypto-literacy among Ukrainians. According to the Chainalysis platform rankings, Ukraine ranked 4th globally in cryptocurrency adoption in 2021 (The 2021 Geography of Cryptocurrency Report, 2024).

Considering this, the regulation of blockchain technology usage in Ukraine is a pressing issue. At the time of writing, Ukraine does not have specific legislation in place to regulate blockchain technologies or the use of virtual assets (cryptocurrencies). However, the Verkhovna Rada has adopted the *Law of Ukraine "On Virtual Assets"*. This law governs legal relations connected to the circulation of virtual assets in Ukraine, defines the rights and obligations of market participants, and outlines the principles of state policy in the virtual asset sector. Although signed by the President on February 17, 2022, the law has not yet come into effect. It will become active once the *Law of Ukraine on Amendments to the Tax Code Regarding the Taxation of Transactions Involving Virtual Assets* is adopted, which is still under consideration by the Verkhovna Rada.

At the same time, the legislative definition of blockchain was included in the draft *Law of Ukraine "On the Circulation of Cryptocurrency in Ukraine"*. Article 1, Section 1, Clause 1 of this draft defined blockchain as a decentralized public ledger of all cryptocurrency transactions conducted by cryptocurrency operation entities. However, this draft law was withdrawn on August 29, 2019 (Draft Law on Cryptocurrency Circulation in Ukraine, 2017).

Researchers studying centralized and decentralized data storage have noted that traditional infrastructure relies on centralized databases that connect all supply chain partners. However, centralized systems are vulnerable to manipulation, which undermines data reliability. By using blockchain technology, organizations can create a decentralized platform for recording transactions that is resistant to manipulation. This approach will undoubtedly foster a favorable environment for the adoption of digital technologies across various sectors of human activity (Balakrishnan, Lal, 2020:2).

Conclusions. The application of blockchain distributed ledger technology as a tool to stimulate business activities based on transparency and openness while preserving corporate information about participants is currently in its developmental phase. The use of this technology in business activities represents a promising direction, provided effective legislative regulation is established for blockchain technology applications.

Implementing this technology will serve as a stimulating tool for conducting business activities built on self-regulation, granting regulatory bodies access to operational data without unnecessary interference in internal activities (unless legislative norms are violated). Additionally, this technology will help reduce the share of shadow business and make the national economy more attractive for investment.

Looking ahead, Ukraine could adopt blockchain technology based on the practices of the aforementioned international logistics and IT companies. It could be used to create a system that generates electronic documents in real-time, combining the features of an invoice and a waybill. Governmental regulatory authorities should be integrated as one of the users of this technology, allowing them to participate directly in the process from the moment the electronic document is created. They will be able to track the legality of specific goods' movement and related documentation, ensuring maximum transparency in business activities. Effective application of this technology by businesses could also reduce the burden on regulatory authorities.

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DOI HTTPS://DOI.ORG/10.30525/2592-8813-2024-4-3

GERMAN ENVIRONMENTAL LAW AND ITS HARMONIZATION WITH EU ENVIRONMENTAL LAW

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Abstract. The article reveals the essence and stages of development of European Union (EU) environmental law, with a focus on the influence of the German legal system. It outlines the historical stages of the formation of environmental law in Germany, starting from the adoption of the Nature Protection Act in 1951 and other significant environmental acts. The main principles of German environmental law, such as the "polluter pays" principle, the precautionary principle, and the guarantee of citizens' rights to environmental participation, are analyzed, as they formed the basis for the development of European environmental standards. Furthermore, the article discusses aspects of the harmonization of German environmental law with EU law and the prospects for the development of environmental legislation, particularly through the integration of new technologies, strengthening climate policies, and the development of the circular economy.

Key words: environmental law, German law, environmental protection, precautionary principle, citizens' rights, EU environmental directives, legislative harmonization, climate policy.

Introduction. The environmental law of the European Union (EU) has developed under the influence of various national legal systems. However, the German legal system has played a particularly significant role in its formation. Numerous scholarly studies are dedicated to the issues of the development and integration of German environmental law with EU law.

Consideration of this Issue in Scientific Research. When addressing this issue, it is appropriate to refer to the scientific research of Opyrshko, O. V., Tkachenko, V. M., Melnyk, O. M., Kopiyka, V. V., Shamborovsky, H. O., Shumilo, I. O., Börzel, T. A., Buzogány, A., Rüf, S., and Henn, R. However, despite numerous studies, unresolved issues remain regarding the harmonization of national norms with EU law. This issue is crucial for the further legal integration and ensuring sustainable development at the European level. This scientific article is dedicated to these questions, exploring the main problems and prospects for the further development of German environmental law in the context of its legal integration with EU law.

Objective of the Study. The goal of the study is to analyze the development of environmental law in Germany in the context of its integration with European Union law, with particular attention to how national norms have influenced the formation of European environmental standards. This study emphasizes the interaction between the federal and regional legislative systems in Germany, as well as the significance of public participation in environmental governance processes. The study also aims to assess the achievements and challenges of sustainable development in Germany, particularly in the context of energy policy and the EU's climate goals, and to identify the prospects for legal integration to achieve effective environmental governance in Europe.

Main part. The development of environmental law in Germany is the result of a gradual evolution of the legal system, particularly influenced by the growing public awareness of environmental issues. The first significant step was the adoption of the Federal Nature Protection Act (Bundesnaturschutzgesetz) in 1951, which laid the foundations for the systematic protection of natural objects and the creation of nature reserves. In the context of post-war Germany, this law became an important legal and social tool for addressing the ecological consequences of industrialization, which had led to the depletion

of natural resources and environmental degradation. The law provided measures for the preservation of biodiversity, landscape protection, and the establishment of reserves, which formed the basis for long-term environmental policy (Tkachenko, 2020: 12-22).

The adoption of this law reflected the growing awareness of the importance of nature for the quality of life in society. The German government recognized environmental protection as a priority area, requiring a comprehensive approach to regulate human activities that could harm nature. The law contributed to the formation of effective administrative structures dedicated to environmental protection and created a legal framework for the further improvement of environmental legislation.

Moreover, the Bundesnaturschutzgesetz of 1951 established the tradition of integrating environmental aspects into land use planning and development processes, setting the first ecological standards for land utilization. This marked the starting point for subsequent legislative initiatives that expanded the scope of environmental regulation, particularly in areas such as water protection, air quality, and pollution control (Tkachenko, 2020: 12-22).

Another important milestone in the development of Germany's environmental legislation was the Environmental Protection Act (Umweltschutzgesetz, 1974). This law introduced comprehensive regulation of air and water pollution, laying the groundwork for the implementation of preventive measures and mandatory environmental standards. The legal foundations for this law were based on international obligations, such as the Stockholm Conference Declaration of 1972, which called for global actions in environmental protection. The act became a key instrument for integrating environmental principles into national policy and the economy.

Simultaneously, the Water Resources Act (Wasserhaushaltsgesetz, 1976) provided the legal framework for the rational use of water resources. It introduced strict regulations for water quality control and measures for wastewater treatment, contributing to the preservation of aquatic ecosystems. An essential aspect of the law was the establishment of national water quality monitoring programs, which enabled effective prevention of water pollution (Hofmann, A., 2019: 342-364).

These legislative developments laid a strong foundation for the evolution of environmental law in Germany, progressively shaping the country’s ecological governance framework and aligning it with both national and international environmental objectives.

The Air Pollution Control Act (Bundes-Immissionsschutzgesetz, 1974) set standards for the emissions of pollutants such as sulfur and nitrogen oxides, which caused acid rain and negatively impacted public health. The law was based on the principles of environmental justice, guiding industrial enterprises to implement modern emission-reducing technologies. This document initiated a systematic approach to monitoring and regulating air quality.

An important achievement of these legislative acts was the establishment of the foundation for corporate environmental responsibility, including the introduction of sanctions for exceeding established norms. All these measures contributed to the shift from a reactive approach to environmental protection to a preventive one, ensuring sustainable management of natural resources. They became the basis for further development of environmental legislation and cemented Germany's position as one of the world leaders in environmental protection.

The adoption of the Climate Protection Act (Klimaschutzgesetz) and the subsequent implementation of the Energiewende program are part of Germany's integrated environmental regulation strategy, which is setting new standards in international legal practice. These initiatives reflect the country’s ambition not only to meet international agreements but also to become a global leader in the fight against climate change and in ensuring sustainable development.

The Climate Protection Act set annual emission quotas for key sectors of the economy, such as energy, industry, transportation, and the residential sector. To monitor effectiveness, an independent body – the Climate Expert Council – was established, conducting regular assessments of goal

achievement. Importantly, the law enshrines the "polluter pays" principle, encouraging companies to invest in environmentally friendly technologies (Shumilo, I. O., 2017: 45-58).

Energiewende became not only an environmental but also an economic revolution. Investments in infrastructure, including the development of wind farms in the north and solar parks in the south, created thousands of jobs. The government supported the program with subsidies for households transitioning to energy-efficient technologies. Additionally, co-financing schemes were developed for small and medium-sized enterprises modernizing their production facilities in line with environmental standards.

These measures by Germany became a catalyst for the adoption of similar initiatives in other European Union countries. In particular, Germany actively influenced the formation of the European Green Deal, which aims to achieve climate neutrality in the EU by 2050. At the global level, the country uses diplomatic platforms to promote the conclusion of multilateral agreements on reducing greenhouse gas emissions and financing “green” technologies in developing countries.

In light of new challenges, such as increasing energy demands and the implementation of hydrogen technologies, Germany continues to adapt its legislation. It is expected that future initiatives will focus on the creation of carbon-neutral production chains, stimulating the circular economy, and integrating artificial intelligence into resource management.

Thus, Germany’s comprehensive approach to environmental legislation demonstrates not only legal excellence but also a strategic vision aimed at harmonizing economic growth with environmental protection.

German law has gained a reputation for high quality due to a number of fundamental factors that ensure its effectiveness and stability. The German legal system is based on carefully developed codes that guarantee consistency and predictability of norms. Key codes such as the Civil Code (Bürgerliches Gesetzbuch, BGB) and the Criminal Code (Strafgesetzbuch, StGB) create a stable legal foundation for regulating a wide range of social relations. Codification allows for the avoidance of legal gaps and redundancy of norms, making the legal system understandable for both lawyers and citizens (Melnyk, O. M., 2019: 101-115).

One of the key features of German law is its unwavering commitment to the principle of rule of law (Rechtsstaat). This ensures the protection of human rights, equality before the law, and judicial independence. The Federal Constitutional Court (Bundesverfassungsgericht) plays a crucial role in overseeing the adherence to the Basic Law (Grundgesetz), which adds stability to the system.

German law retains the ability to adapt, responding to new challenges such as digitalization, climate change, and the development of international law. Through amendments to codes and the adoption of new laws, the system quickly integrates modern realities while maintaining its relevance.

Lawyers in Germany undergo a multi-level training process, which includes theoretical education at universities and practical legal training (Referendariat). This approach ensures a high professional level among legal practitioners, contributing to the effective application of the law.

German law has had a significant influence on the development of legal systems in other countries, particularly in Europe, Latin America, and Asia. For example, many provisions of the German Civil Code became the foundation for the legal systems of Japan and China. This influence is due to the systematic nature, detailed approach, and practical orientation of the German legal model.

Although Germany belongs to the continental legal family, judicial practice plays a significant role in interpreting norms. Decisions of higher courts, such as the Federal Court of Justice (Bundesgerichtshof), carry substantial authority and help clarify and develop the legislation.

German law is actively focused on the protection of individual rights, particularly in areas such as labor law, social security, and consumer protection. This reflects the social orientation of the system and contributes to maintaining public trust in legal institutions. Thus, German law is considered

exemplary due to its systematization, stability, and ability to innovate, allowing it to effectively regulate social relations and respond to contemporary challenges (Melnyk, O. M., 2019: 101-115).

One of the features of the German legal system is its close connection with legal science. German legal scholars play a key role in developing legislative acts, providing scientific justification for legal norms. This makes the law more adaptable to modern challenges such as digitalization, climate change, and globalization.

Scientific discussions conducted at leading universities and research institutions contribute to the production of theoretically sound and practically justified solutions. For example, the concepts developed in the works of renowned German legal scholars, such as Rudolf von Jhering and Hans Kelsen, continue to have a significant influence on the development of law not only in Germany but also on an international scale.

Moreover, the involvement of scholars in parliamentary committees helps integrate modern research into the legislative process, ensuring a harmonious combination of theory and practice. This is particularly important in complex legal areas such as antitrust regulation, data protection, and environmental protection, where an interdisciplinary approach is needed.

The scientific approach is also reflected in the legal education system, where students are actively engaged in analyzing real-life cases, participating in mock trials, and conducting their own research. Such integration of science and education contributes to the preparation of highly qualified specialists who are capable of working effectively in the modern legal environment.

The Basic Law of Germany (Grundgesetz), which serves as the country's constitution, acts as a guarantee of human rights and fundamental freedoms, providing a stable and reliable foundation for the legal order (Hofmann, A., 2019: 342-364). Adopted after World War II, it enshrines fundamental rights such as freedom of speech, the right to privacy, freedom of religion, and equality before the law. This approach to human rights is a key element that makes German law one of the most protected in the world.

The Basic Law laid the foundation for creating a legal system in which the protection of individual rights is a priority. According to it, any restrictions on citizens' rights must be strictly justified and regulated by law. Violations of these rights can be challenged in the Constitutional Court, ensuring a high level of human rights protection in Germany.

The German judicial system is known for its efficiency and independence, ensuring fair and swift access to justice for all citizens. The country has a variety of court instances, including federal, state, and specialized courts, which allow for the rapid resolution of various legal disputes. Notably, the independence of judges is a cornerstone of ensuring objectivity and impartiality in decision-making.

Germany actively integrates international standards and legal norms, such as the rulings of the European Court of Human Rights and European Union regulations, into its national legal system. This improves the quality of national legislation and ensures its compliance with international obligations. The combination of domestic legislation and international standards allows Germany to maintain a high legal reputation on the international stage (Shumilo, I.O., 2017: 45-58).

In this context, Germany is also actively developing international cooperation in the field of human rights, becoming one of the leaders in global legal protection.

A high level of civic participation in the German legislative process is an important factor contributing to the country's democratic development and ensuring the consideration of the interests of various social groups. Citizens have the opportunity to actively participate in the development of laws through various channels, such as petitions, public hearings, and consultations. This ensures balance and fairness in legal regulation, as legislators take into account the opinions and needs of broad segments of the population.

A characteristic of the German system is that civil society actively interacts with state authorities through consultations with non-governmental organizations, trade unions, and participation in par-

liamentary debates. This interactivity enhances the quality of legislation and ensures its support from citizens.

The German legal system is renowned for its stability and predictability, which is an important factor in ensuring trust from both citizens and businesses. Legislative changes are generally not radical but occur gradually, allowing all participants in the legal system to adapt to new conditions. Changes in the law typically go through a thorough process of discussion and analysis, which ensures their stability and consistency.

This also contributes to the creation of a favorable business environment, where entrepreneurs can clearly predict the legal consequences of their actions. Legal stability is an important element for attracting investment and supporting the country's economic development, as companies are confident in the predictability of laws, which reduces legal risks.

The aforementioned factors – stability, the involvement of civil society, and the integration of international standards – together create the high quality of the German legal system. It is able to effectively respond to new challenges, take into account changes in society and the economy, which ensures its capacity for adaptation and development. This system continues to uphold a high level of legal culture, protects citizens' interests, and contributes to the country's economic prosperity, creating a favorable environment for the development of a democratic society.

Germany was one of the first countries to develop a comprehensive environmental policy and legislation, starting in the 1970s. German environmental law laid the foundations for the principles that were later integrated into the EU's environmental policy. The key aspects that influenced European environmental legislation include the "polluter pays" principle: This principle, enshrined in German law, became the basis for the development of European norms that require polluters to bear financial responsibility for the damage caused to the environment (Opryshko, O.V., 2001: 28).

This approach reflects the desire to ensure economic responsibility for environmental consequences. The precautionary principle: German legislation introduced this principle, which allows for taking measures to protect the environment even in cases where scientific data on potential harm is incomplete. This has become an important component of the EU's environmental policy, where preventive actions are prioritized. Protection of citizens' rights: German environmental law also emphasizes citizens' right to a clean environment and their participation in decision-making processes related to environmental protection. These principles have found their reflection in EU legislation, particularly in the Aarhus Convention (Henn, R. 2020: 300-315).

The integration of German environmental law into European legislation was an important stage in the development of the European Union's environmental policy. This process took place through several main channels, such as directives, regulations, and judicial practice, which facilitated the adaptation of German environmental standards to the broader context of European norms.

Germany actively participated in the development of EU environmental directives and regulations. For example, Directive 2008/50/EC on air quality and Directive 2006/118/EC on the protection of groundwater were developed with consideration of German environmental standards. This allowed for the harmonization of national norms with European requirements, enabling better solutions to transnational environmental issues, such as air pollution or water resource degradation. In its environmental policy, Germany has been one of the leaders in the EU, actively promoting the adoption of high environmental protection standards (Börzel, T.A., Buzogány, A. 2019: 315-341).

The Court of Justice of the European Union (CJEU) plays a crucial role in shaping the EU's environmental policy, frequently referencing principles enshrined in German environmental law when making decisions in cases related to environmental protection. The Court actively interprets and applies principles that reflect national approaches to environmental standards, thereby ensuring the development of a unified policy at the European Union level. This process helps create a cohesive legal framework for environmental protection within the EU, where national

characteristics, particularly German ones, serve as the foundation for formulating pan-European solutions.

Thanks to the influence of German environmental law on European legal practice, the EU has developed a unified environmental policy that covers a broad range of issues, from air pollution to water resource management. Germany has played a significant role in advancing this policy by participating in the development of legislative initiatives and supporting their implementation at the national level. As a result, the EU has established clear and effective legal mechanisms to ensure sustainable development and environmental protection.

Thus, the process of integrating German environmental law into European legislation has become a key milestone in the development of a unified EU environmental policy, which contributes to the effective resolution of environmental issues on an international level.

Germany is actively responding to environmental challenges, leading to the development of new legal norms.

The Renewable Energy Sources Act (Erneuerbare-Energien-Gesetz, EEG) is one of Germany's key initiatives in the field of energy policy, aimed at supporting and developing renewable energy sources, particularly solar and wind power. This law was adopted to ensure a smooth transition to sustainable and environmentally friendly energy, reducing dependence on fossil fuels and helping to lower greenhouse gas emissions.

Under the EEG, the support for renewable energy development is implemented through mechanisms such as financial support, fixed-rate electricity purchases (Feed-in Tariffs), and favorable conditions for investors. These measures stimulate the production of clean energy and make it economically competitive (Börzel, T.A., Buzogány, A., 2019: 315-341).

The integration of smart technologies into energy systems is a critical step for the further development and efficient use of renewable energy sources. Technologies like smart grids and energy storage systems are capable of optimizing the use of renewable energy, ensuring the stability of the energy system despite fluctuating production from solar and wind energy. This helps reduce reliance on traditional energy sources and makes energy networks more adaptable to changing demands.

Norms for integrating such technologies into legislation may include standards for smart energy grids, regulations for energy storage systems, and incentives for investments in innovative energy solutions. These measures will further enhance the effective use of solar and wind energy. The law can also account for new strategies to reduce the costs of these technologies and ensure their accessibility for a wide range of consumers and businesses. Ultimately, this will foster the transition to cleaner energy and improve the country's energy independence.

The Federal Climate Protection Act (Bundes-Klimaschutzgesetz), adopted in Germany in 2019, forms the foundation of the national climate policy aimed at combating climate change. The law sets specific targets for reducing greenhouse gas emissions by 2030, including a 55% reduction by 2030 compared to 1990 levels. The goal is to achieve carbon neutrality by 2050, meaning the complete reduction or neutralization of greenhouse gas emissions.

This law requires the development and implementation of detailed plans and measures to meet these ambitious goals, including sectoral targets for individual industries such as energy, transport, industry, and construction (Rüf, S., 2015: 209-230).

For example, in the energy sector, there are plans to significantly increase the use of renewable energy sources and gradually phase out coal. Energy efficiency improvements, especially in the construction and industrial sectors, are also prioritized. Financial mechanisms and environmental taxes will be introduced to encourage the reduction of greenhouse gas emissions and support innovations in green technologies.

Furthermore, Germany is committed to adapting its legislation in line with new international obligations and internal needs to achieve carbon neutrality by 2050. This will involve changes to existing

laws and the addition of new provisions that support the transition to renewable energy sources, the reduction of emissions across all sectors of the economy, and the implementation of CO? absorption technologies (Shumilo, I.O., 2017: 45-58).

To achieve this goal, coordination with other EU countries will be crucial, as much of the effort to combat climate change is part of a broader European and global strategy for climate protection.

The Environmental Information Access Act (Gesetz über den Zugang zu umweltbezogenen Informationen, UZG) is an essential element of Germany's national environmental policy, ensuring citizens' right to access information about the state of the environment, pollution, and the use of natural resources (Henn, R., 2020: 300-315).

However, to enhance transparency and encourage active public participation in environmental decision-making, this law may be expanded. Specifically, amendments could include broadening the list of information available to the public, such as environmental assessments and permits for activities that impact the environment, as well as facilitating participation in consultations regarding new environmental projects and permits. Additionally, digital platforms could be introduced to ensure convenient access to this information. Changes may also include strengthening the legal protection of citizens in case of denial of access to information and ensuring access to data on climate change and adaptation strategies. This would foster greater public involvement in environmental processes and contribute to the development of more transparent and effective environmental policy at the national level.

The Circular Economy Act (Kreislaufwirtschaftsgesetz) is a key element of Germany's environmental policy aimed at ensuring effective waste management and promoting the development of a circular economy. In response to new ecological challenges and in support of sustainable development principles, this law is undergoing changes. One of the key changes involves introducing new rules to encourage recycling and the reuse of materials, which will significantly reduce the amount of waste sent to landfills (Melnyk, O.M., 2019: 101-115).

Specifically, new requirements for businesses and consumers may be introduced to increase the volume of recycled materials, as well as new standards to improve recycling processes. This includes requirements for products to be designed in a way that makes them easier to recycle and encouraging the use of renewable materials instead of new ones. The law may also include the expanded implementation of take-back systems, support for innovative recycling technologies, and raising public awareness of the importance of waste reduction and material reuse.

Thus, changes to this law not only contribute to reducing the negative impact on the environment but also create new opportunities for businesses and investors in the fields of sustainable development and the circular economy.

Germany actively participates in international agreements, such as the Paris Agreement. At the national legislative level, this is reflected in the adaptation of the Federal Climate Protection Act, aligning it with international commitments.

The Environmental Data Act (Umweltdaten-Gesetz) provides for the creation of systems for monitoring the state of the environment, utilizing the latest technologies for data collection and analysis (Melnyk, O.M., 2019: 101-115).

Germany successfully implements a number of practical solutions to overcome the challenges of harmonizing its environmental legislation with EU law. These solutions include the harmonization of legislation, cooperation between different levels of government, financial support, adaptation of judicial practices, raising public awareness, and effective monitoring. This comprehensive approach enables Germany not only to meet the EU’s requirements but also to be a leader in environmental law.

The harmonization of German environmental law with EU law involves several key strategies and approaches that have already been implemented. To adapt national norms to EU requirements,

Germany is actively updating its legislation and implementing new laws. One important step was the implementation of Directive 2008/50/EC on air quality through the update of the Federal Immission Control Act (Bundes-Immissionsschutzgesetz). These changes included setting new air quality standards and improving monitoring mechanisms, which aligned national norms with EU requirements. This not only improved air quality in Germany but also ensured compliance with EU standards on public health and ecology.

A distinctive feature of Germany's system is the distribution of powers between the federal and state levels (Radaelli, C., Salter, J.P., 2019: 36-53). To successfully implement European norms, close cooperation between Germany's federal states is necessary. In this context, the creation of platforms for exchanging information and best practices has become an important tool for ensuring the effective implementation of EU regulations. For example, the annual Environmental Policy Conferences, where representatives from various states gather, provide an opportunity to discuss successful practices and ensure a unified strategy for meeting EU requirements.

To implement new norms and technologies, Germany has developed financing programs. These programs support businesses in adapting to new environmental requirements set by EU directives. They help reduce the financial burden on businesses and promote faster implementation of technologies that contribute to environmental conservation.

Raising environmental awareness among the population and businesses is also an important aspect of Germany's environmental policy. Various programs, particularly in education, aim to increase environmental awareness in schools, businesses, and among citizens, ensuring better understanding of ecological norms and their importance for sustainable development. This helps individuals and companies better comprehend and implement environmental requirements, contributing to the successful execution of European directives.

The future development of German environmental law includes the integration of new technologies, strengthening climate policy, improving environmental legal protection, promoting the circular economy, enhancing environmental education, international cooperation, and the use of digital technologies.

Key areas shaping the future of environmental law include integrating innovations in clean technologies and renewable energy, which require the creation of corresponding legal frameworks to support such technologies. Strengthening climate policy and achieving carbon neutrality by 2050 will necessitate improvements in legislation to reduce greenhouse gas emissions and promote sustainable development. Improving environmental legal protection involves new regulations to preserve natural resources and reduce pollution. The development of the circular economy requires stronger regulation in the areas of recycling and material reuse.

Enhancing environmental education will become a crucial factor in shaping an environmentally conscious society. International cooperation with other countries and international organizations to address global environmental issues requires the integration of international standards into national legislation. The use of digital technologies will improve environmental monitoring and increase the effectiveness of environmental policies by providing faster access to information and promoting sustainable development.

These areas require active changes in legislation and open new opportunities for effectively managing environmental challenges and achieving climate goals.

Conclusion. German environmental law has become a significant source for the development of EU environmental law. Its principles and regulations have not only influenced the formation of pan-European environmental standards but also contributed to the development of a legal framework that ensures effective environmental protection within the EU. The interaction between national legal systems, particularly the German system, and European legislation demonstrates how legal integration can lead to the creation of a comprehensive and effective environmental policy.

The development of environmental law in Germany is the result of a long evolutionary process, reflecting the growth of society, increasing environmental awareness, and the commitment to meet international standards. Starting with the adoption of the Nature Protection Act in 1951, Germany gradually formed a comprehensive system of environmental legislation that takes into account national needs, international obligations, and innovative approaches to environmental protection.

National laws, such as the Climate Protection Act, the Renewable Energy Act, and the Waste Management Act, not only address local environmental challenges but also set standards for other European Union countries. Germany actively implements sustainable development principles, including the "polluter pays" principle, the precautionary principle, and the guarantee of citizens' rights to a clean environment.

The process of harmonizing Germany's environmental law with EU legislation is based on the implementation of directives, effective cooperation between federal and regional authorities, financial support for environmental initiatives, and the enhancement of environmental awareness among the population. These measures have allowed Germany to achieve a high level of integration with European standards while maintaining leadership in shaping environmental policy.

The consistency of legal norms, the scientific approach to the development of legislation, and the stability and effectiveness of the legal system provide a foundation for further improvements in environmental law. Germany remains an example for other countries in the field of environmental regulation, demonstrating how legal tools can effectively support sustainable development and the protection of environmental resources.

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DOI https://doi.org/10.30525/2592-8813-2024-4-4

LEGAL PRINCIPLES FOR ENSURING THE IMPLEMENTATION OF THE PRINCIPLE OF FIGHTING GAMBLING ADDICTION (LUDOMANIA) IN UKRAINE

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Abstract. The article is devoted to the analysis of the legislation of Ukraine on the search for legal positions to ensure the implementation of the principle of fighting gambling addiction (ludomania) in the activities of various state bodies. The author emphasizes that with the legalization of the gambling business in 2020, Ukraine began to pay attention to the issues of the gaming environment. But the last game addiction is a mental illness, the principle of "fighting game addiction" is incorrect, the next disease can be diagnosed and treated, reduce its spread in society, but not fight it. The author concludes that a lot has been done by Ukraine in 2024: the NSDC (National Security and Defense Council) decision on the protection of gamblers was adopted, which provides for its own plan at the levels of various state bodies to help gamblers with gambling addiction. This year, the Ministry of Health adopted a protocol for the treatment of gaming interaction, which should significantly improve the availability of psychiatric care and the need for gaming addiction of its quality. It is expected to adopt a standard for the provision of social services for socio-psychological rehabilitation of persons with gaming addiction, which will contribute to the resolution of difficult life situations in the player and his return to normal life after treatment. Problematic issues today remain the protection of players who play illegally gambling, after which such players are brought to administrative responsibility and cannot be recognized as victims in criminal proceedings initiated for engaging in illegal gambling business, so this legislation needs to be updated.

Key words: gambling business, gambling addiction, ludomania player protection, legal principles.

Introduction. In 2020, gambling business is allowed in Ukraine. As you know, the gambling business is a high-risk type of activity, since gambling can form a person's gambling addiction (Toporetska, 2022a: 47). This requires the state to take special approaches to the state regulation of this market, which would ensure consideration and protection of the public (public) interest and public values before the interests of business protection or the interests of filling the budget (Toporetska, 2022b: 154).

The Law of Ukraine "On State Regulation of Activities Regarding the Organization and Conduct of Gambling Games" provided among the principles of state regulation of the gambling market in paragraph 9, part 2 of Article 4 such a principle as the fight against gambling addiction (ludomania). Additionally, in the context of the protection of society, it is also necessary to mention such stipulated (hereinafter – Law No. 768) principles as protection of the rights, legitimate interests, life and health of citizens and ensuring the principle of responsible gaming (Law No. 768, 2020).

Separate issues of administrative and legal regulation and control over gambling are devoted to the works of the following Ukrainian scientists: Yu. V. Bodorov, O. P. Hetmanets, D. O. Hetmantsev, O. R. Gladkikh, B. R. Kondratov, O. P. Kostyuchenko, D. V. Kutsevol, S. V. Mykhaylov, O. M. Muzychuk, N. V. Nestor, O. P. Parokhomenko-Kutsevil, M. M. Pohoretskyi, O. V. Polulakh, K. V. Profatilo, N. B. Savina, R. O. Stefanchuk, K. O. Torgashova, Z. M. Toporetska, S. V. Khomyuk, S. O. Shatrava and others. However, the issue of the legal basis for ensuring the implementation of the principle of combating gaming addiction was not investigated in their works.

The purpose of the Article is an analysis of the legislation of Ukraine with the aim of finding legal bases for ensuring the implementation of the principle of combating gaming addiction (ludomania) in the activities of various state bodies**.**

Methodology statement. Special legal methods formed the methodological basis of the research. The formal-legal (dogmatic) method made it possible to study the construction of legal grounds for establishing the principle of combating gaming addiction and establishing mechanisms for its implementation, to analyze their features and structure. The comparative legal method was used to compare the norms of normative legal acts of different legal forces in order to find legal grounds for implementing the principle of combating gaming addiction. The logical-legal method made it possible to study and explain legal norms, identify contradictions or collisions between them, and clearly form a legal basis for implementing the principle of combating gaming addiction. The system-structural method was used to find mechanisms for implementing the principle of combating gaming addiction and form the conclusions of this study.

Results of the study. The only legal basis for the implementation of the principle of combating gambling addiction is the above-mentioned Law No. 768, which enshrines the principle of state policy in the field of gambling business market "combating gambling addiction (ludomania)"(Law No. 768, 2020).

This principle is formulated very incorrectly, which leads to problems in its implementation. Thus, according to the International Classification of Diseases (ICD) issue 10, which is currently used in Ukraine, ludomania is defined as a pathological tendency to gamble (F63.0), which is classified as a disorder of habits and urges (ICD-10, 2010).

It is extremely wrong to identify among the principles such a principle as the fight against mental illness, because diseases are not fought, they are diagnosed and treated, or the spread of non-communicable diseases is prevented or prevented (Denysenko, 2023: 167). We share the position of scientists who indicate that the gambling business can be a social problem in general if it is not regulated by the state by appropriate legal means (Toporetska, 2022a: 207). Therefore, we suggest considering gambling addiction as a social problem, which is a negative consequence of gambling. The prevalence of this disease in society is a consequence of the failure of the state to properly regulate the legal gambling business and to fight effectively against the illegal gambling business, and therefore the failure to protect the gambler.

It was because of the ineffectiveness of the provisions of Law No. 768 that the problem was brought to the level of the National Security and Defense Council of Ukraine and the level of the President of Ukraine. The Decree of the President of Ukraine No. 234/2024 dated April 20, 2024, put into effect the decision of the National Security and Defense Council of Ukraine dated April 20, 2024 "On countering the negative consequences of gambling on the Internet" (Decree no. 734, 2024). This decision provides for the introduction of a ban on advertising of gambling games, the obligation to set game limits for players (regarding time and costs), the obligation for the Cabinet of Ministers of Ukraine to implement the State Online Monitoring System, blocking of illegal internet sites of gambling organizers. Also, in order to prevent the spread of the disease, a national information campaign is planned regarding the dangers of gambling, threats of gambling addiction, methods of prevention and treatment of gambling addiction, and contacts of institutions that provide assistance to people with gambling addiction. Separately, it should be noted that the state recognized the inadequacy of means of protection for gamblers, therefore, by this decision, the Ministry of Health is directly obliged to adopt a protocol for the treatment of gambling addiction, and the Ministry of Social Policy – a standard for social and psychological rehabilitation of persons with gambling addiction, because this is the basis without which to overcome game addiction is impossible (Toporetska, Shcherbyna, & others, 2024: 243).

Because the diagnosis of ludomania does not appear in a player in one day, but, like any other disease, goes through certain stages of its origin (emergence) and development. Thus, it takes at least 12 months for a player to develop this disease (Toporetska, Slobodnichenko & others, 2023: 21), that is, a person already has problems in the family, professional, educational, social or other spheres of life for a year because of his passion for gambling. Therefore, for this disease, it is very important for medical professionals to be aware of the signs of this disease for the purpose of its prevention, early detection and proper treatment, for this disease, like any other, it is important to have national medical standards (protocols, clinical guidelines) for prevention, detection and treatment of gaming addiction. The Ministry of Health of Ukraine, by order No. 1204 dated July 10, 2024, approved a new clinical protocol for medical care "Gaming addiction (gaming addiction)" (Order no. 1204, 2024). Until now, psychiatrists were guided by foreign sources, but not every doctor speaks English or other languages, so access to such treatment protocols was quite difficult for doctors. Specialized medical assistance to people with gaming addiction is provided by a psychiatrist.

However, before the formation of gambling addiction, as we have already indicated above, about a year passes, during which a person already has problems with gambling, manifestations of problematic behavior when he cannot control certain episodes of the game. In such a case, the legal basis for providing medical assistance to a person diagnosed with gaming addiction, but with gambling problems, will be the order of the Ministry of Health of Ukraine dated 12.23.2023 No. 2118 "On the organization of providing psychosocial assistance to the population", granting the right to family doctors to provide psychosocial assistance to the population (Order No. 2118, 2023). Such help can be provided by family doctors or psychologists. A capable network of health care institutions of Ukraine has been created to ensure the availability of medical care for the population of Ukraine (Bilan, 2022: 159). All psychosocial care is free for the patient.

However, ludomania is not only a private problem of a player who has contracted such a disease. Pronounced gambling addiction has negative social consequences for those around him in the personal professional or social sphere, because the player has problems in family relationships, problems at work, problems with friends and colleagues due to debts, other health problems, which as a result can lead to difficult circumstances both in the life of the patient and in the life of his family. Therefore, during the formation and implementation of the state policy on gambling, it is necessary to consider the risks for society of the emergence of pronounced gaming addiction among players and warn them in a timely manner.

Social rehabilitation can help a person with gaming addiction and solve life problems. The provision of such a service for social and psychological rehabilitation of persons with gaming addiction is provided for by the legislation of Ukraine. Social service includes the following set of services: counseling; psychological assistance (counseling, support, diagnosis, counseling, correction, psychotherapy, rehabilitation); assistance in obtaining free legal aid; representation of interests (Order no. 429, 2020). The service is also provided free of charge for citizens. However, the rules for its provision have not yet been determined.

The draft order of the Ministry of Social Policy of Ukraine "On approval of the State Standard of Social Services for Social and Psychological Rehabilitation of Persons with Gaming Addiction" was published for public discussion on 07/09/2024, but has not yet been adopted (Draft order, 2024). Its adoption is very important for Ukraine, because it will allow to train social workers to properly provide such a social service, will allow to expand the network of providers of such a social service.

It is almost impossible to overcome the disease if a person continues to gamble, so a very important tool for protecting people from gambling addiction is the functioning of the Register of people who are restricted from access to gambling establishments and/or participation in gambling, the creation of which is provided for by Law No. 768 (Law no. 768, 2020). The Register functions based on the Procedure for the Formation and Maintenance of the Register of Persons Who Are Restricted

from Access to Gambling Institutions and/or Participation in Gambling Games, approved by the Decision of the Commission for the Regulation of Gambling Games and Lotteries on April 22, 2021, No. 167 (Decision no. 167, 2021). In the Register, a person can enter himself or herself on the basis of a court decision issued at the request of relatives, if a person spends more than he earns and this puts his family in a difficult financial situation, if he has debts in the amount equivalent to more than 7 thousand USD, a person's evasion of alimony payments for more than three months, or if a person or members of his family are recipients of a housing subsidy or benefits for the payment of housing and communal services.

So, currently, Ukraine has created a rather powerful legal field to protect players from the development of gaming addiction. But the task of the state as a whole should not be to fight gambling addiction, but to take measures to protect society from the harmful effects of gambling and thereby create mechanisms to reduce the prevalence of gambling addiction among the population by preventing problematic gambling behavior.

However, one should not transfer all the responsibility for the negative consequences of gambling only to the organizers of gambling and disclose the content of this principle exclusively because of his duties. After all, it is a well-known fact that even in the case of a complete ban on the gambling business, players suffer from gambling addiction, because the state is unable to completely combat the illegal gambling business, especially on the Internet (Pohoretskyi, & Toporetska, 2015: 23). At the same time, if the player is not protected from illegal gambling by the state, he is brought to administrative responsibility for participating in illegal gambling under Art. 181 of the Administrative Code of Ukraine (Nestor & Pohoretskyi, 2024: 280). It is completely unfair when the state transfers its responsibility for the illegal gambling business to the player.

Thus, gambling addiction is not only a medical, but a social problem, as it requires the state to take measures to protect society from the harmful effects of gambling. It is necessary to activate state mechanisms to protect society from gambling addiction and to change legislation to create legal grounds for protecting players from participating in illegal gambling and thus protecting against the development of gambling addiction, because illegal gambling is much more dangerous for the player from the point of view of the formation of a gambling addiction. addictions than legitimate legal ones (Toporetska, 2013: 115).

Conclusion. Having legalized the gambling business in 2020, Ukraine created the legal basis for the creation of a legal gambling business market and the protection of gamblers from gambling addiction. Ukraine has done a lot in 2024: the NSDC decision on the protection of gambling players was adopted, which provides for a kind of action plan at the level of various state bodies to help gamblers with gambling addiction. This year, the Ministry of Health adopted a protocol for the treatment of gaming addiction, which should significantly improve the availability and quality of psychiatric care for patients with gaming addiction. We expect the adoption of a standard for the provision of social services for the social and psychological rehabilitation of people with gambling addiction, which will contribute to solving difficult life circumstances of the player and returning him to a normal life after treatment. Today, the protection of players who play illegal gambling remains a problematic issue, as players are subject to administrative liability and cannot be recognized as victims in criminal proceedings initiated for engaging in illegal gambling business, so this legislation needs to be updated.

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DOI https://doi.org/10.30525/2592-8813-2024-4-5

MAKING THE IMAGE OF THE MILITARY ACCORDING TO NATO STANDARDS: THE LEGAL DIMENSION

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Abstract. The image of the military is an important component of the image of an individual unit, which influences the public's perception of the security and defence sector and the Alliance as a whole. Understanding NATO in terms of shaping the image of the military means studying the audiences influenced by military public relations professionals whose main activities are regulated by law. NATO standards in the area of military image building are based on the understanding of the leading role of the individual military in shaping the image through the direct influence of military public relations professionals on external and internal audiences. Public perceptions of the individual service member and the Alliance as a whole are an important element in supporting missions and activities. The main means of influence is segmented content, which is disseminated in an appropriate form through information and communication channels on relevant platforms. Understanding audiences, studying and researching them is important in planning information campaigns, implementing them and receiving feedback to be taken into account for approaching to Ukraine interoperability to NATO standards in public affairs sphere.

Key words: NATO standards, external and internal audiences, strategic communications, public relations, brand.

Introduction. NATO is a brand that provides an important service to its citizens: defending peace, freedom and security. The brand of NATO and its military commanders is how the public, partners and potential adversaries perceive the Alliance, and how they think and feel about its decisions and actions. NATO's brand is based on reputation and needs to be monitored. Media monitoring and analysis can provide insight into how audiences at the local (tactical) and international (strategic) level view NATO and its actions.

According to NATO's governing documents, public support for NATO's missions and tasks is based on public understanding of the Alliance's contribution to international peace and security. Public confidence is strengthened by NATO's ability to carry out its tasks in an open, transparent manner, in line with the values and expectations of its member states.

Main part. As stated in NATO's Strategic Concept, the NATO Alliance is united by shared values: individual liberty, human rights, democracy and the rule of law. The Alliance is an alliance of democracies with political control over their armed forces, which are accountable to their governments and to the public for the implementation of their missions.

According to the Alliance's governing documents, strategic communications is the function of the command group responsible for informing all audiences. StratCom uses all means of communication, consisting of actions, images and words, to properly inform and influence the attitudes and behaviour of audiences. StratCom in the NATO military context is the integration of communications capabilities and information staffs operating with other military activities to understand and shape information policy in support of NATO's strategic goals and objectives.

NATO's military public affairs policy is based on the highest principles of democracy, including freedom of expression in the media. NATO Commanders and Public Affairs Officers

are required to comply with NATO's public information policy and to promote media and freedom of expression.

Military public relations have the following key characteristics:

1. A single internal communications capability across all NATO headquarters, capable of creating effects in the cognitive, virtual and physical dimensions.

2. A capability that is publicly recognised as the official voice of the organisation (in both internal and external communication functions).

3. A provider of direct and indirect advice to the commander, senior staff, and designated personnel on the implications of public diplomacy operations, activities, and issues.

4. The primary means of public communication for the transmission of truthful, accurate, timely, and relevant information (NATO, 2024 : 76).

Military public relations, according to the main normative legal documents, is described as a key function in ensuring internal and external communications (NATO, 2024 : 12).

Military public affairs plays a leading role in external and internal communications and is directly responsible for the training of the commander.

To be successful, commanders must understand the following principles of public relations:

1. Informing internal audiences – creating and disseminating information to internal audiences increases morale, confidence, discipline, and unit effectiveness.

2. Informing external audiences builds the trust of the Alliance and other stakeholders and deterring enemies and potential adversaries by communicating capability, readiness and resolve.

3. Every member of the armed forces is a spokesperson. Any person working in or on behalf of NATO forces, speaking in an organised setting to an external audience, or intending to publish their work on a NATO-related topic in the public domain, should seek advice from the organisation's public affairs staff, who will advise whether prior approval is required from the NATO Command. Actively engaged spokespersons can generate significant credibility with external audiences and enhance the Alliance's reputation and relevance. Internal communications has evolved from being about disseminating news and information to an activity that creates an information-rich environment where people get the information they need, when they need it, to perform at their best.

4. Journalists as media representatives are active participants in information and communication campaigns.

5. The principle of maximum disclosure of information with minimum delay, based on the Alliance's commitment to promptly inform the public in full.

NATO standards on the image of the military comprehensively consider the preparation and dissemination of content that shapes the perception of the military in society.

The NATO standards envisage communication with audiences directly, through third parties or through the media, which are considered as a factor of influence on the public. They also include a focus on audience behaviour, audience and media analysis, which are adjusted at the planning stage of public relations activities. Audience research involves, in particular, taking into account demographic indicators, behaviour, attitudes, and geographical location.

Military public affairs communication activities are focused on providing truthful, accurate and timely information aimed at a specific segment of the audience to promote their understanding of NATO and its military objectives and other Alliance capabilities. The synergistic effect of the capabilities simultaneously contributes to maintaining or changing audience behaviour (NATO, 2022 : 134).

NATO's understanding of audience adaptation refers to tailoring messages to a specific audience, which is viewed through the prism of background, history, and the way they receive information. This approach requires coordination of public relations specialists with J2 (intelligence), psychological operations, information operations, and the cultural component.

– Interaction with the audience and the formation of influence on it is considered in the focus of three approaches: very active, active and reactive.

– According to the very active approach to public relations, public interest is the desired outcome of information and communication activities, for which efforts to create a context for the narrative are made with the involvement of targeted and extensive efforts.

– An active approach to public relations involves raising awareness of a wide audience, which is used to satisfy the interests of a certain audience with a small expenditure of time and resources and obtaining an equally proportional benefit.

– A reactive approach is appropriate for military public relations in cases where there are no major efforts to attract and retain the attention of the audience, as well as in situations where information is delivered in the focus of operational security, confidentiality, and regulation (NATO, 2020 : 44).

Audience in NATO's understanding is a person, group or organisation whose interpretation of events and subsequent behaviour can influence the achievement of an end state.

Military Public Affairs considers the audiences with which it interacts as internal, consisting of NATO military and civilian personnel and their families, and external, consisting of other audiences. Military public affairs identifies audiences, segments them, and determines those that are most relevant to the respective functions in a given case study. Effective communication involves adapting content to a particular type of audience.

They include:

– External audiences: all non-NATO organisations, including the media, and the general public. This group can be further subdivided into national/regional audiences, including adversaries.

– Internal audiences: chain of command, family members.

– External actors/key influencers: think tanks, academic institutions, non-governmental organisations.

– Key stakeholders: organisations, corporations with vested interests.

The audience ranges from the global to the direct participants and is segmented into three general categories – the public, stakeholders and actors – depending on their ability to influence the end state, as shown in Picture 1.

The NATO Public Affairs Officer can communicate with these audiences directly, through third-party representatives or through the media. It is important to understand that the media is both an audience and a means by which commanders, through their spokespersons, provide information about the activities of the unit.

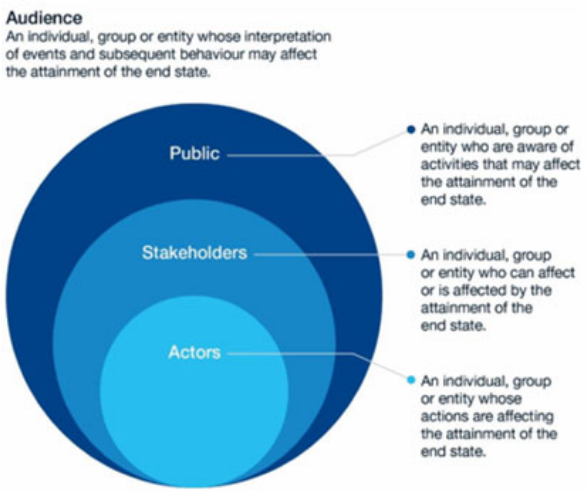

Fig. 1. The three categories of audiences: public, stakeholdes and actors

External communications include media relations, outreach, direct audience engagement through social media and public relations.

The internal audience receives information about events through media such as mainstream newspapers, newsletters, leaflets and posters.

External audiences are informed through the local media, using press releases, public service announcements and radio and television appearances. In preparation for an event, NATO Public Affairs Officers are advised to invite local media representatives to a preview of the event 24 hours before the event or, in the case of a parade, to a dress rehearsal. Identifying spokespersons, speakers and media contacts is an integral part of planning public events.

Digital media activities provide information directly to the audience and stakeholders through online channels and social media.

Effective programmes keep internal audiences informed of important developments that affect their work; raise awareness of the organisation's goals and activities; and make the team more effective spokespersons for the organisation.

In addition, in support of national public relations objectives, proactive content sharing with NATO's higher headquarters can help to increase the overall impact on regional and international audiences – an effect that may be difficult for any single country to achieve.

Digital engagement is an important part of NATO's ability to communicate directly and effectively with audiences in both verbal and visual forms. Digital media management is the process of using and combining capabilities to achieve communication objectives in accordance with the commander's intent.

Communication strategies are developed on the basis of predefined concepts, cultural or political biases, or general perceptions of a particular medium.

Public relations professionals conduct human factors analysis and media audience analysis, including surveys of both internal and external audiences.

Media monitoring and analysis can help plan information and communication campaigns by identifying the information needs of the audience. In particular, media monitoring and analysis research should focus on:

1. Information channels for receiving information:

– internal newspaper or newsletter for internal audience, social media (special Facebook group for internal audience, other platform), frequency of communications, audience reach. Research the attention of the community, local media to the topic that needs to be covered, opinion leaders who can deliver the message;

– for external audiences – trusted and read media; influencer journalists; to what extent does the audience consume news content from traditional media rather than using social media as the main source of information? whether the media should be viewed as an audience for changing public opinion rather than as a carrier of the message. The extent to which media should be involved is an important aspect of the analysis.

2. Search for media that specialise in the topic or have already focused on the issue, hashtags used to find the topic.

3. Frequency of information dissemination.

4. Mentions of the military unit in the context of a specific topic (thematic linkage).

5. The level of vulnerability of the target audience to disinformation and other hostile manifestations in the sphere of information confrontation, the spread of disinformation in the media and social networks, and trends in its spread.

An idea of the target audience can be formed based on the results of media monitoring and analysis conducted by public relations specialists, as well as on focus group surveys and research that form an idea of the target audience.

Based on the data, the public relations specialist creates a plan to achieve the goal, understanding the audience segments that are affected and the methods of communicating the message. Audience research provides a baseline against which to measure changes during and at the end of a campaign.

The formation of the image of the military is generated at the level of planning an information campaign, studying the intentions of actions in terms of studying the audience for interaction. The key questions when planning information campaigns are:

– What effect are you trying to achieve?

– Who is your audience?

– Planning visual information and images.

– Who is the target audience and how do they receive the information?

– Which medium(s) are the most relevant to reach these audiences?

– Are there any agreements, restrictions, cultural taboos, ground rules or ethical issues that should be considered when developing the shooting plan or that should be considered as guidelines for photographers?

– In what format will the audience view the images? Include this information to ensure that photographers and staff officers/noncommissioned officers understand the format requirements.

The least effective method of internal communication is to use communication channels that do not provide feedback. In this case, the recipient does not have the opportunity to ask questions, and the sender does not have the opportunity to make sure that the message was received correctly. One-way communication is acceptable for direct orders and other important information.

When planning your content, it is important to identify the following areas:

1. Who is your audience?
2. What is your message?
3. Channels of information delivery.
4. Time of delivery of information?
5. Security, confidentiality, or other limiting factors.

Prior to public communication in the information space or with a specific audience, public relations specialists conduct a detailed study of the target audience and the conditions of activity.

Official Internet resources of official pages contain content that forms the public's opinion on the image of the military (NATO, 2024 : 2).

The NATO Media Information Centre is the focal point for media during military operations [2]. Media activity, as defined by NATO guidelines, is designed to provide information through all media channels to a wide audience.

Conclusion. The image of the military is formed through the systematic dissemination of content for a specific audience segment. NATO's Annual Reports include reports by the Secretary General on Alliance activities and future plans. The report includes photo content that shows the training of the Alliance's military, personnel, and samples of equipment and weapons. The Alliance's primary purpose is to defend the freedom, common heritage and civilisation of its peoples, based on the principles of democracy, individual liberty and the rule of law. The 2023 report contains photo content – portraits of officers, NCOs, cadets of military educational institutions, photo content on exercises, training, international cooperation activities, infographics on warfare, military capabilities of Allies, readiness initiatives, deterrence of aggression (NATO, 2023 : 4).

The presence of military-related content in the media is an element of shaping the image of the military. Examples include publications on defence policy, international security, and innovations in weapons and equipment. Content on the Alliance's official platforms includes visual and textual content on exercises, international cooperation, and partnerships.

Press releases, which are a regular element of informing audiences about NATO operations and missions, are often accompanied by visual content of NATO training. Such visuals may include

content on troops, weapons, and joint operations. Examples include press releases on major exercises such as Defender-Europe or NATO air policing missions.

The NATO Parliamentary Assembly's reports publish content in the form of reports that provide visual content of NATO troops, training, and areas of engagement. These reports can be used to inform members of parliament about NATO's military commitments and operations. Examples include committee reports that examine NATO's response to emerging security threats and may include images of military deployments.

Reports on NATO's innovations and military exercises, which often include images of experimental military equipment and new operational tactics, are documents from NATO's Transformation Command.

Briefings and reports on specific NATO operations, such as those in Kosovo or Iraq, often include images of NATO soldiers, equipment and vehicles. These documents serve to inform member states and the public about the progress and results of NATO missions.

Peacekeeping is also an element of the military's image. Mission briefings that include photos of NATO troops in the field performing peacekeeping functions.

An important aspect is that the guiding documents are approved by NATO's senior staffs. In particular, the NATO Visual Identity Guidelines are defined, approved and disseminated by the Public Diplomacy Division at NATO Headquarters.

Workshops and recommendations on public relations guidelines are quite flexible, as it is up to the public relations officer in the Alliance countries to compile and develop them. The main thematic focus is on cases that are likely to occur in the unit. These are cases that are not covered in existing operational plans and strategies. The guidance materials summarise the issues, identify spokespersons, provide coordination instructions, and list messages.

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DOI https://doi.org/10.30525/2592-8813-2024-4-6

USE OF ARTIFICIAL INTELLIGENCE IN ADOPTION OF AN ADMINISTRATIVE ACT

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Abstract. The article is devoted to the study of the role of information technologies in the adoption of administrative acts, in particular when they are used in the administrative process. The subject of the study. Various scientific approaches to defining the concept and functions of AI are analyzed, in particular as a computer program for data analysis, an intellectual system that surpasses human capabilities, and a cybernetic approach that encompasses an algorithmic model of cognitive functions. The legal status of AI in Ukraine is studied, the features of its regulation within the framework of national legislation, as well as problems associated with legal adaptation to international standards. Methodology. The research methodology is an analysis of modern approaches to defining the concept of artificial intelligence in the legal sphere, studying its legal status and identifying prospects for its implementation in the process of drawing up administrative acts. Purpose.To assess scientific approaches to defining the concept and functions of artificial intelligence, in particular in the context of legal regulation. To identify the main problems of the legal status of AI in Ukraine and the need to adapt national legislation to international standards. To analyze the possibilities of introducing AI into the process of drawing up administrative acts, in particular in the field of automation of decision-making and improving the motivational part of acts. To assess the risks and benefits of using AI in the legal sphere, in particular for identifying errors in administrative acts and reducing the human factor. To identify ways to improve legislative regulation regarding the use of AI in legal processes to ensure the efficiency and transparency of administrative procedures. Conclusions. The article also discusses the prospects for using AI to automate administrative processes, in particular in drawing up administrative acts, improving the motivational part and checking documents for errors. The authors emphasize the need to improve legislation and technical support to minimize the risks associated with the use of AI. The introduction of AI into administrative procedures, according to the study, has significant potential to increase efficiency, transparency and reduce administrative burdens on public authorities.

Key words: administrative process, artificial intelligence, administrative act, administrative justice.

Introduction. Recent research in the field of artificial intelligence in the legal sphere provides diverse views on its nature, functions and legal status.AI continues to be the subject of active scientific debate, in particular regarding its impact on legal processes and legal regulation. In the context of administrative proceedings, not to mention the sphere of administrative act registration, the introduction of artificial intelligence is not a very discussed topic. Therefore, the study of the advantages and disadvantages of implementing AI in the registration of an administrative act is being conducted for the first time.

In addition, today in Ukraine there are no clearly defined norms regulating the legal status of AI in the context of interaction with other legal institutions, such as human rights, personal data protection, liability for AI errors, etc. The problem is complicated by the need to adapt Ukrainian legislation to international standards, in particular to EU norms, which creates additional difficulties in the process of implementing technologies and their legal regulation.

In view of this, there is a need to develop a new approach to the legal regulation of AI, which would take into account the rapid development of technologies, as well as ensure the protection of human rights and increase the efficiency of the legal process. It is important to consider not only the theoretical aspects of the functioning of AI, but also the practical mechanisms of its integration into the state administration system, in particular, into the processes related to the drafting of administrative acts.

Thus, the main problem is the lack of a clear legal definition of AI and the need to develop an effective system of legal regulation that would ensure the consistency of the technological capabilities of AI with ethical norms and principles of legal regulation in Ukraine.

Research materials and methods. The purpose of the study is the analysis of modern approaches to the definition of the concept of artificial intelligence in the legal sphere, the study of its legal status and the identification of prospects for its implementation in the process of drawing up administrative acts. In particular, the emphasis is on the role of AI in increasing the efficiency of legal procedures, automating decision-making and improving the process of formulating administrative acts, taking into account possible legal and ethical risks. The tasks of the research are as follows:

1. Evaluate scientific approaches to defining the concept and functions of artificial intelligence, in particular in the context of legal regulation.

2. Identify the main problems of the legal status of AI in Ukraine and the need to adapt national legislation to international standards.

3. To analyze the possibilities of implementing AI in the process of drawing up administrative acts, in particular in the field of automation of decision-making and improvement of the motivational part of acts.

4. To assess the risks and benefits of using AI in the legal sphere, in particular for detecting errors in administrative acts and reducing the human factor.

5. To identify ways to improve legislative regulation regarding the use of AI in legal processes to ensure the efficiency and transparency of administrative procedures.

Main text. There are a significant number of definitions of AI, which vary from perceiving it as part of robotics to understanding AI as an independent direction of development of science and technology. Analyzing the above scientific approaches to defining the concept and functions of artificial intelligence (AI) in the legal sphere, several main directions can be distinguished that reflect the specifics of understanding AI and its functioning:

1. AI as a computer program for data analysis – Varava I.P. and Paramonova Yu.O. focus on the functionality of AI as a computer program that analyzes and processes data, creating the illusion of intellectual processes similar to human ones (Paramonova, 2023: 21).

2. AI as an intelligent system that exceeds human capabilities – Mahind Rupali and Patil Amit describe AI as intelligence that surpasses human in many areas (Rupali, 2017: 79). They differentiate

between weak and strong AI, focusing on the ability of AI to learn, adapt, solve complex problems and linguistic logic.

3. Cybernetic approach – Baranov O.A.considers AI through the prism of a cybernetic approach that focuses on information processing, storage, transmission, and transformation in complex dynamic systems (Baranov, 2023: 32). AI is defined as an algorithmic model of human cognitive functions. This approach is theoretically supported by the works of Norbert Wiener and became the basis for the principle of technological neutrality. It is this approach, from our point of view, that is more comprehensive, since it clearly outlines the nature of the functioning of AI. It is cybernetics that studies the processes of information management and processing regardless of the material nature of the system, and the processing, analysis, and transformation of information are the basis for the operation of modern AI systems, including those that are used in the legal field. It is this approach that takes into account not only current achievements, but also potential opportunities for the development of AI, including the principle of technological neutrality. Moreover, in a world dominated by integrative systems, an approach that combines philosophical, mathematical and applied aspects is most relevant.

The concept of AI is also enshrined in national legislation, namely in the Concept of the Development of Artificial Intelligence in Ukraine, where AI is defined as an organized set of information technologies that allows you to perform complex tasks through the use of scientific methods, information processing algorithms, the creation and use of knowledge bases, decision-making models, and determination of ways to achieve the set goals (Verkhovna Rada of Ukraine, 2020). In this case, AI is considered as a set of information technologies, the main focus is the ability to perform complex tasks using scientific methods and algorithms. This definition has the merits of its simplicity and application orientation, but it is limited in that it does not consider aspects of the ethics, legal status, autonomy, or cognitive nature of AI. Returning to the cybernetic approach of O.A. Baranov, he offers a more complex approach. Therefore, normative anchoring is suitable for the formation of normative acts, but does not take into account the complex nature of AI, as Baranov's cybernetic approach does.

However, in modern scientific discussions, the problem arises not only of defining the essence of AI, but also of its legal status.In Ukraine, according to the Concept for the Development of Artificial Intelligence (hereinafter – the Concept), approved by the Cabinet of Ministers, the need to create a state policy that regulates the development and implementation of AI is recognized. The central issue is the determination of the legal status of AI, which involves the analysis of its legal personality, responsibility, norms of use and protection of human rights. The legal status of AI can be defined as a set of ethical norms that regulate its creation, use and impact on legal relations. Key aspects include:

– lack of AI subjectivity, as it does not have legal personality or the ability to independently participate in legal relations. All actions of AI systems are considered to be carried out by its developers, operators or owners;

– principles of legal regulation, including the compliance of AI activities with the principles of the rule of law and respect for human rights and the protection of personal data during AI processing and ensuring the right to privacy;

– ethical norms, meaning the implementation of the principles of transparency, ethics and responsibility during the creation and use of AI and the creation of mechanisms for assessing the compliance of AI systems with ethical standards and legislation;

– responsibility for damages caused by AI systems rests with individuals or legal entities who develop or use it (Verkhovna Rada of Ukraine, 2020).

During the analysis of the mentioned Concept, several problems related to the determination of the legal status of AI were revealed. First, AI is currently regulated by analogy with computer programs, which in Ukraine are equated to literary works.However, AI has a much wider functionality, which raises questions about its adequate legal regulation, since, in our opinion, the Concept does not clearly outline the legal status of AI. Secondly, the Concept itself states that Ukrainian legislation needs to be

adapted to international standards, such as OECD and Council of Europe Recommendations. Although Ukraine seeks integration with the EU, difficulties arise with the implementation of European norms into Ukrainian legislation, as they may be contradictory or do not correspond to the Ukrainian context. This can create confusion for both regulators and developers, especially those targeting the EU market. O.O. Tymoshenko agrees with this point of view, and also points out that Ukraine can borrow rules from other countries, which may sometimes not meet EU standards and create difficulties for their implementation in practice. Thirdly Thus, artificial intelligence is a challenge for modern legal science, as it requires a new approach to its legal regulation. Given the rapid development of technology, it is important to ensure balanced legislation that promotes innovation and at the same time protects human rights. Solving this problem is possible only under the conditions of cooperation between scientists, lawyers, AI developers and government bodies.

Having considered the legal nature of AI, let's move on to the study of the prospects for its implementation during the execution of an administrative act, which is the result of a decision on a case. To begin with, we will consider the legal regulation of the execution of an administrative act and its procedure in order to establish exactly where AI capabilities can improve and facilitate this process.

The Law of Ukraine "On Administrative Procedure" (hereinafter referred to as the Law) regulates the issue of drafting and adoption of an administrative act, namely, Art. 69-73. The process of drawing up an administrative act in accordance with the legislation is a clearly regulated procedure that covers several key stages and provides for specific requirements for the form, content and order of adoption of such acts. First of all, an administrative act is issued by an administrative body within the limits of its authority based on the results of the case review. In some cases, defined by law, the adoption of the act is possible in automatic mode, which emphasizes the integration of digital technologies into the administrative process.The main form of the act is written, but under certain circumstances (for example, to prevent threats to life or safety), an oral form is allowed, with subsequent written confirmation at the request of the participants in the proceedings. In the case of an electronic form, the administrative act must comply with the requirements of the legislation on electronic document flow. An administrative act consists of four parts (introductory, motivational, resolutive, final), each of which performs a specific function. The act must contain information about the administrative body, the essence of the decision, legal justification, terms of validity and the possibility of appeal (Tymoshenko, 2023: 12).

Having analyzed the process of drawing up an administrative act, we can propose the introduction of AI in the following areas:

1. Automation of decision-making using AI;
2. Improvement of the motivational part;
3. Checking acts for errors.

More details about each area:

1. AI can be used to automatically make decisions in standard cases that have clearly defined legal norms and solution algorithms. For example, in situations where data analysis of national electronic information resources is sufficient, AI is able to quickly assess the situation, apply the relevant legal norms and issue decisions without human intervention. This will reduce the time for considering typical cases and reduce the burden on administrative bodies. Additionally, automation of the process frees employees of administrative bodies from routine work, allowing them to focus on more complex and non-standard tasks.At the same time, the significant risks that may be encountered will be the following:

– in non-standard situations, AI may mistakenly apply a template approach, which will lead to an unfair decision;

– uncertainty about who is responsible for AI errors (developer, operator or administrative body as specified in the Convention);

– citizens may be cautious about automated decisions, especially if they do not understand the principles of AI;

– there may also be errors in algorithms or lack of updates, which can lead to mass erroneous decisions.

In our opinion, the prospects for using AI in this direction have more advantages. All the problematic issues mentioned above have a fairly simple and logical solution: regarding the first question, the benefit of AI will be greatest when solving standard cases, while more complex cases will be dealt with by professional specialists, which, on the contrary, will facilitate their work, and the work itself will not be routine and uninteresting. As for the second issue, it is acute not only in the field of administrative justice, but also in other areas, and therefore it is logical to improve the legislation, which will be aimed at resolving this issue. Regarding the last two risks, these responsibilities for improving the AI system will be assigned to technical workers, and regarding ordinary employees of administrative bodies, in our opinion, in connection with the digital transformation that makes "amendments" to our legislation every year, they should be able to adapt to such innovations. Every day, many new inventions appear in the world, and if they help to specify and improve any process of human life, then they are not what is needed, they must be implemented in national systems.

2. AI can analyze legal norms and case law to automatically formulate the motivational part of an administrative act. This will ensure the accuracy of legal reasoning, avoid logical errors and reduce the subjective factor. In our opinion, if AI is given access to the necessary database, it will be able to find relevant legal norms, case law and logically justify decisions. Another positive point in this context is that the exclusion of the human factor reduces the likelihood of biased or insufficiently reasoned decisions, which is very relevant in connection with the level of corruption in the country. Considering the risks that may arise here, we emphasize that the text of the motivational part may be formulated too "technically", which will be difficult to understand, and the incompleteness or inaccuracy of the data analyzed by AI may lead to erroneous conclusions.In this case, the human factor comes to the rescue, but then the question arises: why introduce it if, in the end, it is the person who will form the final result? We look at it from the point of view of the time used. Checking a document will take much less time than creating it "from scratch". Again, AI relieves the workload of employees.

3. Using AI to check administrative acts will help to identify and correct grammatical, stylistic, legal or arithmetic errors even before their approval. This minimizes the risk of appealing decisions due to technical inaccuracies. The advantages of such an introduction will be the rapid processing of huge amounts of information and making a decision much faster than a person. Analyzing the problematic aspects of such an innovation, we came to the conclusion that in some cases AI may not recognize errors that are not foreseen by the algorithm, or correct something that is not an error (for example, specific terminology), or software flaws may cause additional errors instead of eliminating them. To solve this problem, it is necessary to attract experienced specialists in the field of technical support, which will contribute to the emergence of new jobs and the emergence of new areas of professional activity. Despite the existing risks, the benefits of introducing AI in the administrative process outweigh the potential negative consequences. In particular, the use of AI in automating decision-making, improving the motivational part and checking acts for errors will significantly increase the efficiency of administrative bodies.To minimize risks, it is necessary to improve legislative regulation, provide constant technical support and training of specialists for adaptation to new technologies. Thus, the introduction of AI is a necessary stage of the digital transformation of state bodies, which will help improve the quality and transparency of administrative procedures in Ukraine.

Results and discussion. Currently, in Ukraine, despite the existence of the Concept of the Development of Artificial Intelligence, there is an incomplete and uncoordinated regulation of the legal status of AI, which is the subject of intense scientific and practical discussions. The problem is not only how to correctly classify and define AI, but also how to integrate it into the legal system,

where the issues of ethics, legal personality and responsibility for the actions carried out by such systems are important aspects.

Conclusion. As a result of the research, the main approaches to defining the concept and functions of artificial intelligence in the legal sphere were analyzed, as well as the challenges that arise in connection with its legal status and use. Various theoretical approaches are considered, including especially the cybernetic approach of O.A. Baranov stands out, which provides the most comprehensive picture of the functioning of AI, in particular in the context of its application in legal processes. Problems that arise in the way of legal regulation of AI include the need to adapt national legislation to international standards, in particular to EU norms, as well as clarifying the legal status and subjectivity of AI in Ukraine.

The main problems are the incompleteness of legislative initiatives to clearly define the legal nature of AI and its legal status, as well as the need to integrate new technologies into existing legal norms. In particular, the issue of responsibility for the actions of AI systems, ethical standards and ensuring human rights in the process of their use requires attention.

Ways to solve these problems involve the development of interdisciplinary research that combines legal, technical and ethical aspects, improving legislation and constantly adapting norms to the latest technological trends. Therefore, scientists should more actively investigate the application of AI in the administrative process, in particular from the point of view of legal support and integration of these technologies into the administrative justice system. Such research will allow not only to effectively solve theoretical problems associated with the use of AI, but also to provide the necessary legal regulation, which will avoid possible negative consequences and errors. Scientists should actively study and develop methods that will help improve judicial practice, as well as determine the criteria and limits of the use of AI in the administrative process.In addition, an important step is the introduction of AI into administrative processes, in particular into the automation of decision-making, which will reduce the burden on authorities, improve the quality of decisions and increase the transparency of administrative procedures.

Thus, the introduction of AI into legal practice is necessary to ensure innovative and effective solutions in modern legal systems. To do this, it is necessary to provide national legislation with modern tools that will meet both national and international requirements.

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DOI https://doi.org/10.30525/2592-8813-2024-4-7

SOCIAL ASSISTANCE IN UKRAINE: CONCEPTS, TYPES AND CONCEPTUAL CHARACTERISTICS

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Abstract. The author examines issues related to the definition of the concept, types and conceptual characteristics of social assistance as a complex legal institute. It is emphasized that social assistance as one of social security forms is an independent type of financial support for disabled citizens, low-income households, households with children and other persons in the form of guaranteed, regulated by law, one-time or periodic payments of social nature. The findings of the study highlight the significant role of the definition of target groups as an integral part of the construction of the social assistance system – targeting, which means targeting someone or something – people or social units and requires the correct identification of the poor, which is associated with the problem of measuring poverty and, accordingly, high administrative costs to estimate family income.

Key words: compensations, disability, housing subsidies, incapacity, legal relationship, low income, social benefits, social risk, unemployment.

Introduction. Clarification of issues related to the definition of the main parameters of the concept of «social assistance» acquires considerable theoretical, cognitive and practical importance in view of the dynamics of the development of social processes (unfortunately, usually negative). In the scientific literature, in general, features common to all or most of all social benefits were identified: monetary form of provision; guarantee of implementation; purpose; grounds for provision; duration of payment; legal consolidation; financial sources; free state social benefits; dependence of the right to some benefits on participation in labor or other socially useful activities; belonging to certain categories of citizens who are recipients of benefits; the procedure for determining the amount of benefits etc. (Stashkiv, 2016: 448-449). The concept and institute of social assistance were covered fragmentarily or quite comprehensively in the works by well-known legal scholars V. M. Andriiv, V. O. Bezugla, M. D. Boyko, S. M. Sinchuk, L. M. Sinyova, Z. E. Skrynnyk, B. I. Stashkiv, V. L. Strepko and others, at the same time, the sub-branch of social security law under the conditional name «social assistance law» is in the stage of intensive formation, which shows the need for further scientific understanding of its main provisions.

The purpose of the article is to analyze the concept, to consider the criteria for dividing it into types and to highlight the actual conceptual characteristics of the branch concept of «social assistance» in Ukraine.

Main part. Social assistance as one of the form of social security is one of the independent types of financial support for disabled citizens, low-income households, households with children and other persons in the form of guaranteed, regulated by law, one-time or periodic payments of a social nature (for example, a set of goods and services provided for the purpose of material support for citizens who need such assistance as a result of certain social cases provided for by law) (Kuznietsova, A. Ya., Skrynnyk, Z. E., & Semiv, L. K., 2021: 60).

Social assistance is provided in almost all developed countries in order to cover the shortcomings that arise in the social security systems, contributing to the fight against poverty. In developing coun-

tries, social assistance is less widespread, being limited (if at all) to one or two categories of the population (for example, the elderly). In global practice, social security assistance is divided into: 1) social security benefits (do not require income verification, are provided on the basis: 1^1) information about the individual's contribution to the social security system; 1^2) due to the occurrence of an event, for example, loss of working capacity or reaching a certain age); 2) universal social benefits provided in connection with a certain event, regardless of the level of personal income and previous contributions, for example, universal family benefits and free medical care; 3) social benefits provided on the basis of: 3^1) estimates of income (expenditure); 3^2) the fact of the occurrence of s certain event, without checking data on contributions.

According to the recommendations of the International Labor Office (permanent secretariat of the ILO (International Labor Organization), which carries out all current work on the implementation of the decisions of the conference and the Administrative Council of Organization) social assistance has the following characteristics: 1) funding and payment of aid are provided by state and local budgets; 2) assistance is provided to certain categories of citizens in accordance with current legislation; 3) when assessing the level of consumer poverty, income and size of personal property are taken into account (small savings are usually not taken into account); 4) the purpose of the payment of assistance is to bring the person's income to the socially determined minimum, taking into account the composition of the family, presence of other payments etc.; 5) the amount of assistance is not connected with previous incomes or living standards; 6) the amount of assistance, unlike social insurance payments, is determined subjectively, based on the degree of need and available resources; 7) as a rule, assistance is provided not per person, but per family, therefore, the average personal income of a family (household) is taken as a criterion for checking income or means of livelihood.

Defining target groups is an integral part of building a social assistance system – targeting means targeting someone or something (people or social units) (in particular, the World Bank shares the idea of «targeting indicators» that indicate regions, age groups, gender or other types of common characteristics). The targeting of social benefits is considered in two aspects: 1) the ability of the system to provide appropriate assistance to those who really need it; 2) impossibility of access to assistance funds for those to whom it's not directed. The main ways of determining the addressing of social assistance are: 1) means test as one of the ways to determine eligibility for assistance to applicants: assistance after a formal (documentary) or actual selective check of the material or economic means of livelihood of people in need of assistance by the efforts of social services at the place of residence is paid only to persons whose level of well-being according to all possible incomes is below the specified limit; 2) the categorical way of addressing assistance is based on taking into account the needs of certain socio-demographic groups or categories of the population who need help the most (elderly people, large families, single mothers, pensioners etc.); 3) according to the principle of self-determination the person himself (herself) decides whether to use help or not. To characterize the targeting of aid, the aid availability ratio (AAR) is used: $AAR=A'/A$, where A' is the share of people who receive assistance, A is the share of people who are potentially entitled to receive assistance. At the same time, there are two types of errors in the provision of targeted assistance to the population: the error of «inclusion» (if assistance is received by a family (household) that does not really need it, this leads to an overspending of social funds, hence a decrease in funds for assistance to those who need it) and the error of «non-inclusion» or incomplete coverage (those who really need it don't get it).

Targeting requires the correct identification of the poor, which is associated with the problem of measuring poverty and, accordingly, the high administrative costs for estimating family income or by checking whether a certain individual or family has one or more characteristics closely correlated with poverty (poor health, old age, presence of children). In this context, it's about «groups in need» – groups of people who are in similar circumstances and require some collective decision. Such situations are called «addiction states», they include: 1) conditions in which a person may find himself

(herself) at any time during his (her) life (poverty, homelessness, illness, unemployment); 2) life cycle crises characterized by long-time dependence (old age or childhood); 3) the condition of people who are limited in the performance of daily duties (disabled, patients with chronic mental illnesses or mentally retarded). The given basic classification can be expended depending on the social policy pursued by a specific country (Bezuhla, 2019: 26-27). The main arguments in favor of targeting are the principles of efficiency and equality: targeting should be more effective than universality because money is not wasted on those who do not need it, nor does it create excess resources for those who receive assistance (in other words, people with certain problems get only as much as they need). The following obstacles stand out on the way to achieving greater efficiency: 1) in order to get into the focus of social policy, a clear definition of the main characteristics of individuals is necessary: needs and livelihoods are supposed to be tested, but experience with such surveys shows that they are often too humiliating; 2) the problem of determining and establishing the limits of assistance (under what conditions assistance is terminated) – it refers to the «poverty trap» in social security, where a person spends much more if his/her income increases slightly; 3) targeted distribution of benefits does not always cover all the poor: due to lack of information, lack of confidence in the possibility of receiving assistance (in particular, due to the complexity of registration procedures), fear of «stigmatization»; 4) the effectiveness of targeting does not necessarily mean that aid is directed to those in greatest need. The «paradox» of targeting is that providing for the people whose situation is most difficult requires the more resources the more their needs are met, instead, provision can reach more people by meeting only their basic needs while using fewer resources. Actually, the targeting of aid should not be an end in itself, but only as a means of effective use of funds (Bezuhla, 2019: 29).

Social relations that arise in connection with the provision of social assistance are, firstly, economic relations for the distribution of material goods in monetary form among persons who, as a rule, are temporarily in a difficult financial situation and need support from society, and, secondly, legal relations, as they are regulated in detail by legal norms. The object of the right of social assistance is the subject of its legal regulation, that is, social relations or the social environment in the sphere of providing social assistance to certain categories of citizens, which (relations) are regulated by legal norms. It is compared with the object of legal relations or is identified with it. The object of social assistance is a specific good that can satisfy certain social needs of a person, regarding which subjective rights and legal obligations arose between the subjects of this legal relationship (recipients and providers of social assistance). Material goods are always money, which is provided for the purpose of full or partial satisfaction of specific needs of a person. Insurance social benefits and payments, state social assistance, compensations, housing subsidies, additional payments to the minimum pension, scholarships etc are provided in cash. The object is a one-time, periodic, monthly cash payment. Such payments in the established amount are the interest of the recipient of social assistance. The object is a mandatory element of any social assistance legal relationship. Such legal relations can't arise without an object. Its main features are following: 1) acts in monetary form; 2) formalized in legislation (size and frequency of payment); 3) aimed at meeting the specific social needs of the recipient of assistance; 4) creates a legal connection (subjective rights and legal obligations) between the participants of the legal relationship; 5) protected and guaranteed by the state. Beneficiaries are individuals who have temporarily lost their earnings, incurred additional expenses, have incomes below the subsistence minimum or have no means of subsistence at all (only in one case due to p. 3 of Art. 27 of the Law of Ukraine «On Mandatory State Social Insurance» (On Mandatory State Social Insurance, 1999) legal entity that has carried out the burial of an insured person can receive one-time funeral assistance). Providers are legal entities that are obliged to provide social assistance in accordance with relevant regulations, or individuals in cases provided by law (Stashkiv, 2018: 563, 565-567).

Social assistance is significantly different from social service: 1) assistance is provided in cash or non-cash form, social services are provided in non-cash form (difference in objects of legal relations);

2) cash payments are made through banks or post offices, and social services are provided by specially established institutions by providing a specific service to a person; 3) the grounds for providing social assistance in most cases are low income, and the grounds for providing social services are the need to overcome certain limitations of a person's life (impossibility of life-care, obstacles in movement etc); 4) the provision of social assistance ends with the transfer of funds, and social services are usually provided for a long time (difference in time intervals of existence) (Stashkiv, 2018: 555).

Social benefits aimed at compensating an individual for objectively or conditionally objectively lost, reduced or unearned income as a result of the occurrence of a social risk of labor income are called social compensations (Sinchuk, 2015: 310). The term «compensation» characterizes the content of social assistance that society provides to a specific person in need, the term «social» outlines the scope of the concept, reflects the source and method of formation of insurance funds, the obliged entity etc. Due to absence of a single law on social compensations, each of the types of payments united under the name «social compensations» has its own legal basis for appointment and payment, first of all, it's about the Laws of Ukraine «On mandatory state social insurance in case of unemployment» (On mandatory state social insurance in case of unemployment, 2000), «About mandatory state social insurance» (About mandatory state social insurance, 1999).

A systematic analysis of the Ukrainian legislation on social security makes it possible to distinguish three groups of social compensations as social security provision – social benefits which purpose is monetary compensation to an individual for objectively (conditionally objectively) lost, reduced or unearned wages as a result of the occurrence of a social risk of labor income or permanent loss of working capacity, which are paid from insurance of budget funds (Synchuk, 2015: 310, 313). The first group includes several types of social benefits that provide full or partial compensation for lost, reduced or unearned income due to temporary or permanent incapacity, unemployment or partial unemployment; it is about insurance social benefits, which are paid under the programs of the mandatory state social insurance of Ukraine: 1) social benefits due to temporary disability; 2) monthly insurance payments to the victim of an accident at work or due to an occupational disease; 3) social benefits to the victim of an accident in connection with a temporary transfer to a lighter job; 4) unemployment benefits; 5) assistance in connection with pregnancy and childbirth etc. Their size is determined taking into account the average salary of a person during the period of occurrence of social risk and the subsistence minimum as a basic social standard. The second group includes social benefits, which are paid to citizens as compensation to an individual for objectively (or conditionally objectively) unearned labor income due to socially determined incapacity. The duration of such a social risk, which is always associated with the need to care for the disabled person, is usually longer than the legally defined duration of temporary disability. The third group includes social compensation for permanent loss of working capacity (one-time assistance to a victim at work or his family).

Another purpose of the payment of social assistance is the financial support of persons who, despite their employment and regardless of receiving any other monetary payments (of a social or non-social nature), are in a difficult financial situation. In scientific literature the monetary obligation of the state to materially support a person determined by law in a fixed amount in relation to the subsistence minimum at the expense of the state budget is suggested to be denoted by the term «social support» (Synchuk 2015: 313). Legislative examples of social support include: 1) social benefits for children to single mothers, paid as a difference of 50% of the subsistence minimum and the average monthly total income of the family for the previous six months, but not less than 30% of the subsistence minimum (Art. 18 of the Law of Ukraine «On State Assistance to Families with Children» (State Assistance to Families with Children, 1992)); 2) state social assistance to the disabled from childhood and disabled children (Art. 2, Part 3, 4 of Art. 10 of the Law of Ukraine «On State Social Assistance to Persons with Disabilities from Childhood and Children with Disabilities» (On State Social Assistance to Persons with Disabilities from Childhood and Children with Disabilities, 2000)).

The next type of social assistance is a social grant – a type of social assistance paid as the difference between the socially determined minimum social standard necessary for a person's livelihood and the total income received by a person, i.e. the state, as an obliged state, pays the required level of social supplement to a needy person in accordance with social standards (Synchuk, 2015: 314). This concerns, for example, social benefits for a child who has been placed under guardianship or custody (Art. 16–18 of the Law of Ukraine «On State Assistance to Families with Children» (On State Assistance to Families with Children, 1992)) and low-income families (Part 1 of Art. 5 of the Law of Ukraine «On State Social Assistance to Low-Income Families» (On State Social Assistance to Low-Income Families, 2000)).

State payments provided to individuals in accordance with the legislation of Ukraine due to their low income are one of the types of social benefits. According to the Law of Ukraine «On State Social Assistance to Low-Income Families» state social assistance to low-income families is a monthly assistance provided to low-income families in cash in an amount that depends on the average monthly total income of the family. The legal features of state social assistance are: 1) a special subject composition of aid recipients – persons in whose life there's objectively a fact of need due to their low income (family or single person); 2) the priority of centralized legal regulation of assistance; 3) the legal basis, conditions and procedure for providing assistance are determined by law. The legal basis for receiving assistance by the family is the recognition of its special legal status of «low-income», which is influenced by three criteria: 3^{1}) the connection between family income and the subsistence minimum in the state; 3^{2}) taking into account the total family income and the amount of its property; 3^{3}) reasons for being in a low-income status. The lack of a decent income and maintenance of the minimum necessary living standard for all people regardless of their individual capabilities is the main basis of social security of the person according to the conclusions of International Labor Organization experts; 4) the name of social assistance as state emphasizes on the subject obliged in this type of legal relationship – the state in itself and its bodies; 5) monetary (cash or non-cash) form of provision to a person; 6) connection with the state social standard – subsistence minimum; 7) gratuitous and non-equivalent nature of assistance received by a low-income person; 8) is provided for the purpose of social support of low-income persons by the state through their subsidies; 9) legally limited duration of receiving assistance by a low-income person. Hence, the following definition of «state social assistance to low-income persons» is proposed: a legally defined in terms of grounds, conditions, procedure for obtaining and terms of provision subsidy of a social nature provided to low-income persons at the expense of the state budget in order to ensure their living standard is not lower than the subsistence minimum in the state (Voloshyn, 2018: 100-102).

Social compensations as a type of social assistance are payments of social security nature, the main purpose of which is to cover (fully or partially) a person's personal expenses for the purchase of socially necessary goods or services (non-monetary forms of social security) which according to the legislation it can receive from public funds; in Ukrainian legislation, this type of assistance is called monetary compensation (Synchuk, 2015: 315). An example of this type of social assistance is the payment of monetary compensation to some categories of disabled persons instead of a sanatorium-resort ticket and the cost of independent sanatorium-resort treatment.

Assistance allowances as the amount of funds added to the social benefits paid to person is another type of social assistance which acts as a means of equalizing the financial support of needy persons in cases where, according to family law, they have obligations to support disabled family members or pay for permanent medical or third-party care services.

Since 2014, after the occupation of parts of the Donetsk and Luhansk regions, the annexation of Crimea monthly targeted assistance as the main financial assistance to those who moved within Ukraine was introduced to internally displaced persons by the Government resolution to cover living expenses, including the payment of housing and communal services. The mentioned Resolution

became invalid with the adoption of the new Resolution of the Cabinet of Ministers «Some Issues of Housing Allowance Payments to Internally Displaced Persons» No 332 of March 20, 2022 (Some Issues of Housing Allowance Payments to Internally Displaced Persons, 2022).

Conclusions. Therefore, social assistance is guaranteed, regulated by legal norms, one-time or periodic payments of a social and alimony nature or a set of goods and services provided for the purpose of material support of citizens who, due to certain social cases provided for by law, need such assistance. Targeting is a key conceptual characteristic of social assistance. The main types of social assistance are: social compensations, social support, social subsidies, social compensations. Social benefits aimed at compensating individual for objectively or conditionally objectively lost, reduced or unearned income as a result of the occurrence of a social risk of labor income are called social compensations. Social benefits aimed at material support of persons who are in difficult financial situation, despite their employment and regardless of receiving any other monetary payments of a social or non-social nature are called social supports. Social grant (subsidy) is a type of social assistance paid as a difference between the socially defined minimum social standard necessary for a person's life and a total income received by a person, i.e. the state as an obliged entity pays the required level of social supplement to a needy person in accordance with social standards. Social compensations as a type of social assistance are payments of social security nature, the main purpose of which is to cover (fully or partially) a person's personal expenses for the purchase of socially necessary goods or services (non-monetary forms of social security) which according to the legislation it can receive from public funds.

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DOI https://doi.org/10.30525/2592-8813-2024-4-8

CONSTITUTIONAL PRINCIPLES OF REGULATORY REGULATION OF PARLIAMENTARY PROCEDURES IN MODERN UKRAINE: THEORETICAL AND LEGAL ANALYSIS

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Abstract. The subject of the study is a theoretical and legal analysis of the constitutional foundations of the regulatory framework of parliamentary procedures in modern Ukraine. **The methodology of the research** is based on a combination of general and special scientific methods, which were chosen with regard to the purpose and subject of the study. The author uses the dialectical method to study the existing trends in the scientific understanding of the role of the Constitution and the Rules of Procedure in the regulation of parliamentary procedures. The methods of analysis and synthesis helped to identify the features and directions of changes in the constitutional regulation of the nature and purpose of the Rules of Procedure and their role in the development of parliamentarism. The hermeneutic method contributed to the interpretation of the content of the relevant constitutional and regulatory provisions, as well as the legal positions of the Constitutional Court of Ukraine on the interpretation of constitutional provisions in the context of understanding the legal nature of the Rules of Procedure. The systemic-structural method helped to study certain constitutional principles of the rules of parliamentary procedure. The application of the prognostic method allowed to identify possible directions of development of the constitutional principles of the Rules of Procedure regulating parliamentary procedures. **The purpose** of the study is to provide a theoretical and legal assessment of the peculiarities of the constitutional anchoring of the rules of parliamentary procedure in Ukraine, as well as the role and place of parliamentary rules in the regulation of state-political relations of governance. The results of the study prove the peculiarity of the constitutional entrenchment of the regulatory framework for parliamentary procedures, the distinction of its legal and political parts which determine the development of procedural and procedural aspects of parliamentarism, and reveal certain gaps in such regulation (constitutionalization of the role of the parliamentary minority (opposition), which should be filled in accordance with the legal positions of the constitutional jurisdiction body at the level of the Fundamental Law of the State and further be specified in the provisions of the Parliamentary Rules of Procedure). **Conclusions.** The role of the constitutional principles of regulatory framework for parliamentary procedures is to enshrine at the level of the Fundamental Law of Ukraine the defining, basic, starting points regarding the essence and focus of such regulation, the legal form of the Parliamentary Rules of Procedure in the normative system of parliamentarism, and the correlation of legal and political components therein. This approach determines the originality of the Ukrainian model of such principles in comparison with the European constitutional experience embodied in the basic laws of the European countries. In this system, the Parliamentary Rules of Procedure are clearly postulated as an act of supreme legal force (law), the exclusive subject of regulation of which is the procedure of the Verkhovna Rada of Ukraine. Its constitutionally defined functions and powers determine the need for their procedural regulation (implementation procedure) at the level of the rules of this Regulation in their systemic interconnection. Trends in the development of the constitutional foundations of procedural regulation are to systematically streamline the legal and political parts of procedural regulation, while the latter is atypical in terms of constitutional regulation, based on the European experience. The subject matter of the Rules of Procedure of the Verkhovna Rada of Ukraine imperatively includes regulation of the principles of organization, operation and termination of parliamentary factions, as well as of the coalition of parliamentary factions. At the same time, the allocation of the institution of a parliamentary coalition at the constitutional level determines the need for simultaneous

regulation at the level of the same constitutional principles of the principles of organization and operation of the parliamentary minority (opposition) with a view to protecting the political rights of Ukrainian citizens, developing democracy and parliamentarism in accordance with the rule of law.

Key words: Constitution of Ukraine, constitutional principles, Verkhovna Rada of Ukraine, Rules of Procedure of the Verkhovna Rada of Ukraine, parliamentarism, parliamentary procedures, coalition of parliamentary factions, parliamentary minority (opposition), Constitutional Court of Ukraine.

Introduction. According to modern legal doctrine, it is the representative nature of the parliament, its place and role in the state mechanism that entrusts it with the leading organisational, political and legal role in the power triangle (the head of state, the parliament, the government) (Shapoval, 2015) with regard to the implementation of the pluralistic concept of the state legal policy. Such a role of the parliament in the constitutional model of the organisation and exercise of public power requires the proper regulation of all procedures for the exercise of parliamentary powers in the main procedural and procedural legal act – the rules of procedure of the legislative body (Nyzhnyk, 2023, pp. 9–10).

Today, the concept of parliamentary rules of procedure is generally recognised as an important component of the doctrine of parliamentary procedure (Zvozdetska, 2021; Likhachev, 2018), which in turn is one of the components of the science of constitutional procedural law (Sovhyrya, 2010). As the Ukrainian scholars who wrote the commentary on the Venice Commission's report "The Rule of Law at the National Level: Ukraine's Practice" recognise, the main purpose of this regulation is to comprehensively regulate the issues of parliamentary procedure (Rule of Law, 2020, p. 27), although it may contain certain provisions of substantive law (Nyzhnyk, 2023, p. 12), which further complicates its legal nature.

In modern conditions, the study of parliamentary rules of procedure in different countries is at a fairly high level, since this normative document is naturally considered a key legal act in the functioning of the parliament, sometimes even a proof of its autonomy and sovereignty (Savchyn, 2019, pp. 11–25), an act that confirms the crucial, if not decisive, role of the parliament in the political system of society and in the mechanism of the state. Almost every state with a functioning parliament has codified and fairly stable rules of parliamentary procedure, which are either systematised in a single act – usually the Rules of Procedure – or (in the case of bicameral parliaments) may be unsystematised (separate rules for one chamber, separate rules for the other, etc.). In general, however, when we speak of the Rules of Procedure, we mean a systematic presentation of the rules of organisation and operation of the parliament, usually in a single systematised legislative act, regardless of its specific name (Rules of Procedure, Parliamentary Rules of Procedure, etc.) (Sas, 2005, pp. 135–139).

In national jurisprudence, the legal nature of parliamentary rules of procedure against the background of the formation of the national model of parliamentarism has been studied in the scientific works of a number of scholars, in particular, N. Agafonova, Yu: N. Agafonova, Y. Barabash, Y. Bysaha, O. Bogachova, N. Ganzha, V. Goncharenko, V. Hoshovska, V. Yermolaev, V. Zhuravskyi, A. Zayets, I. Zvozdetska, O. Zozulia, V. Kafarskyi, O. Kopylenko, L. Kryvenko, V. Kryzhanivskyi, N. Lykhachov, I. Magnovskyi, M. Markush, R. Martyniuk, A. Nyzhnyk, V. Opryshko, Y. Pererva, Z. Pogorelova, V. Pohorilko, A. Rysheliuk, S. Sas, A. Selivanov, V. Sirenko, V. Skomorokha, O. Skrypniuk, I. Slovska, O. Sovhyra, M. Teplyuk, T. French-Yakovets, V. Shapoval, S. Sharanych, Y. Shemshuchenko, O. Yushchyk and others. In one way or another, they touched upon the analysis of constitutional elements of the regulatory framework of parliamentary procedures, but no comprehensive study has been carried out so far.

The concept of parliamentary regulations in constitutional law

A prominent national legal researcher, Professor V. Pohorilko, once revealed the origin of the concept of "regulation" from the French word "regle" (rule) and the Latin word "regula" (rule), and defined this term as a set of rules establishing the procedure for the work of a particular public author-

ity, local self-government body, organisation or institution (Likhachev, 2017, p. 100; Pohorilko, 2007, p. 759). In its extended form, this researcher also defined regulation as: 1) a set of rules or a normative act determining the procedure for the activity of a public authority, local self-government body, organisation or institution; 2) the procedure for holding meetings, sessions, conferences, congresses and other gatherings; 3) the name of an international legal act (Pohorilko, 2003, p. 736). With regard to the latter interpretation, regulations are still considered in European law as sources of law that are normative legal acts of a general nature, binding on all subjects of European law and having direct effect, as they are subject to unconditional application by all EU Member States (Watras, 2022, p. 118).

In our study, we focus on this approach of understanding regulations as a legal document (normative act) containing systematised rules of procedure of a representative governmental body. In this sense, regulations can be both a parliamentary document and an act of a representative body of local government (Lyndyuk, 2016, pp. 308–310). Since we are analysing the constitutional principles of regulatory regulation of parliamentary procedures, we will talk about a set of permanently valid "rules of procedure" in national parliaments. Therefore, parliamentary rules can be defined as an "internal" law for the parliament itself, because it is this act that clearly establishes the procedure for its activity. Despite this, the norms of regulations of foreign states regulate not only the internal activities of the parliament, but also activities related to interaction with other state authorities (Frantzuz-Yakovets, 2012, p. 63).

As rightly noted in the literature, the core of modern parliamentary autonomy is the independent resolution of issues of its internal organisation by the parliament as a component of constitutional democracy (Savchyn, 2019, p. 12). In this way, the rules of parliamentary procedure are institutionalised and systematised. Although the main function of these rules is to establish procedural guidelines for legislative action, they often play an important role in structuring the internal organisation of the national parliament, defining the duties and powers of committees, and outlining the limits and methods of normatively desired behaviour of parliamentarians. In many parliaments, standing orders can regulate important organisational aspects such as committee structure, leadership roles and even the organisation and behaviour of party groups in parliament. In addition, these rules may affect the legislature's relations with the executive and some other branches of government, as well as its interaction with the public.

In jurisprudence, the term "rules" is also considered in a broad and narrow sense. In a broad sense, the term "rules" refers to the entire set of rules governing the work of the parliament. According to this approach, the regulations include all norms relating to the internal functioning of the legislative body, regardless of their legal source and level of legal force. These include, in particular: norms contained in the Constitution of the State and in relevant legislative acts; some defining aspects of internal parliamentary life; the Rules of Procedure of the Parliament (or its chambers); sub-regulatory acts, i.e. separate decisions of the Parliament or its structural units on certain organisational issues, as well as parliamentary precedents and customs. In a narrow sense, the term "regulations" refers to a single codified regulatory legislative act, usually of higher legal force, adopted by the parliament itself or each of its chambers, regulating its internal life and, in most cases, having its own name "Regulations" (Linetsky, 2017, pp. 10–11). It is in the latter sense that in our study we are talking about regulations as a specific legislative act of a specific state body – the Regulations of the Verkhovna Rada of Ukraine.

The key elements of the rules of procedure of national assemblies are derived from the provisions of the national constitution. In a democratic society, the constitution influences these rules in three main ways. First, the constitution defines the wider system of government of which the representative assembly is a part. The rules of procedure of the assembly must be compatible with this structure. Second, the constitution must contain some specific provisions governing particular

aspects of the organisation of the assembly and the rules for the conduct of its business. Third, the constitution must specify how additional rules can be adopted by the assembly itself. The development of effective rules of procedure for national parliaments is an extremely detailed and complex process that benefits greatly from the experience of other democratic assemblies, especially those in similar constitutional systems of government. The content of parliamentary rules of procedure is usually characterised by a fairly detailed regulation of parliamentary procedures. This is due, first of all, to the fact that the more detailed the procedural issues are regulated, the fewer reasons there are for disputes and conflicts both within the parliament itself and between it and other state authorities (Lykhachev, 2017, p. 103). Instead, the state constitution creates a kind of permanent, stable and rather rigid regulatory framework for regulatory regulation, which is reflected in the concept of constitutional principles.

Constitutional principles of regulatory regulation of parliamentary procedures: concept and content

In the etymological sense, the concept of "principle" denotes the basis of something, the main thing on which something is based; the initial, main position, the basis of a worldview, a rule of behaviour, a method, a purpose for implementing something (Ryabovol, 2017, p. 50). Instead, in legal science the term "principle" is specified, which denotes the basic, initial provisions of a certain legal phenomenon, the basis on which certain activities are carried out, ideas that determine the strategic direction of the state's activities in any sphere of social life; the implementation of principles is carried out through the formation of principles; principles determine the content of principles, and the latter are derived from principles; principles determine the main bases and patterns of a certain phenomenon, their purpose is to balance, coordinate the influence exerted; the implementation of principles is carried out through the definition of the mechanism and specific bodies entrusted with the responsibility for the implementation of a certain policy (Kravtsova, 2019, p. 23).

Constitutional principles are defined in legal science as fundamental system-forming provisions of a constituent nature, which are enshrined in the Constitution of the state and constitute the legal basis for the legal regulation of relevant social relations (Kulaga, 2005, p. 4); initial, main, fundamental ideas, provisions of a general nature, which are embodied in the content of the Constitution of Ukraine or follow from it, and which, on the one hand, reflect the source of their origin (the norms of the Basic Law of Ukraine), and, on the other hand, show in which system of social and regulatory coordinates they are located (again, this is the Constitution) (Luzhansky, 2021, p. 107). The significance of these principles for legal regulation lies in their universality, which is due to the special place of the Constitution in the legal system of the state; laconicism, which embodies the spirit and content of the Constitution; elasticity, which creates the possibility of adapting specific constitutional norms to the constantly changing conditions of social life; are characterised by a high degree of legal generalisation and embody general social and value ideals in the form of a certain abstract declarative power; have a constitutional-foundational content, i.e. they underlie the legal regulation of relevant social relations (Chubaruk, 2010, pp. 61–63).

We agree with the opinion of experts that in this sense the term "constitutional" should be understood as those which are directly defined by the Constitution, or those which are derived from its "spirit", i.e. are logically conditioned and are in an inseparable value system connection with the institutions normatively enshrined in it; the aforementioned term is also interpreted as "guided by the Constitution" (Luzhansky, 2021, p. 107). Such principles, by virtue of their origin and legal nature, are internally balanced and mutually consistent, which indicates their characteristic of integrity. As an expression of qualitative certainty, these principles are objectively and comprehensively interrelated, each of them does not exist in isolation from the others. All of them are characterised by mutual influence and constitute not only a mechanical whole, but an organic unity and a holistic system (Luzhansky, 2021, p. 107).

Constitutional principles determine the nature and direction of the regulation of parliamentary procedures, but they do so in different ways and with different levels of detail. Given the organic affiliation of the domestic constitutional tradition to European roots (Savchyn, 2010, pp. 83–89), as well as taking into account the European integration course of the Ukrainian state (On Amendments to the Constitution, 2019), which is manifested primarily in the constitutional and legal sphere, in particular in the corresponding reform of state-political power relations, it makes sense to consider more closely the specifics of the constitutional consolidation of the regulatory regulation of parliamentary procedures in Ukraine.

First of all, it should be noted that in the current Constitution of Ukraine textual references to the Rules of Procedure of the Verkhovna Rada of Ukraine occur four times: in parts five and nine of Article 83, in paragraph 15 of Part One of Article 85 and in part three of Article 88 of the Constitution of Ukraine (Constitution of Ukraine of 1996), which in general represents a relatively small part of the total volume of constitutional regulation of the organisation and activity of the Verkhovna Rada of Ukraine. At the same time, in the original version of the Constitution of Ukraine of 1996 such references were recorded only twice, and if compared with the Constitution of Ukraine of 1978, which was in force before the adoption of the Constitution of Ukraine of 1996, then only once (Constitution of Ukraine, 1978). The above indicates a gradual trend of expanding the framework of regulation of parliamentary procedures directly in the constitutional text, which means a natural elevation of parliamentary procedures as an object of constitutional regulation. It is also important to note that the relevant constitutional provisions concerning the subject specificity of the Rules of Procedure of the Verkhovna Rada of Ukraine are united by a common subject criterion (regulatory regulation of parliamentary procedures, although the concept of these procedures is not directly used in the Constitution of Ukraine), interconnected by systemic and logical links, and form a single subject block of constitutional principles (Chubaruk, 2010, p. 64), which are aimed at determining the framework and features of regulatory regulation of parliamentary procedures. Taking this into account, as well as based on the main focus of constitutional regulation of social relations, including state-political power relations, it is possible to propose the following definition of constitutional principles of regulatory regulation of parliamentary procedures. These are basic, defining, key provisions and ideas directly (textually) established in the Constitution of Ukraine or those derived from its content on the basis of systematic interpretation of its norms, aimed at fixing (consolidating), ensuring action and development of the regulatory regulation of parliamentary procedures, which serve as a stable legal basis for development, the adoption, operation and amendment of the Rules of Procedure of the Verkhovna Rada of Ukraine in accordance with the modern requirements of the development of parliamentarism and the establishment of the principles of the rule of law and the rule of law in the sphere of the functioning of the Verkhovna Rada of Ukraine as the sole body of legislative power of the State. These principles determine the basis of constitutional legality in the sphere of the functioning of parliamentary representation and must permeate all the norms of the aforementioned Rules of Procedure, constitute their value-normative core and determine the logic and system of regulatory regulation of parliamentary procedures on the basis of and in accordance with the requirements of the fundamental law of the State. They are designed to promote the normal, natural, objectively favourable process of development of the parliament, the proper implementation of its functions and powers, and not to act as a brake on it or destabilise parliamentary processes (Belov, Yakymovych, 2014, p. 123). These principles are also important from an epistemological point of view, as they provide a unified understanding of the nature and purpose of the Rules of Procedure of the Verkhovna Rada of Ukraine in the system of state-political power relations.

By granting these Regulations a high constitutional status, the Constitution imperatively requires the legislator to take a number of positive actions: adopting the Regulations in the legal form and in the manner determined by the Constitution of Ukraine, ensuring their implementation in all its forms

(application, compliance, execution, use), timely adjustment of their content in accordance with the needs of the development of the parliament and parliamentary procedures, ensuring regulatory continuity (the situation of the parliament's activities in the absence or invalidity of the Regulations is unacceptable, that is, regardless of specific types, it, as a form of regulation of the procedure for the activities of the parliament, must occupy a mandatory place in the system of national legislation along with the Constitution).

As the Constitutional Court of Ukraine noted in its ruling back in 2000, "despite the fact that the Constitution of Ukraine has left significant space for legislative regulation of the main areas of activity of the parliament, which emphasizes its autonomy and independence in resolving procedural issues, the law on the Rules of Procedure of the Verkhovna Rada of Ukraine has not yet been adopted. This important problem requires urgent legislative regulation, since any holder of power must act in accordance with the Constitution and laws of Ukraine" (Rule, 2000). From this point of view, the situation was unacceptable when only in 2010 the Parliament of Ukraine adopted the Rules of Procedure, which in form met constitutional requirements – had the force of law, whereas until then the regulatory regulation was carried out at the sub-legal level. The lack of proper comprehensive legal regulation of all elements of the Rules of Procedure provided for by the Constitution of Ukraine prevents its full application, and also sometimes leads to constitutional conflicts, as happened, in particular, in 2019. in the course of the situation related to the lack of regulatory norms regarding the procedure for terminating the activities of the coalition of deputy factions and the early termination by the President of Ukraine of the powers of the Verkhovna Rada of Ukraine of the eighth convocation, which the Constitutional Court of Ukraine was forced to pay attention to in its Decision of 20.06.2019 (Decision, 2019).

If we analyse the placement of the specified norms, then all of them are naturally concentrated in Section IV "The Verkhovna Rada of Ukraine", which confirms their focus on regulating the exclusive sphere of relations related to the functioning of the Verkhovna Rada of Ukraine. The second aspect that should be noted is the relative constitutional stability and security of these norms. They cannot be changed through the ordinary legislative procedure, but only through the constitutionally established procedure for amending the relevant section of the Constitution of Ukraine (Articles 154–156 of the Constitutional Law of Ukraine) (Constitution of Ukraine, 1996). Such constitutional "rigidity" of these norms additionally serves the purposes of their relative immutability, constancy, clarity, comprehensibility and unambiguity of legal norms, in particular their predictability and stability as elements of the principle of legal certainty (Decision, 2017).

The uniqueness of the constitutional principles of regulation of parliamentary procedures

The Constitution of Ukraine partially reveals the legal nature of the Rules of Procedure of the Verkhovna Rada of Ukraine by establishing that "the procedure for the work of the Verkhovna Rada of Ukraine shall be established by the Constitution of Ukraine and the Rules of Procedure of the Verkhovna Rada of Ukraine" (Part Five of Article 83 of the Constitution of Ukraine) (Constitution, 1996). By using the term "the procedure of work of the Verkhovna Rada of Ukraine", the legislator essentially indicated that it is a common subject of regulation of two legislative acts: the Constitution of Ukraine and the Rules of Procedure. However, the regulation of this procedure cannot and should not be identical at the level of two legislative acts of different legal force. Obviously, in this case, the principle of complementarity was meant: the basic, initial principles of such an order are regulated by the Constitution of Ukraine (which, in the subject of its regulation, has a whole range of other issues of fundamental, fundamental from the legal point of view), while all other issues of the order of the activity of the Verkhovna Rada of Ukraine are regulated, alongside the Constitution, by its regulations. In essence, the legislator raises the legal status of the Regulations of the Verkhovna Rada of Ukraine, placing them alongside the Constitution in a substantive order, but of course not in a hierarchical order. Since the Constitution has the highest legal force (Article 8 of the Basic Law of

Ukraine (Constitution, 1996)), it is natural that the regulations have a sub-constitutional nature and must conform to it. They are hierarchically subordinate to the Constitution of Ukraine.

Let us return to the concept of the procedure for the activity of the Verkhovna Rada of Ukraine. The Constitution of Ukraine does not reveal the content of this concept, apparently leaving this issue to the Rules of Procedure themselves. In accordance with the second part of Article 1 of the Rules of Procedure of the Verkhovna Rada of Ukraine, the Rules of Procedure determine the procedure for preparing and holding sessions of the Verkhovna Rada of Ukraine, its meetings, the formation of state authorities, the legislative procedure, the procedure for considering other matters within its competence and the procedure for exercising the control functions of the Verkhovna Rada of Ukraine. The features of exercising the control functions of the Verkhovna Rada in the areas of national security and defense are determined by the Law of Ukraine "On National Security of Ukraine" (On Rules of Procedure, 2010). In fact, this formulation outlines the issues that belong to or are covered by the concept of the procedure for the work of the Verkhovna Rada of Ukraine: 1) the procedure for preparing and holding its sessions and meetings; 2) the procedure for forming state bodies by it; 3) the definition of the legislative procedure; 4) the definition of the procedures for considering other issues within the powers of the parliament; 5) the procedure for exercising the control functions of the Verkhovna Rada of Ukraine. At the same time, the second sentence of part two of Article 1 of the Regulations separately states that “the features of exercising the control functions of the Verkhovna Rada in the spheres of national security and defense are determined by the Law of Ukraine “On National Security of Ukraine” (On Regulations, 2010). Considering that “the exercise of the control functions of the Verkhovna Rada in the spheres of national security and defense” is an integral part of the procedure for exercising the control functions of the Verkhovna Rada, and therefore – an element of the procedure of work of the Verkhovna Rada of Ukraine, we believe that, from a constitutional point of view, determining the elements of the procedure of work of the Verkhovna Rada of Ukraine outside the Constitution and the Regulations contradicts part five of Article 83 of the Constitution of Ukraine (Constitution, 1996). Literally interpreting this constitutional provision, we must conclude that the legislator, having directly specified the subject of regulation of the Rules of Procedure of the Verkhovna Rada of Ukraine ("the Rules of Procedure of the Verkhovna Rada of Ukraine"):

– undertook, when adopting the Rules of Procedure, to comprehensively, systematically and comprehensively regulate in it all aspects of the rules of procedure of the Verkhovna Rada of Ukraine;

– thereby made it impossible to regulate both the rules of procedure of the Verkhovna Rada of Ukraine and individual elements of this procedure by other legislative acts of Ukraine, other than the Rules of Procedure of the Verkhovna Rada of Ukraine;

– regulation of the rules of procedure of the Verkhovna Rada of Ukraine must be based on the principles defined by the Constitution of Ukraine and be their legal concretization.

An important issue in resolving the issue of the legal nature of the parliamentary Rules of Procedure is the issue of its form and legal force. The fact is that in the initial version of the Constitution of Ukraine of 1996 There were only two references to the Rules of Procedure of the Verkhovna Rada of Ukraine – in part five of Article 83 and part three of Article 88. And both of these norms referred to such an act as the “Law on the Rules of Procedure of the Verkhovna Rada of Ukraine” (Constitution, 1996). However, in the course of the constitutional reform, the Law of Ukraine “On Amendments to the Constitution of Ukraine” dated 08.12.2004 No. 2222-IV amended these and some other provisions of the Constitution of Ukraine, in particular, the phrase “Law on the Rules of Procedure of the Verkhovna Rada of Ukraine” was replaced with “Regulations of the Verkhovna Rada of Ukraine” (On Amendments to the Constitution, 2004). This gave grounds for some researchers to insist that the Verkhovna Rada of Ukraine, having implemented the constitutional reform, lowered the legal level of the parliamentary Rules of Procedure from a law to a by-law (Markush, 2009, pp. 4-7). In favor of this thesis, an argument was also put forward related to the changed construction of Article 85

of the Constitution of Ukraine, in which, along with the paragraph stating that the Verkhovna Rada of Ukraine adopts laws (paragraph 3 of the first chapter), a separate paragraph 15 also appeared, which referred to the adoption by the Verkhovna Rada of Ukraine of the Rules of Procedure of the Verkhovna Rada of Ukraine (Constitution, 1996). From this, it was concluded that the adoption of laws in this way is not identical to the adoption of the Rules of Procedure, therefore the latter is not and should not be a law.

Without delving into the vicissitudes of the procedural debate of 2006-2010, it should be noted that in four of its decisions (Decision, 1998-b; Decision, 2008-a; Decision, 2008-b; Decision, 2009) the Constitutional Court of Ukraine insisted that since the formula of Article 92 of the Constitution of Ukraine remained unchanged, according to which "the organization and procedure for the activities of the Verkhovna Rada of Ukraine" is determined exclusively by the laws of Ukraine (paragraph 21), then the Regulations, which regulate the organization and activities of the Verkhovna Rada of Ukraine, should be adopted exclusively as a law of Ukraine and according to the procedure for its consideration, adoption and entry into force established by Articles 84, 93, 94 of the Constitution of Ukraine" (Decision, 2008-a).

Let us add to this an additional argument in favor of the position of the Constitutional Court of Ukraine. The key titular function of the Parliament of Ukraine is the legislative function, because only the Verkhovna Rada of Ukraine is authorized to adopt laws in Ukraine (Decision, 1998-a). Only it is the constitutional body authorized to exercise legislative power (Decision, 2001). No other body of state power is authorized to adopt laws. The Verkhovna Rada of Ukraine exercises legislative power independently, without the participation of other bodies (Decision, 2003). This function consists in the adoption by the Verkhovna Rada of Ukraine of the laws of Ukraine. These are acts of higher legal force that regulate the most important social relations (Part One of Article 10 of the Law of Ukraine "On Law-Making Activity" (On Law-Making, 2023)). It would be illogical to establish the procedure for adopting laws at the level of a regulatory legal act lower than the law itself. Then the legislative procedure would be regulated by the Constitution and the resolution of the Verkhovna Rada of Ukraine, which until 2010 was the Rules of Procedure of the Verkhovna Rada of Ukraine. This situation looks absurd from the point of view of the constitutionally defined hierarchy of regulatory legal acts and the exceptionally important subject of regulation of the legislative procedure, which should be determined at the level of the Constitution of Ukraine and the Rules of Procedure of the Verkhovna Rada of Ukraine, which has the legal force of law and is itself a law.

First of all, the Constitutional Court of Ukraine expressed its legal position in the Decision of the Constitutional Court of Ukraine dated 03.12.1998 N 17-rp/98. In paragraph 6 of this Decision, in particular, it is indicated that after the Constitution of Ukraine comes into force (Article 160 of the Constitution of Ukraine), the Verkhovna Rada of Ukraine must decide exclusively on the issues of organization and procedure of activity of the Verkhovna Rada of Ukraine, as well as the status of people's deputies of Ukraine, by the Verkhovna Rada of Ukraine (paragraph 21 of part one of Article 92 of the Constitution of Ukraine), in particular by the law on the regulations of the Verkhovna Rada of Ukraine (Decision, 1998-b). Later, in the Resolution of the Constitutional Court of Ukraine dated 27.06.2000, it was directly indicated that the Verkhovna Rada of Ukraine should adopt as soon as possible "a comprehensive law on the regulations of the Verkhovna Rada of Ukraine, consistent with the norms of the Constitution of Ukraine" (Resolution, 2000). At the same time, the Constitutional Court of Ukraine resorted to a kind of expansive interpretation of the subject of regulation of the Regulations, including "rules of internal procedure, rights of parliamentary factions and deputy groups, principles of law-making ethics" (Resolution, 2000).

As a result of the implementation of the requirements of the Constitution of Ukraine and the legal positions of the Constitutional Court of Ukraine, the Rules of Procedure of the Verkhovna Rada of Ukraine were approved by law on February 10, 2010 (On Rules of Procedure, 2010). Thus, for the

first time, the Rules of Procedure of the Verkhovna Rada of Ukraine acquired the form of a law: before that, the regulations of 1994, 2006, 2008 and 2009 were in force, which were not laws. At the same time, the Rules of Procedure are approved by law, are its integral part and have the force of law (Part Two of Article 15 of the Law of Ukraine "On Law-Making Activity" (On Law-Making, 2023)).

In addition, it should be noted that the transition to the formula "Regulations of the Verkhovna Rada of Ukraine – law" continued the constitutional tradition that had developed in previous years and was reflected, with amendments, in the Constitution of Ukraine of 1978, but which was contradicted by the position set out in the Constitutional Treaty of 1995. The first document (Article 114) stipulated that "the procedure for the activity of the Verkhovna Rada of Ukraine and its bodies shall be determined by the Regulations of the Verkhovna Rada of Ukraine and other laws of Ukraine adopted on the basis of the Constitution of Ukraine", i.e. the form of a law was provided exclusively for the Regulations of the Verkhovna Rada of Ukraine, but at the same time the possibility of regulating the procedure for the activity of the Verkhovna Rada of Ukraine and its bodies by other laws was allowed. As far as the Constitutional Treaty was concerned, the fifth part of Article 7 of that Act stated that "the Verkhovna Rada of Ukraine shall function in accordance with the Regulations of the Verkhovna Rada of Ukraine, which shall have the force of law" (Constitutional Treaty, 1995). This wording reproduced the norm of Article 1.0.1. of the Regulations of the Verkhovna Rada of Ukraine of 27 July 1994 (On the Regulations, 1994), which also established that the Regulations had the force of law (although formally the Regulations of 1994 were not themselves a law, and amendments to them were made by resolutions of the Verkhovna Rada of Ukraine until the adoption of the Regulations of the Verkhovna Rada of Ukraine of 16 March 2006 (On the Regulations, 2006)). Therefore, we emphasise once again that the adoption of the Rules of Procedure as a law on 10 February 2010 both put an end to the long-standing constitutional uncertainty about the legal form of the Rules of Procedure and provided stability and predictability of the development of the newly adopted legislative act in accordance with its constitutional principles. The significance of the adoption of the Rules of Procedure as a law lies in the fact that, unlike parliamentary decisions, the Rules of Procedure have finally been given a permanent legal form of establishing the procedure for the work of the Verkhovna Rada of Ukraine and have also become an obligatory and integral part of the state legislative system. We do not see in it an attack on parliamentary autonomy (Savchyn, 2019, p. 15). In connection with this fact, it is worth considering more closely the wording contained in paragraph 15 of Part One of Article 85, according to which the Verkhovna Rada of Ukraine shall adopt the Rules of Procedure of the Verkhovna Rada of Ukraine (Constitution, 1996). Taking into account the legal positions of the Constitutional Court of Ukraine, this wording, separated from the wording that the Verkhovna Rada of Ukraine adopts laws (paragraph 3 of Part One, Article 85 of the Constitution of Ukraine (1996)), does not at all mean that the Rules of Procedure of the Verkhovna Rada of Ukraine have a different legal form from the law. In our opinion, something else is meant here, namely, by analogy with Articles 95–96 of the Constitution of Ukraine, which deal with the adoption of the State Budget of Ukraine (Constitution of Ukraine, 1996), we are talking about a substantive delimitation of an exclusive range of issues, which the legislator must regulate in the Rules of Procedure – the procedure for the activity of the Verkhovna Rada of Ukraine. By assigning this matter to the exclusive competence of the Verkhovna Rada of Ukraine (Article 85 of the Constitution of Ukraine, 1996), the legislator indicates that no other authority or official has the right to assume this competence or to interfere in the legislative definition of the procedure for the activity of the Verkhovna Rada of Ukraine in the form and manner that the Parliament itself deems necessary.

Moreover, since the subject of the Law on the Rules of Procedure of the Verkhovna Rada of Ukraine is clearly defined in the Constitution of Ukraine, this Law cannot interfere with the subjects of regulation of other laws of Ukraine. In this connection, again by analogy with the Law on the State Budget, it is suggested to draw a conclusion on the expediency of establishing a norm which will

make it impossible to make amendments to the Rules of Procedure and other laws simultaneously in one legislative act. Obviously, amendments to the Rules of Procedure should be made only by a separate, special law, which will not include as its subject other issues not related to the regulation of the procedure of the Verkhovna Rada of Ukraine. The opposite approach, which is now often used in particular for legislative amendments to the Rules of Procedure, undermines the autonomy of the subject of its regulation and may lead to a violation of the rights and freedoms of man and citizen.

It should also be noted that the Verkhovna Rada of Ukraine cannot act in an arbitrary or illegal manner when determining the scope of its work in the Rules of Procedure. As the Constitutional Court of Ukraine stated in its Decision No. 11-rp/98 of 07.07.1998, "the activity of the Verkhovna Rada of Ukraine is primarily aimed at ensuring the representation of the people and the expression of the state will through the adoption of laws by the vote of the people's deputies of Ukraine" (Decision, 1998-a). The key principle determining the procedure for the work of the Verkhovna Rada of Ukraine is the principle of the rule of law. The European Commission "For Democracy through Law" (Venice Commission) at its 86th plenary session on 25–26 March. 2011 in its report "The Rule of Law" indicated that the main criteria for understanding the rule of law are in particular: accessibility of the law (the law must be clear, precise and predictable); questions of legal rights must be resolved by the norms of the law and not on the basis of discretion; equality before the law; power must be exercised in a lawful, fair and reasonable manner; the elements of the rule of law are Legality, including a transparent, accountable and democratic process for implementing the provisions of the law; Legal certainty; Prohibition of arbitrariness; Equality before the law (Decision, 2019). With regard to the recognition of the procedure for the work of the Verkhovna Rada of Ukraine, the rule of law means that the parliament is limited in its actions by pre-regulated and announced rules, which make it possible to predict the measures that will be applied in specific legal relations, and, accordingly, the subject of law enforcement can foresee and plan its actions and count on the expected result (Decision, 2019). In the same sense, the Verkhovna Rada of Ukraine must regulate in its Rules of Procedure such a procedure for its work, based on the constitutionally defined competence, according to which each authority of the Verkhovna Rada of Ukraine must correspond to the appropriate procedure for its implementation, established in the Rules of Procedure at a level of detail corresponding to the legal nature of the law. For example, in accordance with the second paragraph of the first part of Article 10 of the Law of Ukraine "On Legislative Activity", the procedure for adoption of laws by the Verkhovna Rada of Ukraine is determined by the Constitution of Ukraine and the Rules of Procedure of the Verkhovna Rada of Ukraine (On Legislative Activity, 2023).

In addition, according to the principle of parliamentary autonomy, the legislature has discretion in determining the content of its own legislative acts and implementing internal parliamentary procedures, while maintaining a balance between the interests of the majority and the minority (Savchyn, 2019, p. 12). The obligation to maintain such a balance results from a number of legal positions of the Constitutional Court of Ukraine, which should be taken into account by the legislator when drafting both the constitutional principles of regular regulation of parliamentary procedures and the Rules of Procedure of the Verkhovna Rada of Ukraine. Thus, as a result of the constitutional amendments of 2004, a new Part Nine appeared in Article 83 of the Constitution of Ukraine, according to which "the principles of formation, organisation of activity and termination of activity of a coalition of deputy factions in the Verkhovna Rada of Ukraine shall be established by the Constitution of Ukraine and the Rules of Procedure of the Verkhovna Rada of Ukraine" (On Amendments to the Constitution of Ukraine, 2004). In this way, the Verkhovna Rada of Ukraine implemented the instruction of the Constitutional Court of Ukraine that “the problem of creating a working parliamentary coalition capable of effectively implementing the formed political programs should be solved by the Verkhovna Rada of Ukraine through political and regulatory measures” (Resolution, 2000). Having decided that political measures would not suffice, the Parliament resorted to entrusting the Rules of Procedure of

the Verkhovna Rada of Ukraine with the task of synthesising, together with the Constitution and on its basis, the regulation of the principles of formation, organisation of activities and termination of activities of a coalition of deputy factions in the Verkhovna Rada of Ukraine. That is, we are talking about a rather limited form of regulation at the level of rules: it is limited to the principles of formation, organisation of activities and termination of activities of a coalition of deputy factions, while the regulation of all other issues is, of course, placed in the sphere of political norms established in the relevant political agreements.

According to the position of the Constitutional Court of Ukraine, "the principles of domestic and foreign policy are the basic ideas, the main principles of the strategic line of the state activity in the mentioned areas" (Decision, 1999). By analogy with this definition, it can be concluded that the principles of formation, organisation and termination of activities of a coalition of deputies, which belong to the sphere of regulatory regulation, are the main and initial ideas in the legal regulation of formation, organisation and termination of activities of the specified coalition, which is the basis for the formation, activity and termination of activities of the specified legal entity.

However, by introducing the institution of a coalition of parliamentary factions into the Constitution of Ukraine, the legislator ignored the caveat expressed by the Constitutional Court of Ukraine itself in its opinion of 27 June 2000, which emphasised that the introduction of such a concept into the Constitution (referring to the concept of "permanent parliamentary majority") "logically necessitates the need to supplement it with guarantees in a general form". 2000, which emphasised that the introduction of such a concept into the Constitution (it referred to the terminologically identical concept of "permanent parliamentary majority") "logically necessitates the need to supplement it with guarantees (even in a general form) for that part of the composition of the Verkhovna Rada of Ukraine which is not part of the "permanent parliamentary majority" and which can be conditionally characterised as a "parliamentary minority". Uncertainty about the guarantees for the functioning of such a minority may lead to a violation of one of the fundamental principles on which public life in Ukraine is based – political and ideological diversity (Article 15 of the Constitution of Ukraine) and to restrictions on the constitutional rights of citizens, provided for, in particular, by Articles 34 and 38 of the Constitution of Ukraine" (Opinion, 2000).

Soon, as is known, problems with the institution of coalition arose: as a result of the decision of the Constitutional Court of Ukraine of 30 September 2010, the constitutional amendments of 2004 were cancelled (Decision, 2010) and the version of the Constitution of Ukraine of 28 June 1996, which did not provide for the institution of coalition as a constitutional component, was restored.

However, later, with the adoption of the Law of Ukraine "On Restoration of the Effect of Certain Norms of the Constitution of Ukraine" of 22 February 2014, the version of the Constitution of Ukraine of 8 December 2004 was restored, but no simultaneous changes were made to the Rules of Procedure (On Restoration, 2014). In particular, the formation of a coalition remained outside the regulatory framework, which in practice led to an ambiguous interpretation of the relevant constitutional norms, which the Constitutional Court of Ukraine was forced to address in 2019 in its decision of 20 June 2019 (Decision, 2019): "Contrary to the Constitution, the Verkhovna Rada of Ukraine has not restored in the Regulations the issue of termination of the activities of the coalition of deputy factions in the Verkhovna Rada of Ukraine"; "The Fundamental Law of Ukraine does not determine the procedure for termination of the activities of the coalition of deputy factions in the Verkhovna Rada of Ukraine, and the Regulations, contrary to the requirements of Article 83 of the Constitution of Ukraine, do not provide for the procedure for termination of the activities of the coalition of deputy factions in the Verkhovna Rada of Ukraine. From the above, it follows that the coalition of deputy factions is not an optional, but an imperative institution, with which the authority of the Verkhovna Rada of Ukraine is systematically associated (Article 90 of the Constitution of Ukraine (Constitution, 1996)), the "procedure for terminating the coalition's activities", according to the position of the Constitutional Court of

Ukraine, should be determined by the Rules of Procedure, which does not quite correctly reproduce the content and logic of part nine of Article 83 of the Constitution of Ukraine, which states that the subject of regulation of the Rules of Procedure is not "the procedure for terminating the coalition's activities", but only "the principles for terminating the coalition's activities", that is, a much narrower range of issues.

Finally, let us dwell on the fourth formulation of the Constitution of Ukraine, which directly mentions the parliamentary Rules of Procedure. This is part three of Article 88 of the Fundamental Law, according to which "The Chairman of the Verkhovna Rada of Ukraine shall exercise the powers provided for by this Constitution in the manner established by the Rules of Procedure of the Verkhovna Rada of Ukraine" (Constitution, 1996). The importance of this formulation lies in the fact that it essentially indicates that the issue of managing the parliament, which is carried out by its Chairman, also falls within the scope of the parliamentary procedure, and therefore falls under the scope of regulatory regulation.

The second aspect that follows from this formulation is, in our opinion, that by referring only the Chairman of the Verkhovna Rada of Ukraine to the subjects that perform management functions in relation to the parliament, the Constitution of Ukraine thereby imposed on him the obligation to ensure compliance with regulatory requirements during all parliamentary procedures. How and in what way this function of the head of parliament is specifically ensured, is detailed in the Rules of Procedure itself. However, judging by the content of its provisions, it shares the concept of referring the management of the parliament to the scope of the procedure for its work and imposing on the head of this state authority a number of key provisions to ensure compliance with the Rules of Procedure of the Verkhovna Rada of Ukraine.

Finally, the third element of the above constitutional formula: the Chairman of the Verkhovna Rada of Ukraine, when exercising the powers provided for by the Constitution of Ukraine in the manner established by the Rules of Procedure, may not arbitrarily exceed their scope. In addition, the Rules of Procedure cannot grant the Chairman of the Verkhovna Rada of Ukraine powers which do not result from the content of Article 88 of the Constitution of Ukraine and other provisions of the Basic Law. In this way, the constitutional principles of regulatory regulation of parliamentary procedures support the concept of self-restraint of the legislative body (Kostytskyi, Koban, 2017) and make it impossible for a senior official of the Parliament of Ukraine to arbitrarily exercise managerial powers.

Conclusions. Based on the above, the following main conclusions can be formulated.

Constitutional principles of regulatory regulation of parliamentary procedures are fundamental, defining, key provisions and ideas directly (textually) established in the Constitution of Ukraine or those derived from its content on the basis of systematic interpretation of its norms, aimed at fixing (consolidating), ensuring the action and development of regulatory regulation of parliamentary procedures, which serve as a stable legal basis for the development, adoption, operation and amendment of the Rules of Procedure of the Verkhovna Rada of Ukraine in accordance with the modern requirements for the development of parliamentarism and the establishment of the principles of the rule of law and the rule of law in the sphere of the functioning of the Verkhovna Rada of Ukraine as the sole body of legislative power of the State. The above-mentioned principles determine the basis of constitutional legality in the sphere of functioning of parliamentary representation and should permeate all norms of the above-mentioned regulations, constitute their value-normative core and determine the logic and system of regulatory regulation of parliamentary procedures on the basis of and in accordance with the requirements of the fundamental law of the State. They are intended to promote a normal, natural, objectively favourable process of development of the parliament, the proper exercise of its functions and powers, and not to act as a brake or destabilise parliamentary processes. The role of the constitutional principles of regulation of parliamentary procedures is to consolidate at the level of the Constitution of Ukraine the defining, basic, initial positions regarding the nature and direction of

such regulation, the legal form of parliamentary regulations in the normative system of parliamentarism, the relationship of legal and political components in it. This approach determines the originality of the Ukrainian model of such principles in comparison with the European constitutional experience embodied in the fundamental laws of European states. In the specified system, the rules of parliamentary procedure are clearly postulated by an act of higher legal force (law), the exclusive subject of which is the procedure for the activity of the Verkhovna Rada of Ukraine. Its constitutionally defined functions and powers determine the necessity of its procedural regulation (procedure of implementation) at the level of the norms of these Rules of Procedure in their systemic interconnection.

The trends in the development of constitutional principles of regulatory regulation consist in the systematic regulation of the legal and political parts of regulatory regulation with the atypicality of the constitutional regulation of the latter (the institution of a coalition of deputies), based on the European experience.

By directly specifying the subject of regulation of the Rules of Procedure of the Verkhovna Rada of Ukraine at the level of the Constitution of Ukraine ("Procedures of Work of the Verkhovna Rada of Ukraine"), the legislator thus undertook, when adopting the Rules of Procedure, to regulate therein all aspects of the procedure of work of the Verkhovna Rada of Ukraine in a comprehensive, systematic and complete manner; made it impossible to regulate both the procedure for the work of the Verkhovna Rada of Ukraine and individual elements of this procedure by other legislative acts of Ukraine other than the Rules of Procedure of the Verkhovna Rada of Ukraine; the regulation of the procedure for the work of the Verkhovna Rada of Ukraine should be based on the principles established by the Constitution of Ukraine and be their legal concretisation.

The constitutional peculiarity of the subject of regulation of the Rules of Procedure of the Verkhovna Rada of Ukraine is the obligatory inclusion into the sphere of legal regulation of the principles of organisation, activity and termination of deputy groups, as well as coalitions of deputy groups. At the same time, the separation at the constitutional level of the institution of a parliamentary coalition determines the need for synchronous regulation at the level of the same constitutional principles of the principles of organisation and activity of the parliamentary minority (opposition) in order to protect the political rights of citizens of Ukraine, the development of democracy and parliamentarism in accordance with the principle of the rule of law (rule of law).

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DOI https://doi.org/10.30525/2592-8813-2024-4-9

THE ROLE OF PARLIAMENTARY RULES OF PROCEDURE IN THE NORMATIVE SYSTEM OF CONSTITUTIONALISM: THEORETICAL AND LEGAL ASPECTS

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Abstract. The subject of the study is a theoretical and legal analysis of the role of Parliamentary rules of Procedure in the normative system of constitutionalism. **The methodology of the research** is based on a combination of general and special scientific methods, which were chosen with regard to the purpose and subject of the study. The dialectical method was used to study the existing trends in scientific knowledge of the role of the Rules of Procedure in parliamentary procedures, the development of parliamentarism and constitutionalism. The methods of analysis and synthesis were used to identify the areas of regulation devoted to the development of parliamentarism and constitutionalism. The hermeneutic method contributed to the interpretation of the content of the relevant constitutional and regulatory provisions. The systemic-structural method helped to identify the constituent parts of constitutionalism as a social system and to focus on the analysis of the type of regulatory regulation of state-political power relations in the area of the normative framework of constitutionalism. The application of the prognostic method allowed to identify possible directions of development of the legal regulation in the area of the normative framework of constitutionalism. **The purpose** of the study is to provide a theoretical and legal assessment of such a little-studied legal phenomenon as the role and place of parliamentary rules of procedure in the normative system of constitutionalism. **The results** of the study prove the crucial place of parliamentary rules of procedure in the regulation of procedural aspects of parliamentarism as a component of constitutionalism, demonstrate the dialectic of the role of the rules of procedure in various manifestations of the functioning of the institution of parliamentarism, and identify certain legal issues in this area. **Conclusions.** The role of Parliamentary rules of Procedure in the normative system of constitutionalism is primarily determined by their place in the constitutional regulation of state-political power relations and, more specifically, by their role in the system of parliamentarism. In this system, the Rules of Procedure play the role of a key legislative act of a procedural nature, which organises, systematises and integrates all parliamentary procedures and guides their implementation in accordance with the imperatives defined at the constitutional level. By mediating the activities of the parliament as a key institutional element in the system of constitutionalism, the rules of procedure facilitate the exercise by the parliament of the functions of accumulation and reflection of constitutional values, creation and development of the normative basis of constitutionalism, as well as the institutional basis of constitutionalism. By regulating parliamentary procedures in detail, the Rules of Procedure serve to limit and deter political arbitrariness, rationalise and systematise the activities of the legislature, promote its professionalisation and channel undesirable (anti-social, illegal) manifestations. In this sense, it fully fits into the normative system of constitutionalism as an idea, ideology and practice of limiting public power. By carrying out various political and legal tasks in the system of constitutionalism, it gives impetus to its functioning, contributes to the dynamisation and proceduralisation of constitutionalism as a whole. At the same time, it reproduces and consolidates the crucial role played by parliamentary procedures in the development of the national model of constitutionalism.

Key words: constitutionalism, Constitution of Ukraine, constitutionality, Verkhovna Rada of Ukraine, Rules of Procedure of the Verkhovna Rada of Ukraine, parliamentarism, parliamentary procedures, state-political relations of power.

Introduction. The national doctrine of constitutionalism is rapidly developing under the cross-influence of foreign scientific developments, practice of its implementation, interaction of global and national constitutionalism, historical traditions and legal innovations. It usually interprets consti-

tutionalism either as a concept of government limited by the constitution, which must be strictly observed and protected (guarded) (Krusian, 2005, p. 164), or as a triune unity of ideology, doctrine and practice of limited government (Boryslavska, 2015, pp. 247–256), or as a special (law-limited) regime of functioning of state power (Hordienko, 2021). Sometimes there are other less or more detailed definitions, full of clarifying elements or emphasising certain manifestations of constitutionalism, a number of which was provided by O. Batanov in his research (Batanov, 2024, pp. 36–37), so there is no point in discussing them separately.

In fact, most of these approaches look like either descriptive statements or formal "compliments" to ideal constitutionalism, largely due to the conjuncture of the "political moment" (Shapoval, 2005, p. 27). Rather, it is possible to state with confidence that the period of "storm and stress" associated with the ultra-fast, and therefore simplified, mostly axiological and politicised perception of constitutionalism by Ukrainian jurisprudence as a whole has passed, and that the first lessons on the actual implementation of the principles of modern European constitutionalism in the state and legal reality of Ukrainian state and law-making (Chernetska, 2023, p. 37) have been learned and applied in the course of constitutional and legal construction with varying degrees of success. In the future, it will be necessary to reconsider the path taken and outline rational directions for the development of constitutionalism in the national political and legal reality, in particular the latest framework of "military constitutionalism" (Baimuratov and Kofman, 2022, pp. 6–18; Savchyn, 2022), which determines both the direction and pace of reform steps, closely linking them to the post-war recovery of Ukraine.

Thus, a "commonplace" in both domestic and Ukrainian studies in recent years has been the insistence on the polymorphism and multi-layered (polystructural) nature of constitutionalism, the difficulty of covering it with one universal definition, etc. This allegedly serves as a kind of justification for the impossibility of reflecting its essence. At the same time, the constant clarification of the substantive core of this phenomenon is obviously a constant imperative of general theoretical jurisprudence and should be the normative guideline, which should be used to implement measures for the consistent and persistent introduction of constitutional elements into various areas of the legal and political system of Ukrainian society. Thus, the main attention should be paid to the normative basis of domestic constitutionalism, to the assessment of its readiness to fulfil its inherent tasks and to the promotion of the development of other components of this phenomenon.

Clarification of the strengths and weaknesses of the normative framework of national constitutionalism is important not in itself, but rather as a key to the rational design of further constitutional reform in the state, the optimisation of the constitutional process, which cannot be done without a clear understanding of the role of the relevant legal acts in the system of constitutionalism, the functions of their implementation, and the shortcomings of a doctrinal and praxeological nature that need to be addressed in order to ensure human rights and freedoms. The factor of significant adjustment of the relevant emphasis is the extreme legal regime of martial law (Vodiannikov, 2021, pp. 8–36), under which the state functions and which cannot but influence the direction and dynamics of constitutional and legal transformations in it.

As a special legislative act, the Rules of Procedure of the Verkhovna Rada of Ukraine function as a special source of law which, on the one hand, embodies the normative and institutional elements of constitutionalism in the field of parliamentary practice, fixing them in the form of groups of stable legal norms, and, on the other hand, directs their development at the level of parliamentarism, which is an integral part of any institutional structure of a modern constitutional regime. The role and place of this legislative act require substantial specification in the context of understanding the normative basis of modern constitutionalism on the example of domestic parliamentary institutions, structures and practices.

The state of research of the problem. Despite the fact that a large group of national scholars – legal theorists and constitutionalists (Y. Barabash, O. Batanov, D. Belov, O. Boryslavska,

O. Vasylchenko, O. Dashkovska, P. Yevgrafov, I. Zabokrytsky, O. Lotiuk, R. Maksakova, O. Martseliak, N. Mishyna, V. Nesterovych, M. Orzikh, V. Pohorilko, V. Riyaka, V. Rechytskyi, M. Savchyn, V. Serhiogin, I. Slidenko, T. Slinko, O. Sovhyrya, P. Stetsiuk, V. Shapoval, S. Shevchuk, Y. Shemshuchenko and others), the specifics of the normative framework of constitutionalism, in particular Ukrainian constitutionalism, remain poorly understood, especially at the level of specific legal acts. A certain exception to this is the Constitution of Ukraine itself as the Fundamental Law of the State (Chernetska, 2023, pp. 37–44), but insufficient attention is paid to the study of the role and place of other acts of constitutional legislation, in particular the Rules of Procedure of the Parliament, in the development of constitutionalism, which limits the interpretation of the normative side of constitutionalism to its substantive elements, with a certain downplaying of the importance of procedural components in its structure and development. Such an unsatisfactory state of research determines the urgency and necessity of filling this scientific gap in the context of a doctrinal approach that would, on the one hand, ensure the stability and durability of the category of contemporary constitutionalism, which would make it impossible to have double standards of understanding and choice of values in times of peace and war, and on the other hand would doctrinally substantiate the needs and ways of reforming the national mechanism of public authority, and would algorithmise the "mechanics" of ensuring human rights in the crisis conditions of martial law (Martseliak et al., 2023, c. 108).

The purpose of the article. The purpose of the article is to determine, on the basis of a combination of elements of positivist, natural law, sociological and legal, and discursive approaches, the specific role and place of the Rules of Procedure of the Parliament in the normative system of modern Ukrainian constitutionalism.

The Concept of the Normative Framework of Modern Ukrainian Constitutionalism

In our opinion, the normative basis of modern Ukrainian constitutionalism is a set of all legislative acts, the norms of which are in one way or another aimed at the limitation (self-limitation) of public power in favour of citizens, society, human and civil rights and interests in order to achieve (recognise, ensure, protect) the constitutional and legal freedom of the individual as the main constitutional value (Skrypniuk, Krusian, 2021, pp. 159–175).

Naturally, the Constitution of Ukraine, being the highest legal act in the hierarchy of legislative acts (part two of Article 8) (Constitution, 1996), occupies a central place in the normative system of constitutionalism and contains a number of conceptually important norms for the development of this system: Human rights and freedoms and their guarantees determine the content and direction of the activities of the State; the State is responsible to the individual for its activities; the establishment and safeguarding of human rights and freedoms is the primary duty of the State (part two of Article 3); no one may usurp State power (part four of Article 5); State power in Ukraine is exercised on the basis of its division into legislative, executive and judicial powers; the legislative, executive and judicial authorities exercise their powers within the limits established by the Constitution of Ukraine and in accordance with the laws.

General legal characteristics of the Rules of Procedure of the Verkhovna Rada of Ukraine

In the system of such legislative acts, a special place is occupied by a very specific and unique source of law for the Ukrainian legal system, i.e. the Rules of Procedure of the Verkhovna Rada of Ukraine, as they are aimed at regulating the procedure of the Parliament of Ukraine together with and alongside the Constitution (Shapoval, 2014, p. 164).

Unlike most other legislative acts, the Rules of Procedure are directly mentioned four times in the Constitution of Ukraine (parts five and nine of Article 83, paragraph 15 of part one of Article 85, part three of Article 88) (Constitution, 1996). Moreover, it is mentioned by its own name, which indicates the exceptional position of this legal act in the system of legislation mediating state-political power relations in the field of parliamentarism.

Of course, the distinction of the Rules of Procedure from other legislative acts at the level of the Basic Law is accompanied by a substantive definition of the scope of its legal regulation, which objectively raises both the status of this normative act and the relations it regulates. Such relations are mainly those related to the procedure of the Verkhovna Rada of Ukraine (Part Five of Article 83 of the Constitution of Ukraine), as well as to the establishment of the principles of formation, organisation of activity and termination of the coalition of parliamentary factions in the Verkhovna Rada of Ukraine (Part Nine of Article 83 of the Constitution of Ukraine) (Constitution, 1996). Thus, the regulation of relations covered by the concept of "the procedure of work of the Verkhovna Rada of Ukraine" is given constitutional significance. They are contained in the articles regulating the activities of the Verkhovna Rada of Ukraine, in particular the exercise of its constitutional functions and powers. In this way, the procedural side of the functioning of the institution of parliament is closely linked to its material side.

Moreover, on the basis of a systematic interpretation of the provisions of the Constitution of Ukraine, it is possible to come to the natural conclusion that the existence of the Rules of Procedure in the system of legislative acts, which constitute the normative basis of Ukrainian constitutionalism, is as obligatory as the existence of the Constitution of Ukraine in this system. After all, apart from the Constitution and the Rules of Procedure of the Verkhovna Rada of Ukraine, no other legal act can regulate the procedure of the Parliament of Ukraine. This is the exclusive function of the two legislative acts mentioned above, which are listed side by side in the text of the Basic Law. The fact that the Rules of Procedure, together with the Constitution, regulate the procedure of the Verkhovna Rada of Ukraine makes it impossible to transfer the tasks of legal regulation of such procedure to other legislative acts, except by amending the Basic Law of Ukraine. At the same time, the functional purpose of the Rules of Procedure of the Verkhovna Rada of Ukraine cannot be changed except by appropriate amendments to the Constitution of Ukraine. The fact that the procedure of parliamentary activity is regulated exclusively by the Constitution and the Rules of Procedure of the Verkhovna Rada of Ukraine is not accompanied by a clear delimitation of their respective spheres of competence. Such a distinction can be made only by analysing specific provisions of the Constitution and the Rules of Procedure of the Verkhovna Rada of Ukraine, or rather by their correlation. At the same time, the joint regulation of such a complex of relations means that from the constitutional point of view these relations have a special political and legal significance, which objectively elevates them in the system of constitutional relations and establishes a special legal stability of their regulation. Moreover, their constitutional regulation, together with the regulatory regulation, shows that the most important elements of this procedure of the Verkhovna Rada of Ukraine are defined in the Constitution of Ukraine itself, and all other components of this procedure should be regulated systematically in connection with the constitutional regulation exclusively at the level of the said Rules of Procedure on the basis of and in accordance with the Constitution. At the same time, "the Rules of Procedure regulating, in particular, the organisation and procedure of the Verkhovna Rada of Ukraine should be adopted exclusively as a law of Ukraine in accordance with the procedure established by Articles 84, 93, 94 of the Constitution of Ukraine for their consideration, adoption and entry into force" (Decision, 2009). A clear and unambiguous definition of the legal form of the Regulation makes it impossible to change this form except by amending the Constitution of Ukraine.

Based on the above, we can agree with the statement that the Constitution of Ukraine and the Rules of Procedure are the supreme sources of law on parliamentary procedure (Dissenting Opinion, 2009). Thus, the procedure of the Verkhovna Rada of Ukraine acquires a high constitutional significance as a normative basis for the functioning of the entire system of parliamentarism in Ukraine. Moreover, by their very existence, the Rules of Procedure clearly confirm the autonomous status of the Parliament: the procedure of its activity is regulated, together with the Constitution, by a separate, special legislative act, directly mentioned in the Basic Law, which has the status of law.

The Rules of Procedure of the Verkhovna Rada of Ukraine clearly correlate with the scope of functions and powers of the Parliament, proceduralise them, i.e. give them real dynamics, "animate" them and facilitate their constant implementation in the legal sphere of the state. Without it, these functions and powers would be "dead" norms, remaining only an attribute of the constitutional text. Their effectiveness, realisability and practical applicability are the result of the regulatory norms designed to ensure their implementation in the practice of relations of state and political power in the country. At the same time, the Rules of Procedure themselves do not regulate the functions and powers of Parliament, since this is the exclusive domain of constitutional regulation (the second part of Article 85 of the Constitution of Ukraine) (Constitution of Ukraine, 1996).

From this point of view it is worthwhile to find out what place the Rules of Procedure of the Verkhovna Rada of Ukraine occupy in the normative system of constitutionalism.

Correlation and mutual influence of constitutionalism and parliamentarism

Let us begin with some general remarks. For example, we generally agree that constitutionalism as a polysystem includes institutional (a system of interconnected and mutually balancing bodies that establish, develop, guarantee, protect and defend constitutionalism and its principles), axiological (a set of principles that are a concentrated embodiment of constitutional values and reproduce the nature and direction of development of the constitutional order of the state, establish their interrelationship and enable their legalisation) and normative (a system of objective legal norms aimed at regulating power relations, primarily constitutional, but not only) components, establish their correlation and enable their legalisation) and normative (a system of objective legal norms aimed at regulating power relations, primarily constitutional, but not only) components, as well as their practical implementation in a society organised for the purpose of optimal exercise of sovereign power, which naturally belongs to it in general and to each of its members in particular (Zabokrytskyi, 2015, p. 59). However, we need to make an important clarification: the three subsystems mentioned above do not constitute systemic integrity on their own. For this purpose, it is necessary to imagine together with them the functioning of the fourth component – the communicative system of constitutionalism, which integrates the above three into systemic integrity due to the existence of a system of legal relations (both direct and reverse) between its institutional, normative and axiological components. On the other hand, it is not enough to state a set of certain components of this system; one should move from such a statement to a thorough study of each of the components of constitutionalism, taking into account its systemic and structural organisation and the existence of systemic legal relations.

The structural organisation of constitutionalism as a practice of implementing constitutional ideas and values implies a coherent system of interacting institutions that form the institutional basis of constitutionalism. Among these institutions, we should first of all distinguish those whose tasks inherently include constitutionally significant tasks (functions). Such functions obviously cannot be outside the sphere of public power, although the scope of modern constitutionalism is no longer limited to the system of public power, as the current developments in the doctrine of social constitutionalism show (Golia, Teubner, 2021; Guenter, 2003; Savchyn, 2013, pp. 71, 87, 300).

If we resort to a more traditional interpretation, then the parliament should be considered among the bodies that develop, normatively ensure the development, protection and defence of the values of constitutionalism, as it is not only a body of popular representation and legislation, but also an institution that, figuratively speaking, "melts" constitutional values into constitutional norms and is responsible for their effectiveness and practical implementation at other levels of the normative system of constitutionalism.

The close institutional connection of parliament with constitutionalism is objectively manifested in the formation of a system of parliamentarism around the phenomenon of parliament, which provides a way of managing public affairs in which the key institutional and normative (law-making) roles belong to parliament as the only collegial body of national representation and legislative authority.

According to the well-known Ukrainian constitutional scholar V. Shapoval, this is a special system of interaction between the state and society, which is characterised by the recognition of the leading or special and rather significant role of the national collegial permanent representative body in the exercise of state power functions (Shapoval, 1997).

Parliamentarism produces the separation of powers and acts as its natural consequence. As such, it is systematically linked to constitutionalism, which includes the idea and practice of self-restraint and distribution of public power as one of the overarching constitutional ideas and practices. If the ideas of separation of powers arise at the level of constitutionalism, their implementation in the direction of creating an institutionally separate legislative body, which plays a significant role in the mechanism of public power, leads to the formation of a system of parliamentarism (Cheibub, Rasch, 2021, pp. 470–501). Thus, having the primacy in the formation and development of parliamentarism, constitutionalism is its ideological precondition, and parliamentarism itself as a set of practices of parliamentary activity is an institutional manifestation of constitutionalism. Parliamentarism arises in the bosom of constitutionalism, has a constitutional origin and develops in line with the development of the normative framework of constitutionalism (Batanov, 2022, pp. 250–261).

As O. Boryslavska argues, constitutionalism is the broadest context in which the institution of parliamentarism emerges, forms, changes and functions (Boryslavska, 2018, p. 51). In this sense, it is justified to consider and interpret the institution of parliamentarism as an element of constitutionalism (Boryslavska, 2018, p. 55). The synergetic relationship between the theory of modern parliamentarism, the principles of representative democracy and the basic institutions of the constitutional order is shown by O. Batanov (Batanov, 2024, pp. 36–42). This thesis is also supported by the widespread model that sees parliamentarism as a single and continuous chain of delegation and accountability of power, beginning with the voters and continuing through parliament, government and bureaucracy (Strøm, 2000, pp. 261–289). In the European model of constitutionalism, the constitutional system of government is based on the model of flexible separation of powers, which provides for rather broad powers of the legislature, which is responsible for forming the government and exercising control over its activities (Boryslavska, 2018, pp. 51–52). In this model, the main mechanism that explicitly reconciles all interests is the parliament, in which the subjects of delegated powers (voters) can remove their agents (MPs) from power in general elections, and MPs can vote to remove the government through a vote of no confidence. In this sense, with a few exceptions (Huber, 1996), scholars of parliamentarism assume a structurally cooperative or at least non-conflictual relationship between governments and parliaments; disagreements are temporary and can be resolved through an inbuilt institutional mechanism for conflict resolution.

Parliamentary functions and rules of procedure

As the national arena for the clash of political positions at the level of a unified and ordered discourse, the parliament is almost the only body that functions as an open and debating body, where the adoption of state decisions is preceded by a comprehensive discussion. Discourse is the alpha and omega of parliamentary work, except when it takes place behind closed doors. The discursiveness of the parliament directly affects the constitutional dimension of its existence, which reflects the specificity of its role in the system of constitutionalism.

The key constitutional function of parliaments is thus, in our view, a threefold task:

1) articulation (at the level of parliamentary discourse) and accumulation (selection and systematisation of the most significant constitutional values from the point of view of the need for their legalisation) of constitutional values and their textual reproduction (enshrinement) in the matter of the constitution of the state (which is usually drafted by parliaments either independently or together with specially created bodies – parliamentary or extra-parliamentary), which is prepared and adopted by the parliament (acting as a constituent authority, which was once noted in particular with regard to the Ukrainian parliament, namely;

2) taking into account, again at the level of discourse, the change in the balance of constitutional values and, as a result, the normative adjustment of the content of the Constitution of Ukraine through its amendment (which, according to the constitutions of the vast majority of countries, is carried out by the parliament either independently or together with the institution of a national referendum);

3) implementation of constitutional values, ideas, theories through consistent constitutionalisation of laws adopted by the Parliament as a legislative body (this embodies its role as a specifier of constitutional norms and values, a tool for ensuring constitutional dynamism and a "living constitution" (Balkin, 2012, pp. 1129–1160).

The difficulty in the realisation of these constitutional tasks by the Parliament lies in the correct interpretation of the need to amend the Constitution or to adopt a new Basic Law, as well as in the ways and methods of interpreting constitutional norms and ways of their detailing at the level of ordinary laws – in the course of the legislative procedure.

When adopting laws on the basis of the Constitution and in the course of its development, it is the Parliament, as a legislative body, that should primarily take care of their constitutionality, which is a key element of ensuring constitutional legality in the state (Podorozhna, 2017, p. 5). It should be recalled that in most countries the constitutional review of laws is carried out outside the initiative of constitutional courts – by other legal bodies, as in Ukraine. Meanwhile, the adoption of all laws (except for those sometimes adopted by referendum) is the primary task of the parliament. Therefore, ensuring the constitutionality of these laws is also a function of the parliament. This is the logic of the entire constitutional model of the state activity, whose main task is to establish and ensure human rights and freedoms, when their life and health, honour and dignity, inviolability and security are recognised as the highest social value (Moysyk, 2021, p. 74). Therefore, Parliament cannot and should not act arbitrarily and keep the legislative process outside the requirements and framework of the Constitution. On the contrary, the entire legislative process should be subject to the requirements of the Basic Law – "from beginning to end", i.e. from the birth of a legislative initiative to the adoption of a law and its implementation. The category of "constitutionality" of laws indicates the key role of Parliament in the formation of legislation, when the specification of the Constitution reflects the synthesis of the will of the Ukrainian people and the intention of the legislator, its key constitutional interest in the implementation of the norms and requirements of the Basic Law (Moysyk, 2021, p. 77). Thus, parliamentary laws should express the essence of the law in their content and also contribute to the disclosure of the 'invisible' content of the Constitution in order to consolidate the state and protect constitutionalism (Barabash, 2022, p. 123).

Instead, the unconstitutionality of the procedure for adopting a law is a normative distortion of constitutionalism, its nature, essence and purpose. At the same time, such a qualification of this procedure and its substantiated proof are sufficient grounds to apply to the Constitutional Court of Ukraine with a constitutional petition to recognise this law as not fully conforming to the Basic Law, even if there is not at least one unconstitutional norm in it. This approach was clearly confirmed by the decisions of the Constitutional Court of Ukraine in the cases on the all-Ukrainian referendum (decision, 26.04.2018) and on the principles of the state language policy (decision, 28.02.2018).

At the same time, in our opinion, the constitutionalisation of laws can and should find its external manifestation in the creation by the Parliament on the basis of the constitutional-power design and within its framework of a special institutional system responsible for compliance with the Constitution of Ukraine. In this constitutional model of power, the parliament plays a key role by virtue of its function as the only nationwide collegial body of people's representation, which accumulates key legislative, constituent and supervisory powers. It defines and directs the development of constitutionalism, provides its ideological basis, determines the main directions of the state's domestic and foreign policy, contributes to the establishment and balance of constitutional values (freedom and responsibility, freedom and equality, responsibility and proportionality, the sphere of privacy and the system

of positive obligations of the state, legal certainty and "space for reflection", "legitimate expectations" and the dynamics of state policy, etc.).

Finally, the parliament alone does not exhaust its constitutional function, and it continues in parliamentary control (Krusyan, 2022, pp. 295–297). It exercises it in accordance with the activities of the executive authorities, i.e. in accordance with how the instructions of the parliament contained in the constitution and laws of the state are implemented in real life. We consider the limitation of parliamentary control by the subordinate sphere of rights to be an unjustified restriction of parliamentary competence: the executive authorities apply not only laws, but also the Constitution, especially where and when the latter is given direct effect, as in the Constitution of Ukraine (Article 8) (Constitution, 1996). The direct effect of constitutional norms requires their application regardless of the presence or absence of legislative provisions specifying them; direct recourse to the courts for the protection of rights and freedoms provided for by constitutional norms is guaranteed; no one has the right to be denied justice on the basis of the norms of the Constitution of Ukraine. This means, among other things, that the executive is obliged to act within the legal framework of the Constitution of Ukraine, which is outlined and constantly clarified by the Parliament of Ukraine through its laws. With this approach, all legislation is perceived not as an abstract body of law detached from the Constitution, but as a clearly structured regulatory complex under the influence of constitutional norms in their systemic connection, created, updated and functioning on the basis of and in accordance with the Constitution of the State, in accordance with constitutional doctrine.

However, the functioning of the institutional subsystem of constitutionalism is far from being exhausted by the parliament alone. It should rightly include the people as the sole bearer of state sovereignty, the main informal guarantor of the constitution and its principles, presidents (heads of state) as the formal guarantor of constitutions, their observance and development, constitutional judicial bodies providing subsequent constitutional control in the area of legislation and preliminary control in the area of constitutional legislation, as well as all subjects of the right to appeal to constitutional courts with submissions on the constitutionality of regulatory acts. The main thing is that Parliament plays a decisive, leading role in this system and actively interacts with other components of the institutional system of constitutionalism, fulfilling its own tasks in the formulation of its regulatory system, its protection and defence, control over the activities of the executive in this direction, etc.

The implementation of the constitutional tasks of the parliament, the formation and development of parliamentarism are based on a system of interacting substantive and procedural norms, which constitute the substantive core of parliamentarism. At the same time, it is pointless to seek the primacy of either substantive or procedural law in the development of parliamentarism. If we understand it as an effective, functioning and changing structure of institutional relations and normative models, then it is natural that the set of relations mediated by the concept of parliamentary procedures comes to the fore. The latter play a decisive role in structuring the real institution of parliamentarism, because they reflect its functional part, its dynamics.

The quintessence of the normative array in the regulation by parliament of the normative elements of constitutionalism is regulatory regulation, i.e. the presence in parliament of an ordered system of procedural norms that imperatively mediate the organisation of parliament as an institution of public power, intra-parliamentary relations between the subjects of parliamentary procedures, as well as extra-parliamentary relations with other subjects of state and political power. Such a dual focus of regulatory regulation is somehow reflected in the content of special codified legal acts that regulate parliamentary procedures – parliamentary regulations.

Thus, regulation, in a metaphorical sense, proceduralises and thereby dynamises constitutionalism and parliamentarism, turning these two phenomena into truly functioning phenomena with an immanent logic of implementation of the prescriptions contained in them. From a formal and legal point of view, it is a procedural source of constitutional law, which to a large extent details the norms of the

Constitution; it defines in detail the procedure for the work of a single legislative body; with an auxiliary, derivative meaning in relation to the Constitution, it details constitutional provisions, specifying the procedural forms of their practical implementation (Markus, 2009).

The focus of the Regulations, as already noted, is the procedure for organizing and operating the parliament. It is the subject of regulation of this legislative act. However, according to the well-known Hungarian researcher A. Sajó, constitutionalism embodies a set of principles, procedures and institutional mechanisms that are traditionally used to limit state power (Sajó, 1999, p. 31). Thus, the center of constitutionalism as a normative system is the procedure for operating the relevant public authorities. This confirms the organic involvement of parliamentary regulations among the acts that regulate the procedure for operating the public authorities.

It should also be recognized, given the real scope of regulatory regulation, that the current notion of parliamentary regulations as an act that regulates exclusively intra-parliamentary relations does not fully take into account the realities of this regulation. No less important, along with intra-parliamentary relations, is the complex of extra-parliamentary relations, which are implemented in the sphere of the implementation by the parliament of its constituent, legislative and control functions. In all these cases, parliamentary procedures cover, along with purely parliamentary ones, a number of other extra-parliamentary subjects of state and political relations of power – the president, the system of executive and judicial bodies, sometimes local self-government bodies, bodies of special constitutional competence that do not fit into the classical triad of power. More and more regulatory norms are aimed at interaction with the public, and this is by no means limited to the sphere of the legislative process, as evidenced in particular by the institutionalization of electronic petitions (Romanchuk, 2020, pp. 13, 15, 17–18) and the incomplete development of this regulatory institution in Ukraine.

As the regulatory regulation develops, there is an increasingly wider coverage of both intra-parliamentary and extra-parliamentary relations by regulations. In the first case, the expansion of regulatory regulation occurs in the sphere of activity of deputy factions and groups, inter-faction relations, relations between deputies, factions and the apparatus of the parliament, while in the second case, such expansion takes place due to the expansion of the sphere of parliamentary control, the detailing of legislative procedures, the greater casuistry of the procedures for the formation of state power bodies by parliaments and the appointment of certain officials to the relevant positions, as well as their dismissal. Along with this, parliamentary regulations concentrate in their structure the norms relating to both the ordinary legislative process and amendments to constitutions, and sometimes even to the participation of parliaments in the adoption of new constitutions, to the exercise by parliaments of the role of supervising the implementation of constitutional norms by executive bodies through various mechanisms of parliamentary control, etc. At the same time, the effectiveness and efficiency of regulatory regulation currently need to be increased in order to ensure the sustainable development of modern Ukrainian constitutionalism (Krusyan, 2022, p. 297).

Conclusions. As can be seen from the above, the role of parliamentary regulations in the regulatory system of constitutionalism is primarily determined by their place in the constitutional and legal mechanism of regulation of the state-political power relations and, more specifically, by their role in the system of parliamentarism. In this system, the Regulations play the role of a key legislative act of a procedural nature, which provides formal certainty, organises, systematises and integrates all parliamentary procedures and directs their implementation in accordance with the requirements defined at the constitutional level. Thanks to it, the activities of the parliamentary institution as a whole are largely formalised and "algorithmised", becoming predictable and normatively regulated.

By mediating the activities of parliament as a key institutional element in the system of constitutionalism, the Rules of Procedure contribute to the legislative body's performance of the functions of accumulation and reflection of constitutional values, creation and development of the normative basis of constitutionalism, as well as ensuring the functioning of the institutional basis of constitutionalism.

By regulating parliamentary procedures in detail, the Rules of Procedure play the role of a legal limiter and deterrent to political arbitrariness in Parliament, streamline and systematise the activities of the legislative body, contribute to its professionalisation and channel undesirable (anti-social, illegal) manifestations. In this sense, it fully fits into the normative system of constitutionalism as an idea, ideology and practice of limiting public power.

By implementing such tasks in the system of constitutionalism, the Rules of Procedure give the latter a powerful impulse to function, contributing to the dynamisation and proceduralisation of constitutionalism as a whole. At the same time, it reproduces and consolidates the decisive role played by parliamentary procedures in the development of the national model of constitutionalism. As a relatively stable conglomerate of legal norms, the regulation significantly stabilises the development of constitutionalism and ensures its integration into the system of parliamentarism in the state.

The growth of the role and importance of regulations in the system of constitutionalism is an objective legal process that reflects general patterns and trends towards a gradual increase in the attention of legislators to the procedural aspects of democratic political and legal development, awareness of the need to "equip" (and strengthen) the axiological and institutional elements of constitutionalism with a reliable regulatory framework in which the substantive and procedural components would be clearly and consistently balanced. Therefore, the role of this legislative act in the context of the regulatory framework of modern constitutionalism requires further specification on the example of a thorough analysis of both domestic and foreign parliamentary institutions, structures and practices.

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DOI https://doi.org/10.30525/2592-8813-2024-4-10

HISTORICAL AND LEGAL ANALYSIS OF THE JUST WAR IN THE DISCOURSE OF THE EARLY WESTERN EUROPEAN MIDDLE AGES

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Abstract. The purpose of this article is the conceptual systematization of the key features of the just war phenomenon in the political and legal discourse of the Western European Early Middle Ages. The author showed that during the early Middle Ages in the West, the development of the concept of just war took place gradually under the dominant influence of Christian orthodoxy, which largely eliminated early Christian concepts of pacifism and adapted ideas about the legality and justification of war as a form of violence limited by law and religion. It was found that the foundation of early medieval ideas about a just war was primarily an ethical assessment of violence. The Christian Church, based on the teachings of Augustine, took the initiative in determining the role of war in society and tried to regulate it or at least minimize its excesses, directing military actions in a more or less socially acceptable direction (the fight against non-believers, heretics, apostates, enemies of the church, etc.). In the course of the development of the early medieval political and legal discourse, certain signs of a just war were elaborated: 1) waging war by a Christian ruler in the name of protecting the state and faith: in a just war, preference is given to defensive (protective) goals; 2) waging war for the Christianization of neighboring (as a rule) barbarian peoples, their conversion to the bosom of Christian civilization; 3) a war that has a just cause (protection of land, rights, subjects, etc.); 4) a war, including an internal one, conducted under divine sanction (justice is usually on the side of the winner); 5) a war in which the participation of the clergy as combatants is excluded, while its interests, as well as the interests of the church, are protected in priority order; 6) the war is waged with the aim of establishing lasting peace, without the threat of complete destruction of the enemy, the escalation of violence is denied; 7) a war waged by a proper subject of law (as a rule, a state), which represents a state, against another state, which excludes internal wars as wars waged by improper subjects (denial of civil strife within the country).

Key words: just war, law, Early Middle Ages, Christianity, state.

Introduction. Since the beginning of social history, war has been one of the most prominent and impressive human activities. The course of history has repeatedly been radically altered by wars, which have often destroyed states and civilisations. The ancient Greek philosopher Heraclitus of Ephesus (c. 540-c. 480 BC) summed it up: «War is the father of all, the king of all; it makes some gods, others men, some slaves, others free» (Bondar V., November 30 – December 1, 2016: 38). And the ancient Roman writer of the early fifth century, Flavius Vegetius Renatus, stressed: si vis pacem, para bellum («if you want peace, prepare for war») (Flavius Vegetius Renatus, 1996: 63), which paradoxically reflects the dependence of the state of peace on the permanent readiness of the state to go to war with its neighbours.

Meanwhile, philosophical, political and legal thought continued to try to understand wars and at the same time to encourage, deter or even deny them. Attitudes towards war therefore ranged from a belief that human endeavour would culminate in an apocalyptic struggle to a categorical rejection of any form of violence. More specifically, war quickly came to be seen as an integral part of human existence, if not the main manifestation of political activity. For Western Europeans in particular, war often served as the true «cradle of the nation» and a significant factor in state-building. Many forms of human endeavour were seen as wars, such as the war of the Christian spirit against the flesh, and the wars declared by politicians against social ills.

Recognising the inevitability of wars in the context of the coexistence of competing and sometimes warring states, theorists have resorted to the intellectual search and formulation of various concepts of just war, born of the fundamental need to legitimise war as a social action on legal, moral and, above all, religious grounds. The concept of just war has evolved over time and today it does not so much justify certain wars as it defines the criteria by which a war can be called just and limits the most dangerous means of warfare (e.g. the use of weapons of mass destruction). The concept of «just war» is thus not positive, but rather value-neutral. From an ethical point of view, however, just wars are recognised as evil, but a lesser evil, and this is the contradiction of this doctrine (Shevtsiv M. B., 2016: 98–99).

During the Middle Ages, because of the absolute dominance of the Christian religion in the West, theological arguments were given priority. But this did not mean a complete rejection of legal or moral arguments that were somehow «built in» to the dominant ideological doctrine. The moral influence of the Church on state power was great: religion instilled Christian ideals of goodness, justice, mercy, etc. in the government and its officials (Zinkevych T. S., 2019: 38, 53, 76, 126). Thus, it was religious principles that determined most doctrinal approaches to understanding the phenomenon of «just» wars, and religion itself often served the political ends of war. Christian morality and doctrine were refined according to the needs and mentalities of the time, and Europe was desperately searching for new, more effective principles of political organisation to fill the vacuum left by the disappearance of Roman imperial power in the West in the late fifth century.

State of research and publications. The question of the just war in the political and legal thought of early medieval Western Europe has been the subject of research by such modern foreign scholars as D. Bartholomew, B.S. Bachrach and R.H. Bainton, J. Beeler, M. Boda, J.F. Verbruggen, S. Windass, G.A. Dean, J.T. Johnson, J.B. Elstein. Beeler, M. Boda, J.F. Verbruggen, S. Windass, G.A. Dean, J.T. Johnson, J.B. Elstein, K. Erdmann, J. Kelsey, F. Contamin, R. Pigou, F.H. Russell, J. Richard, B. Smalley, W. Ullmann, J.M. Wallace-Hadrill, J. Flory, and others. Their research proves that the concept of just war in early medieval political and legal discourse was influenced by Christian doctrine; the issues of intellectual innovations in the conceptualisation of the phenomenon of just war, which it underwent in the course of the synthesis of Roman, ancient Germanic and early Christian ideas about war, its causes, methods of conduct and forms of limiting violence, are thoroughly covered; The specifics of the gradual growth of the role and views of church thinkers in the sacralisation of the concept of a just war are clarified; the development of the approaches of various theological movements and schools within Christian orthodoxy to the interpretation of the characteristics of a just war, based on a systematic understanding of biblical texts, the works of the Church Fathers, and attempts to adapt their intellectual constructions to the political and legal realities of a particular country in a particular period are outlined. In general, the author contends that there was no single universal concept of just war in the early Middle Ages and demonstrates the coexistence of various competing approaches and views on this phenomenon within orthodox Catholicism during this period.

Instead, Ukrainian historical and legal scholarship still has a simplistic approach to interpreting the role and place of the early medieval discourse on the just war in the conceptualisation of this concept in the political and legal thought of Western Europe: it is mainly about the outstanding contribution of Aurelius Augustine (c. 354–430), who is considered the «father» of this doctrine, and the development of this doctrine, which was interrupted until the 13th century with the formulation of the concept by Thomas Aquinas. 354–430), who is considered the «father» of this doctrine, and the development of this doctrine, which is interrupted until the thirteenth century with the formulation of the concept by Thomas Aquinas (1226–1275) [Maduabuchi, O., Uke I. and Maduabuchi R., 2023; Russell F.H., 1975: 258–291). This gives the false impression that the early Middle Ages was a period of intellectual stagnation in the understanding of this doctrine, which brought nothing original or useful to enrich the intellectual thought of the time. This approach, which is typical even for some dissertations

of Ukrainian authors (Panafidin I.O., 2014), does not correspond to historical realities and distorts the general idea of the continuity of the development of the ideas of a just war, whose development was not interrupted even in times of relative intellectual «stagnation». Only recently, thanks to the historical and legal research of O. Borysova, D. Zabzaliuk, I. Zahrebelnyi, K. Semchynskyi, S. Stasiuk and some other national authors, such one-sided approaches are beginning to change into more realistic and differentiated ones. It is emphasised that one of the decisive moments and at the same time driving forces of the development of European law is the influence of the Christian religion on it (Vovk D., 2012: 25). It was this religion that «played an important role in shaping the prohibitions and restrictions on warfare, especially in the Middle Ages» (Pylypenko V. P., 2024: 58). At the same time, the lack of national research in the field of the elaboration of the concept of just war during the development of early medieval Western European political and legal discourse makes it necessary to focus specifically on this phenomenon in this article and to explore its key features and characteristics.

The aim of the study is to conceptually systematise the main features of the just war phenomenon in the political and legal discourse of early medieval Western Europe.

Presentation of the main material. The Middle Ages began in chaos, accompanied by the decline of pacifism and the doctrine of just war, which was constantly violated in practice (Bainton R., 1960: 102). A just war required the power of the state, but such power was often lacking in the territories left by the Roman legions, and even after the Germanic invaders settled in the lands of the former Roman Empire and formed their own states, the centralised government was so weak that it could not protect its subjects from new invasions – Vikings, Avars, Magyars, Slavs, etc. In such a situation, everyone defended himself. In such circumstances, everyone defended themselves as best they could, according to the principle of vim vi repellere: force can be repelled by force.

At the same time, war was endemic to Germanic society, and not only their propensity for war, but also their style of warfare was adapted to their new kingdoms, which were formed on the ruins of the Roman Empire during the V-VI centuries (Bachrach B.S., 1993; Bachrach B.S., 1972; Contamine P., 1985; Duby G., 1980; Wallace Hadrill J.M., 1975). The concept of offius in bello was also greatly influenced by their ideas. The notion of comitatus, a warrior/family society, was transferred to the medieval knight, where vassal and lord had equal duties and loyalties. Their ideas about the role of the individual in relation to the family were also unique to the Germanic peoples. Because they «could not rely on the protection and assistance of a bureaucratic empire when they were threatened by attack or famine, every man and woman in the community had to adhere to a fundamental sociobiological principle» (Russell J.C., 1994: 120). Thus there was a culture that valued personal bravery combined with a paramilitary society in which both lord and vassal had mutual legal obligations in military matters. This led to the concept of chivalry, which slowly emerged during the Middle Ages (Bartholomew D., 1999). Of course, this concept had to be compatible with the concept of war officially promoted by the Christian religion.

The legal system that the Germanic kingdoms inherited from the Romans was heavily influenced by the ancient Roman tradition, but in recent decades the Christian Church has been the state religion and Christian ideas have been incorporated into legal codes. The Germanic peoples brought their own views and traditions of warfare, and as they became Christianised and Romanised, some of their cultural baggage was transferred to other systems. The Roman legal system was the foundation upon which all theories and concepts were grafted as each group slowly moved into different parts of the empire. So it is not surprising that Roman ideas changed during the Middle Ages, as the warlike Germanic peoples learned laws to limit violence, and the pacifist ideal of early Christians slowly evolved into the general concept that war could not only be legal, but obligatory – just – for all good Christians. It is important to emphasise that, unlike the religious systems of the ancient world that tolerated others, the medieval Catholic Church established a monopoly on truth in all spheres of public and state life. The concept of a just war was no exception, in which the dogmas of the Church claimed

the status of political axioms, and biblical teaching acquired the force of law (Sytnyk H.P., 2023: 17). Thus the concept of just war, developed within the framework of Christian orthodoxy, became not only an element of political and legal discourse, but also a component of a generally binding ideology that was to be applied to all social classes and strata of the hierarchically organised feudal society, from the highest to the lowest.

From the early Middle Ages, the Church, represented by its thinkers, offered a kind of ideological synthesis that became the basis for the concept of just war. It was based on the ideas of Plato, Aristotle and Cicero, combined with religious dogmas about war and politics. These concepts embodied a monistic – Christian – view of a just war, which reflected the Christian interpretation of justice (as a righteous way of life, in accordance with God's instructions, minimising violence, etc.), reflected the supremacy of spiritual power over secular power, preached the priority of religious politics over secular politics, widely practised moral and ethical approaches to characterising wars, and offered exclusively religious criteria for dividing them into just and unjust (Sytnyk H.P., 2023: 17).

At that time, two types of war were considered acceptable in the Christian understanding: a holy war and a just war. A holy war is waged for the ends or ideals of faith, it is waged by divine authority or by the authority of a religious leader. When the latter is a church official (e.g. the pope or his authorised representative), a holy war becomes a crusade. The ideal of the crusade has historically been associated with a theocratic view of society, whereas a just war is usually waged against public authority for more mundane ends, such as the defence of territory, individuals and rights. While satisfied with achieving more concrete political goals, a just war does not allow for the total destruction of opponents and seeks to limit the use of violence through codes of right behaviour, immunity for non-combatants, and other humanitarian restrictions that do not exist in a holy war. In a holy war, Christian participation is a positive obligation, whereas in just wars participation is legal but limited (Russell F.H., 1975). In the Middle Ages, the distinction between holy war and just war was difficult to draw in theory, and was glossed over by those interested in justifying a particular war. In the heat of battle and dispute, belligerents often abandoned the more restrained guidelines of a just war for the absolute ideals of a holy war. Then, when a just war was recognised as necessary, it easily turned into a holy war, pursuing the highest goals of the warring parties, most consistently embodied in the ideology of the Crusader movement (Zabzaliuk D. Ye., 2020).

The very first basis of a just war was the justification of war as such. In particular, the greatest merit of the recognised Augustine of Hippo in conceptualising a just war was his assertion of a kind of status quo – war is an inherent reality of God's world (meaning the human world created by God)» (Kokhanchuk R., 2003: 29). In his view, perfect peace is a manifestation of the Absolute Good and is therefore impossible on a sinful earth (in the earthly city). Therefore, in his view, even in the history of the Christian city there is a place for war as a constant struggle with pagans, heretics, heathens and even fellow believers. For Augustine, however, this primordial pessimism does not lead to a total condemnation of all wars (Deane H.A., 1963). Instead, the philosopher proposes a more complex and nuanced scheme that opens the way to a moderate optimism: in fact, according to him, some wars can still be just, especially when they contribute to the establishment of peace and justice and are not entirely in line with the canons of Christian doctrine (Stasiuk S., 2010). Thus, Augustine's thought is characterised by a distinction between ideal (just) and real (unjust) war, in accordance with the dichotomous idea of the coexistence of the ideal (divine) and the real (corrupted by human sin) in a single universe. According to the French researcher J. Florey, his dual idea – on the one hand, the obligatory rejection of unjust war and, on the other, the recognition of just war – embodies the general direction of the development of the general Christian mentality in the understanding of war in the early Middle Ages (Panafidin I.O., 2014: 23).

For example, the most influential post-Augustinian concept of just war, that of the prominent Spanish philosopher Isidore of Seville (560–636), had all the formalistic features of the late Roman

spirit: at its centre were the Roman views of just war as an officially declared position of the state. Isidore literally believed that a just war was a war that had been officially declared and in which no victor was deprived of his rightful spoils, lawfully won in the course of hostilities. His version of the Roman view is even simpler than that of later Roman republican legalists such as Cicero. Thanks to him, the foundations of Roman just war theories, such as formal proclamation, were translated into medieval political and legal thought. This was despite the fact that Isidore's works were mainly compilations of earlier Roman authors. The famous Italian jurist Gratian (d. c. 1150) later cited Isidore in his «Decretum» as the main source of Roman law on the justice of war, which he understood to be the defence of the nation against foreign invasion on the basis of natural laws (Bartholomew D., 1999).

Already in the 5th century, the influence of Augustine inspired the intellectual elite of the time to produce a number of false works, including the letter Gravi de pugna, which assured Christians who feared the consequences of war that God was on their side and would surely give them victory in battles with their enemies (Russell F.H., 1975: 26). Thus, only divine help and favour were necessary to achieve victory, although Augustine himself argued only that Providence determined the outcome of wars without necessarily granting victory to the just side. Nevertheless, the assumption of gravi de pugna strengthened the Germanic legal practice of ordeals, according to which the justice of an action (deed) was confirmed by its result. Over time, the idea that wars had to serve religious purposes in order to be just became widespread, and on the contrary, successful wars were seen as a sign of divine favour.

There are several examples of the ideology of trial described by historians in the early Middle Ages. We find one such example in the History of the Christian Church by Rufinus of Aquileia, which covers the events of the IV–V centuries. (Rufinus of Aquileia, 2016). Rufinus in particular tells of the Battle of Frigidus (394), in which the Roman emperor Theodosius I the Great (379–395) fought against the pagan usurper Eugenius. Rufinus says that when the emperor saw his troops retreating, he turned to God: «Almighty God... You know that I have begun this war in the name of Christ, Your Son, in order to obtain what I believe to be a just retribution. If it is not so, then punish me, but if I have come here for a just reason and with trust in You, then extend Your right hand to those who are Yours... (Rufinus of Aquileia,2016: 481). The Emperor's victory, won in a bloody and exhausting battle, became a kind of confirmation of the justice of the war he waged against the usurper. Therefore, divine sanction was the highest recognition of the justice of such a war.

The clearest example of judging a just war by the criterion of its outcome is the analysis of the invasions of the Frankish king Clovis I (481–511), which were sanctioned by the monarch's Christian conversion and his belief that God was on the side of the one who fought a just war. God's control over the fate of the battle appears here as a decisive element in Clovis's conversion to Christianity (Erdmann S., 1977: 19–20). With war firmly rooted in the mentality of both the general population and the political elite, the Christian monarchs of early medieval Europe considered wars to be just if they were won because it showed that God was on the side of the victors. Indeed, victory was seen as the main sign of the justice of a particular war. At the same time, if the war was lost, it was the fault of the Christians who fought it, because God was punishing them for their sins. After all, only God can win. This line of thought goes back to the Old Testament, where God punishes the Israelites by sending pagan armies to teach them obedience to God (Wood I., 1994). Thus a second sign of just war appears in early medieval Western European political and legal thought, under the influence of the destructive barbarian hordes that buried the Roman Empire: a just war may be lost, but this time God uses a foreign aggressor to teach a retreating nation a moral lesson. from obeying His commandments. So Isidore of Seville took up this theme in his «History of the Kings of the Goths», describing the events of the 5th century. According to Isidore, the Huns were in the habit of punishing the faithful, as were the people of the Persian nation. ... Because they are the scourge of God's wrath, and as often as His wrath comes out against the faithful, the latter are scourged by them so that, corrected

by their blows, they may refrain from worldly desires and sin...» (Wood I., 1994: 15). We should understand this example as a moral explanation given after the defeat of the «just» side in a war. The Christians, after their defeat, probably gave the following explanation: it expressed God's judgement that their way of life did not meet the requirements of Christianity, and the Huns were used by God as an instrument (whip) to carry out His judgement, to punish and correct His believers. The Anglo-Saxon Chronicle of the XIth century makes a similar comment about the victory of the Norman Duke William the Conqueror at the Battle of Hastings in 1066. The Normans won the battle «which God gave them for the sins of the people» (i.e. the Anglo-Saxons). This seems like a fairly simple way of establishing justice – people sin, and then God punishes them through military defeat or other disaster (Evans R., 2019). Such examples in the early Middle Ages are spread geographically from Western to Eastern Europe. From them we can conclude that the justification for war included the demand that the enemy should be avenged and corrected because of the supposed sin committed. It seems that the sin committed gave rise to a presumably just cause. But whether the sin was committed or not, and therefore whether the cause was just or not, depended on God's judgement. This judgement was revealed at the end of the battle, i.e. whether the outcome of the battle was victory or defeat. Victory clearly showed that God recognised the cause as just, and victory was the reward; defeat showed that the cause was unjust, and that was the punishment. God's judgement was not just a conditional part of this way of thinking, so it was not just a marker of the righteousness or unrighteousness of the case. God's judgement was the essential part that made causes just or unjust and made one side of the conflict an instrument for the materialisation of His judgement. For this reason, a just war in this sense is just because God – as the Almighty Ruler of the universe – has decreed it (Boda M., 2024).

The next sign of a just war, which can be seen in the works of early medieval authors, is a just (legal, righteous) reason for the war (Bainton R., 1960). Thus, the aforementioned Isidore of Seville, in a purely Roman manner, contrasted a just war, launched after an official declaration in order to recover lost property or to repel and punish enemies, with an unjust war, waged out of madness and without a legitimate reason (Johnson J. T., 1987). This approach served as a channel through which the Roman doctrine of just war was translated into medieval political-legal discourse. A gratuitous, irrational, tyrannical war is unjust and therefore subject to the condemnation of the Church, the law and the State. This is why the idea of the expediency of restraining extralegal violence gradually comes to the fore in this idea. Because most thinkers of the time were clerics, early medieval thought had a clerical bias that both encouraged religiously motivated wars and cast doubt on the morality of most acts of violence.

Among Christian thinkers, Gregory of Tours (538/539–593/594) insists that a just war aims at peace, and only a war waged to achieve or restore peace can be considered just (Gregory of Tours: 60, 63–65). Similarly, Grigory considered the conclusion of peace agreements with defeated enemies as the proper end of a just war (Gregory of Tours). He also emphasised the inviolability of such a sworn peace agreement, sacramentum. By analogy with the intra-Frankish treaties described in the History of the Franks, such agreements included a solemn sanctio, invoking the powers of the saints against would-be violators. The righteous party is the one that respects the sanctity of treaties, offends by violating them, fights with divine help and wins. Conversely, a party that gives false testimony or rejects a peace agreement incurs divine wrath and loses (Gregory of Tours). In his writings, Gregory provides a historicised account of his views on just war, including the guilt of nations in justifying wars against them, the necessity of fighting for a just cause, the role of God as the enforcer of peace agreements, peace as the goal of just war, even the Augustinian requirement of righteous intention in just war (as opposed to the Frankish lust for war during the attack on the Saxons) (Wynn P., 2014). In addition, Gregory clearly and consistently authorises just war as war in the name of spreading Christianity, a theme that runs through his writings. This opinion is picked up and relayed in his ideological beliefs by the outstanding thinker and Roman Pope Gregory I the Great (590–604)

(Markus R. A., 1997; Richards J., 1980) and the glorified Frankish king, and later the emperor – Charles I the Great (778–814, emperor from 800) (Nelson J.L., 2013). If the first justified the justice of the war with the motives of suppressing the resistance of heretics and the conversion of barbarians to Christianity, the second adopted these ideological principles in their practical activities, which, at the same time, stimulated further intellectual discourse around the topic of a just war. In particular, Charlemagne's far-reaching imperial program of religious, moral and political power was noted by his court scholars, who linked the expansion of Christianity and the interests of Charlemagne's legitimate Italian campaigns against the Lombards, and the refusal of the Saxons to submit to Christianity justified their conquest and forced conversion. Wars were viewed as public, just and sacred at the same time, justified by ecclesiastical goals that united the people of God and prevented the division of functions between the Church, the clergy, the laity, the kingdom and the Empire (Gregory of Tours). It is noteworthy that at that time, even clergymen, contrary to ancient prohibitions, were obliged to participate in the military campaigns of the Christian emperor. The Franks were sure that they were God's chosen people; therefore, war and violence on the part of the Carolingians to carry out divine justice in the name of expanding the Regnum Francorum was perfectly reasonable (Colyer D.).

It is worth noting that in the Carolingian era (the second half of the 8th – 10th centuries) (Riche P., 1959) the idea of a just war became highly personalized. Its bearers are just (pious, righteous) monarchs who embody the principles of Divine justice in their rule, and strive to approach the ideals of Civitas Dei. Thus, in his letters, in addition to the military defense of the Christianum imperium («Christian Empire») and the Catholic faith, the outstanding thinker of the second half of the 8th to the beginning of the 9th century, advisor to Charlemagne, philosopher and scientist, one of the brightest figures of the «Carolingian Renaissance» Alcuin of York (735–804) (Wallach L.) calls spreading the principles of justice the third main duty of a Christian ruler, portraying Charles himself as the only living person endowed with the power to do what pleases God. Ensuring justice in peace and military affairs is key among other duties of a Christian ruler. Alcuin claims that as a reward for fulfilling these tasks, God will generously bless the sons of Charlemagne and preserve the royal throne for all his descendants, as he did with his favorite, the ancient Jewish king David (with whom Charlemagne himself was often compared by his supporters) (Moesch S., 2020: 88). In the written at the beginning of the 9th century. Smaragdus of Saint-Michel (c. 760 c. 840) «Mirrors for princes» for the instruction of Emperor Louis I the Pious (814–840) also put forward iustitia («justice») in the foreground, along with such virtues, as humilitas («humility») and pax («peace») (Moesch S., 2020: 224). For this reason, the king is allowed to defend his people with a just war and spread his rule and Christianity in the world (Isidore of Seville, 2006: 117–118, 199–200, 359–360; Ullmann W., 1970: 17–38; Canning J., 1996: 16–28; Crouch J., 1994: 14–16; King P. D., 2007: 141–143). Only God can judge kings. If a king becomes an unjust, wicked, and merciless tyrant, then his people are not allowed to rise up against him, because judgment is on God's side. God also punishes the king and his people if they follow the king in his sin, or if the source of the sin is the people (Isidore of Seville 2018: 200–203; Loschiavo L., 2019: 389).

The Lord himself is in favor of just wars, who, by granting victory, thereby points to the just side of the war. The examples from the history of Carolingian feuds, described in detail in the «Histories» by the grandson of Charlemagne, the historian Nitgard (c. 790 c. 843) (Nithard, 2022) are eloquent. Narrating the details of the civil war between the three sons of Louis I the Pious, he emphasizes that in the extremely bloody battle of Fontenois (841), the heads of the West Frankish and East Frankish kingdoms, Charles II the Bald (840–877) and Louis I of Germany (840–876) defeated the older brother of King Lothar I of Italy (who was also emperor; 840–855), and after the battle the victorious kings asked their bishops what they should do next. The bishops gathered at the meeting came to the conclusion: «the allies fought for right and justice, and this was clearly proven by God's judgment, therefore both advisors and executors should be considered servants and instruments of the Lord; but

everyone who has acted in this campaign from anger, hatred, glory, or any other motive, advising or acting [improperly], must in secret confession repent of hidden sins and receive punishment in proportion to his guilt, for glorification and exaltation such a manifestation of Divine justice and for the forgiveness of the sins of the ungodly brothers, since because of their sins they did not know at all that they had intentionally or unintentionally erred in many matters, so that with God's help they would be freed from this, and at the same time so that the Lord would continue to be defender and patron in every just cause, as it is now» (Nithard, 2021: 226). The following were recognized as signs of a just war: 1) struggle for law and justice (which was proven by God's court); 2) a just goal – achieving Divine justice, punishing sinners and forgiving sins; 3) actions with anger, hatred, glory are incompatible with the goals, motives and results of a just war; 4) relying on God's help as a guarantee of ensuring the justice of the war in the future.

On the other hand, the reverse side of the personalization of the just war in the just image of its participant corresponds to a kind of demonization of the opposite – the "unjust" side, which is subjected to dense ethnoization and, accordingly, a radically negative moral and ethical assessment. A certain absolutization of unjust wars can be seen in the stylized image of an unjust enemy («the Other»), who usually devastates the surrounding lands with fire and sword, does not stop at the destruction of churches and the theft of church wealth, does not count on numerous victims among the civilian population, sows disaster and economic decline in the country At the same time, the unjust goals of such statesmen are usually emphasized by their immoral character traits and unjust, unrighteous, immoral means of achieving these goals (betrayal, treachery, oath-breaking, refusal to promise, etc.). However, during the civil strife of the early Middle Ages, victory often changed hands, so it became increasingly difficult to understand the essence of the divine sanction of a just war by this criterion. Instead, internal strife was used by enemies of the Carolingian Empire to fuel external invasions. Therefore, it is natural that, finally confused about whose war is «fairer» at the level of internal internecine wars, Christian thinkers were forced to shift their attention to the external front. Here, as it seemed, the criteria of a just war emerged much more clearly. Thus, Agobard of Lyons (769–840) already contrasted Charlemagne's external wars with his contemporary, unfair internal strife. A just war is increasingly identified by him with an exclusively external war, waged for the purposes of self-defense, in which the clergy must pray for the subjugation of the barbarians of the Empire and the end of the barbarization of the subjects of the Empire (Russell F. H., 1975: 30). Similarly, the philosopher and church hierarch Hinckmar of Rheims (ca. 806–882) lamented that while Christians had previously suffered from pagan attacks, now, contrary to divine and human laws, the Church suffered at the hands of Christian kings who were supposed to to be her guardians, and then he predictably preferred a new campaign against the pagans. Here Hinckmar seemed to identify the Church with its higher clergy and their property, for he argued that ecclesiastical property should be protected from royal interference on pain of death. The war of secular lords among themselves is, according to Hinkmar, illegal and unjust, and its followers deserve to be excommunicated. The same applies to the persecution of bishops, committed without a reasonable reason, because it interferes with the realization of the tasks of the clergy to preach peace and war against the barbarians. The latest wars are at the same time sacred, sanctioned by the church, such that are waged in the name of the spread of the Christian faith, but, despite this, the active participation of the clergy is excluded. So, writing around the middle of the 9th century, Hinckmar of Rheims, Raban the Moor (ca. 780–856) and Sedulius Scotus resorted to justifying war to protect the Empire and faith (Russell F. H., 1975: 29–30). Although Raban the Moor, while exhibiting some skepticism about the innocence of just war soldiers who were «simply following orders» reflected broader concerns about whether engaging in war at all could be fully justified from a Christian perspective, even in cases where the cause of war was entirely fair, from the point of view of the church (Friend N. E., 2015: 22).

A certain skepticism about the possibility of establishing the justice of a war based on its results is already demonstrated by late Carolingian authors. Thus, the divine sanction of a just war reached the

point of denial in the writings of Agobard of Lyons, who went so far as to deny the very suggestion that a just divine judgment was revealed by the outcome of battle. Another thinker, Sedulius Scotus, argued that he approved of war, contrasting a just statesman who sought peace even for his enemies and went to war only for a necessary and just reason with a wicked prince who continued to fight after rejecting the offer of peace.

The second approach to internecine wars is demonstrated by the already mentioned Gregory of Tours and the Anglo-Saxon philosopher Gilda (500–570). The first, finding quarrels between the sons and grandsons of Clovis I, considers infatuation with civil war a sin, because it does not benefit the church or the spread of the word of God, therefore, in his opinion, internecine wars are unjust (Tolbert A., 2005). Gilda believed that «all unjust wars are not civil wars, but all civil wars are unjust» (Bachrach B. S., 1993: 129). There seems to be a specific theory of war because he was not against all wars, but he believed that some wars were wrong. Although the structure of Gilda's theory of just war was not laid out in his writings, a general outline can be gleaned from the way he wrote about his environment. Gilda cites the example of King Aurelius, who did not care about pax patriae and constantly started bella civilia (Bachrach B. S., 1993: 131). The fact that peace is desirable and that civil war is considered unjust shows that the concepts of just war in the sense of late antiquity had not completely died out in all parts of the empire, and that justice was equated with good government, while calamity became the cause of sinful errors and distortions in the exercise of power (Wallace Hadrill J.M., 1975: 103).

The disillusionment of the clergy with the violence of the laity also developed into a systematic suspicion that all wars, even just ones, still had a certain unjust undertone and therefore required repentance and the maximum avoidance of violence in the future. The result of this approach was the proliferation of works belonging to the genre of «penitential literature». Thus another of the Eastern Fathers, Basil the Great (330–379), recommended that anyone who had shed blood in war should be deprived of Communion for three years (Stasiuk S., 2010). Archbishop Theodore of Canterbury (668–690) believed that one who had killed a person on the orders of his superior should not attend church for forty days, and one who had committed murder in war should do penance for forty days (Stasiuk S., 2010).

At the beginning of the 9th century, Bishop Halitgar of Cambrai called for penance for all those who had killed in a public military expedition or who had killed out of enmity or greed (Russell F.H., 1975: 31). According to the Poenitentiale Pseudo-Theodori (c. 835), murder committed during a public war or on the orders of one's master was punishable by ten years' penance (Russell F.H., 1975: 31). The Poenitentiale Arundel, written at the end of the 9th century, imposed a year's penance for killing during a royal battle and two years' penance for a war of dubious justice waged by a statesman (Russell F.H., 1975: 31). Raban the Moor concluded that penance should be imposed for the murders committed during the wars between the Carolingian kings, since God probably considered all participants in these wars to be guilty, and therefore these wars could not be considered just (Russell F.H., 1975: 31). Even in later times – X–XI centuries. (especially after the results of the battles of Soissons in 923 and Hastings in 1066), the Church sanctified the need for penance and atonement of all the participants in the battles and refused to recognise their justice, despite the initial support of one of the parties by the papacy (Draper L.L.M.).

The Roman popes were not consistent in their assessment of just wars. For example, Leo IV (847–855), who himself took an active part in the fight against Saracen raids on the Italian coast, expressed the hope that everyone who died in the fight against the enemies of the faith deserved eternal life (Russell F.H., 1975: 32). Another Pope, John VIII (872–882), was inclined to believe that those who fought against the Church were damned, and those who died defending it were crowned with their noble blood, which was therefore a turning point in the evaluation of a just war (Russell F.H., 1975: 32–33). However, a completely different attitude towards non-believers was expressed, for

example, by Pope Nicholas I (858–867), who left the judgement of non-Christians to God alone and forbade them to be converted by force, and he also forbade the use of weapons, except against pagans. He denied priests the right to use instruments of coercion. At the same time, he allowed wars to be waged in defence of property, homeland or parental rights when necessary and when the means of defence were available (Russell F.H., 1975: 33–34). His tolerance for defensive wars was understandable in an age of total armed violence, when very few spiritual authors themselves denied the right of self-defence for an individual or a state.

Finally, after the chaos of the 9th and 10th centuries, the growing order and power in western Europe in the 11th century led the Church to seek new ways to limit the violence of the secular nobility and to use it for spiritual purposes. The Peace of God movement, the struggle for investiture and the Crusades contributed to a more consistent justification of war that found its way into the emerging canonical jurisprudence. At the same time, the movement for the «Peace of God» was not necessarily pacifist, since it was directed against violence and not against war as such, and sometimes waged hostilities against violators of its statutes (Bartholomew D., 1999). At the same time as consolidating its power, the Church extended its territorial influence and its discipline within the spiritual hierarchy, while maintaining a deep suspicion of military service and warfare, which were not under its control. In this atmosphere, by the end of the early Middle Ages, the Christianisation of war was complete: a just war is one that is declared as such and recognised as such by the leaders of the Church; it must be a legitimate instrument for the realisation of the Church's ideal of justice, which in Gregorian terms was seen as righteousness. Therefore, there was a kind of displacement of the just war towards its sacralisation: completely secular wars, wars waged with purely secular aims, cannot be completely just. Only the legal concept of Gratian, developed in the High Middle Ages (XII century) on the basis of the synthesis of ancient and early medieval concepts of just war, opened the way for its secularisation, the inclusion of the concept of just war in the intellectual arsenal of secular statesmen who wanted to maintain internal peace and build a strong military defence of their countries (Russell F.H., 1975: 55–85).

Conclusions. During the early Middle Ages, the development of the concept of just war was somewhat hampered by a general decline in intellectual activity caused by the wave of uncontrollable violence that swept across Europe and alarmed Christian leaders. The revival of interest in the concept therefore occurred gradually under the dominant influence of Christian orthodoxy, which largely eliminated the early Christian concepts of pacifism and adapted to the Roman-Germanic synthesis the idea of the legality and justification of war as a form of violence limited by law and religion.

The basis of early medieval ideas of just war was primarily an ethical evaluation of violence. It evaluated what Augustine called «the true demons of war», namely «the love of violence, vengeful cruelty, unpardonable and irreconcilable enmity, fierce resistance and thirst for power» (Biliak Yu.V., 2020: 81). At the same time, the Church, on the basis of the teachings of Augustine, took the initiative in defining the role of war in society and attempted to regulate it or at least to minimise its excesses, directing military action in a more or less socially acceptable direction (the fight against non-believers, heretics, apostates, enemies of the Church, etc.). Initially, the concept of a just war was close to the pacifism of early Christianity, a kind of social reaction against the excessive violence of the time when the early Christian kingdoms were being built on the ruins of the Roman Empire, which was actively expanding its territory and developing its military. Thus, these ideas were gradually transformed into a highly structured system designed to explain when a war should be considered just and when it should not.

In the early Middle Ages, none of the thinkers who dealt with the problem of just war show anything that could be called pacifist tendencies. Living in a system of relationships in which war was an integral part of everyday life, Christian thinkers from Gregory of Tours and Isidore of Seville to Hincmar of Reims, Raban the Moor and others. did not doubt that war was a necessary part of an

ordered Christendom, but only when it was fought for a just cause in the Augustinian sense. Under the aegis of justice, war was waged without modern moral restrictions on non-combatants. Sympathy for the peaceful victims of war was virtually non-existent. The authors were outraged by the actions of feudal lords who committed acts of violence for no good reason, but not by the consequences of these actions for the civilian population.

In the course of the development of early medieval political and legal discourse, certain signs of a just war were elaborated, which bear the imprint of the personalisation and ethnoisation of ideas about such a war. Sometimes they were quite contradictory and competed in a single discourse, such as the idea of God's sanction as a sign of a just war (victory as a sign of a just war) and theses about the possibility of imposing God's punishment on the people for their guilt, that is, for losing a just war.

In particular, the key features of a just war were defined as: 1) war waged by a Christian ruler in the name of protecting the state and the faith: in a just war, defensive (protective) aims are preferred; 2) war waged for the Christianisation of neighbouring (usually) barbarian (pagan) peoples, their conversion into the bosom of Christian civilisation; 3) a war with a just cause (protection of land, rights, subjects, etc.); 4) a war, including an internal one, waged under divine sanction (justice is usually on the side of the victor); 5) a war in which the victor has a just cause (protection of land, rights, subjects, etc.); 4) a war, even an internal one, fought under divine sanction (justice is usually on the side of the victor); 5) a war in which the participation of the clergy as combatants is excluded, while their interests, as well as those of the Church, are protected as a matter of priority; 6) a war waged with the aim of establishing a lasting peace, without the threat of the total destruction of the enemy, the escalation of violence is denied; 7) a war waged by a proper subject of law, as a rule a statesman representing a state, against another state, which excludes internal wars as wars waged by improper subjects (denial of internal strife, civil wars within the country).

As we can see, most of the signs of a just war do not answer the question of «who» or «what», but the question of «how», i.e. they refer to the ways and forms of waging war, to the behaviour of the combatants in it, and thus to the distinction between «legal» and «illegal» violence, the criterion of which is legalised Christianity or Christianised law. In it, the principles of Church and State are not yet separated, they are in a certain undivided unity. However, the contexts of the thoughts of early medieval authors already reveal the outlines of the foundations of state sovereignty in declaring and waging war (the subject of war is the state), on the basis of which internal (internecine) wars are denied; there is a limitation of the war in terms of subject matter (non-combatants have no right to participate in the war, the suffering of the civilian population must be minimised) and time (the peace of God, the violation of which leads to the recognition of the war as unjust); there must be one or more just causes of the war and its outcome (forgiveness, penance, sacred oaths, vows, maintenance of lasting peace, etc.).

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DOI https://doi.org/10.30525/2592-8813-2024-4-11

THE CONCEPT OF RULE OF LAW IN THE DOCUMENTS OF THE EUROPEAN UNION INSTITUTIONS (THE EUROPEAN PARLIAMENT, THE EUROPEAN COMMISSION AND THE EUROPEAN COUNCIL) AND IN CASE-LAW OF THE CJEU

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Abstract. The article analyzes the concept of the rule of law in European Union law. This concept, known for a long time in treaties, has recently gained importance. It seems that two events were the turning points in the understanding of the rule of law in the EU legal order. The first, strictly legal, was the adoption and entry into force of the Treaty of Lisbon, which established today's Art. 2, which expressly expresses the rule of law as one of the principles on which the European Union is based. The second, this time political, were the results of elections in some Member States, the results of which, in the form of taking power or co-power by groups that were clearly anti-European or highly skeptical about the European Union project, were not liked by the EU left-liberal mainstream, which alternated power in countries such as Austria, and later to an even greater extent Hungary and Poland, was perceived as a threat to the a priori vision of permanently tightening integration.

Key words: European Union, European treaties, rule of law, democracy.

Introduction. In the EU law, in the legal frameworks of the Member States of the Union, as well as in the universal Euro-Atlantic approach to law and legal culture in general, the principal rule of law (in the Anglo-Saxon version) or the state of law (in the continental version) has a well-established meaning and does not entail any divergent interpretations. This primarily concerns the teleological and axiological aspects of the rule of law, or the so-called state under the rule of law. It is indicated that is irrelevant whether this principle is referred to as the rule of law or, as is increasingly the case, lawfulness (P. Marcisz, M. Taborowski, 2017: 101), and the difference is more apparent in Polish than, for example, in English, where the rule of law encompasses both terms.

However, it should be noted that differences in translation do not have to be purely linguistic and may also entail substantive consequences. The distinction between the rule of law and lawfulness is also found in German language. In German, it is made explicit that the two terms are by no means equivalent, and that their denotational scopes overlap, but do not coincide. In view of the above, it is believed that lawfulness is an immanent feature of the rule of law and the state under rule of law, but is not necessarily their inherent feature. These are therefore closely related but certainly not synonymous terms, as is best demonstrated by the difference between *Rechtsstaat* (a state under the rule of law), and *Rechtsstaatlichkeit* (the rule of law) (T. Würtenberger, J.W. Tkaczyński, 2017: 16). This is also the case in French, where terms like the state under the rule of law (*l'État de droit*) and lawfulness (*légalité*) do exist side by side and are by no means used interchangeably. Linguistic differences, as they are found in Polish, German or French, are therefore always relevant, and terminological issues may not be treated as unimportant or secondary, especially since in each case they represent the starting point for interpreting the rules and thus drawing certain conclusions from them. It is highlighted, for example, that the rule of law or the state under the rule of law emphasise the formal dimension, namely the requirement to comply with the law, whereas lawfulness is something more, as it implies respect for the law, indicating the spirit rather than the letter of the law (J. Nowacki, 1977: 65 et al). There is therefore a lack of congruence between the actual rule of law or the state under the rule of law and lawfulness, and this cannot be considered irrelevant. Hence, the assumption, often made under EU law, that the introduction, following German theory of law, of the term “state under the rule

of law" (*Rechtsstaat*) neither adds nor subtracts semantic content from the concept of the rule of law is not true, much less is it merely the result of historical and cultural differences in the process of the development of this principle (namely "the rule of law" in Anglo-Saxon legal system and "the state under the rule of law" in continental and Mennonite legal systems). For these reasons, it is difficult to concur with the view, often articulated in EU law, that concepts such as the rule of law, the state under the rule of law and, importantly, lawfulness, irrespective of linguistic differences, share an obvious and coherent element, while possible other meanings, whether specific to the rule of law or, for example, to the state under the rule of law, are secondary and do not change the essence of the rule of law. This is not the case, as these concepts share a common element, however, each of them also has its own endemic range of interpretation, which is different by definition, emphasising other elements or other components, which constitute the legal construction of Europe that defines so-called democratic constitutionalism. The shared element of each concept, both in terms of their definitions and in terms of the specific directives formulated by the legal norms derived from these concepts, boils down to the assumption that "power must cease to oppress" (*le pouvoir cesse d'opprimer*) (J. Rivero, 1957: 85). The specific way in which it does so, however, is a matter dependent on, among other things, whether the general principle is disguised as the rule of law, state under the rule of law or lawfulness. If this was not the case, using different terms to describe the same situations or conditions would not only be inappropriate, but it would be downright wrong.

In the most general terms, it is pointed out that the rule of law constitutes an essential element of the legal and cultural heritage of the EU Member States, one that has been shaped over the centuries and which ultimately led to the formation of the democratic constitutional state. It is noted in this context that, irrespective of the endemic conditions for the emergence and subsequent formation of the rule of law or state under the rule of law, this principle fulfils the universal functions of: a) limiting the arbitrariness of power; b) establishing clear principles of governance; c) creating an effective system for the protection of individual rights and freedoms; c) ensuring the respect for human dignity. It is added that these universal and indisputable functions of the rule of law are at the same time the building blocks of the legal orders of the states within the European civilisational circle, as well as the supranational entities that have emerged from it, including, above all, the European Union (L. Pech 2009: 55). Respect for the rule of law is thus a confirmation of participation in the Euro-Atlantic political sphere, as well as a condition for the common and coherent functioning of the European Union, and a boundary condition for the participation of any state in the European Union (P. Marsden 2009: 24 et al). This is evidenced by the recognition of the rule of law not only as some axiological basis for the EU, but as a constitutional principle, strongly articulated in the European Union's primary law. In the latter case, it is noted that the rule of law had been, at its starting point, a principle grounded in the constitutional orders of the Member States, but, through its transposition into the Treaties, it was granted the status of an autonomous principle of Community law.

The rule of law, under Art. 2 TEU, is thus a principle derived from the constitutional orders of Member States, but has acquired an inherent meaning under EU law that should be read and interpreted in the context of integration, which should lead to the development of an autonomous principle of the "rule of law in the Community order", one that is not a simple parallelism of the traditional rule of law, as known from the legal orders of Member States (R. Grzeszczak 2007: 159 et al). This implies that the rule of law introduced into the Community legal order, while initially based on the definitions under the particular Member States' legal orders, has become autonomous over time, so that the Union's understanding of the rule of law is not necessarily the same as that established and recognised in the national legal orders. This autonomisation of the rule of law in the EU is correlated with the process of associating it with the principle of democracy, also expressly indicated in Article 2 TEU. This is of particular relevance to EU law, as there is an emerging synergy in the form of the democratic rule of law, which is regarded not only as a pillar of the EU's internal constitutional order, but also

as a hallmark distinguishing that order in international relations (T. Würtenberger, J.W. Tkaczyński, 2017: 17). This principle, notably at the moment of the mobilisation of the European Union associated with the search for a new place in the architecture of a unifying Europe (J. Szymanek 2020: 1–4), is being operationalised by means of so-called second-order principles. As defined by the European Commission, these principles include, among others, "legality, namely a transparent, accountable, democratic and pluralistic legislative process; legal certainty; prohibition of arbitrariness in the executive powers; independent and impartial judiciary; effective judicial review, with respect for fundamental rights; equality before the law" (COM(2014) 158 final: 40). The principle of separation of powers, sometimes unnecessarily specifically referred to as the principle of tripartite separation of powers (B. Szmulik, J. Szymanek 2020: 65 et al), is also included in the constituent elements of the rule of law, fostering the impression that the rule of law or the democratic state under the rule of law encompasses virtually all possible principles, rules and values that have hitherto been considered in isolation under traditional constitutional law (J. Rivero 1957: 85).

The overemphasis placed on the wording of the rule of law principle that is apparent in the EU legal framework brings about two main effects. The first is the increasing replacement of the rule of law and other named principles (such as the principle of democracy, separation of powers, tolerance or pluralism) with a single principle of lawfulness. The second effect is a departure from the traditional understanding of the rule of law, where it is considered as a meta-principle or umbrella principle, namely a principle that brings together a number of other elements, principles and values that have an independent normative meaning. These elements intertwine with each other and give rise to one big principle, the meaning of which transcends the sum of its constituent elements (L. Pech 2009: 49). In this way, European lawfulness or the rule of law, has become the sum and the synergy that completes the European Union's system.

The essence of the rule of law, as the umbrella principle, is to regard it as the tree from which other elements (norms, principles, values) that comprise the rule of law grow out of. From this perspective, the rule of law is a dynamic and yet inclusive principle, as it requires conceptualisation and recognition through a rule of law recognition system, namely a system that identifies the constituent parts of the rule of law on an ongoing basis, by identifying its negative elements (the elements that violate the rule of law) and its positive elements (the elements that favour its implementation) (M. Taborowski 2019: 61, 62). This approach emphasises that the rule of law, which is explicitly referred to in the preamble to the TEU or its Article 2, is not merely a concept found in the legal systems of the Member States, but it also – despite the identical wording – an autonomous concept. Moreover, it is pointed out that, for instance, Article 2 TEU, by regarding the rule of law as a value shared by all Member States, in order to determine the scope and meaning of the rule of law does not refer to the legal systems of the Member States at all, but merely states that this value is shared by them. This gives rise to an assumption that the lawfulness or the rule of law in EU law is independent in its own right, different from the rule of law that adopted in the Member States. This assumption is supported by the established case law of the CJEU, which assumes that, in the absence of an explicit reference to the legal systems of the Member States, terms and concepts in EU law are subject to autonomous interpretation, taking into account their context and purpose (C-140/12, EU:C:2013:565, pt 49).

That does not mean that the rule of law as interpreted by the European Union bodies, including notably the CJEU, cannot contain constituent elements derived from the legal orders of individual Member States. Indeed, the autonomy of the concept of the rule of law, and thus its discretionary interpretation by the CJEU, does not imply absolute freedom to derive meaning from this principle, much less to ignore the existing and established meanings attributed to the rule of law. This is all the more so because the rule of law – as defined in Article 2 TEU – is not only a value of the Union, but one that is shared by all Member States (K. Wójtowicz 2018: 116). It is therefore not possible to extract meaning from the Treaty-based rule of law that is entirely different from, or completely alien

to the meaning of the rule of law adopted in the particular legal orders of the Member States. The very notion of the "community of values" implies that, although the values may be identified differently, they must nevertheless share common and unchanging roots. The constitutional orders of individual Member States and the rule of law concepts developed under them thus provide the building blocks for the EU's interpretation of the rule of law. However, the CJEU, while decoding the meaning of the rule of law, does not simply aggregate the wording of that principle adopted in all Member States but rather considers which parts of it should be included in the rule of law at EU level. This is where the autonomy of the EU rule of law manifests itself. It is not just the sum of the rule of law or state of law concepts developed in the individual Member States' theories of law (M. Avbelj, 2017: 44 et al). Hence, the range of interpretation of the rule of law, according to the guiding principles of the EU, may be different from the range of interpretation applied in the Member States (M. Taborowski 2019: 63).

This gives rise to a possible tension in the relationship between the European Union and the Member State concerning the individual understanding of the rule of law and its meaning, firmly established in the Member State's theory of law. In the long term, this tension does not favour harmonisation, as it may give rise to legal dualism and even a kind of conceptual confusion where, for example, the rule of law will be interpreted differently under Member State law and EU law. The problem will become even more apparent when the Union's pattern of understanding the rule of law will be inconsistently applied to individual Member States, indicating that in some of them this understanding will absolutely have to be adopted, while in others it won't be necessary due to cultural, social or historical differences. The argument of "a different level of civilisational development" must not serve as a pretext for differentiating the mechanism of application of the EU general principles of the rule of law, as this, at the starting point, argues against the thesis of the autonomy of certain concepts, principles and values in the legal order of the European Union. These processes, especially if they proliferate, are particularly dangerous for the European legal order as they contradict its hitherto assumptions, and as a result we are observing the increasing culturalisation and de-hybridisation of EU law instead of the original processes of deculturalisation and hybridisation (J. Boulouis 1991: 97 et al). EU law thus goes against the cultural traditions of individual Member States and contradicts the Treaty-based concept of diversity of legal orders set forth in Article 4 TEU. Pursuant to Article 4(2) TEU "the Union shall respect the equality of Member States before the Treaties as well as their national identities, inherent in their fundamental structures, political and constitutional, inclusive of regional and local self-government. It shall respect their essential State functions, including ensuring the territorial integrity of the State, maintaining law and order and safeguarding national security. In particular, national security remains the sole responsibility of each Member State. As a result, EU law is homogenizing cultural differences while de-hybridizing itself and striving for ever closer unification, which is legitimised by the concept of autonomy of the principles, standards and values articulated in the primary law of the European Union.

Documents of the European Parliament. The principle of rule of law is often defined in the documents of the EU bodies in a lengthy and erratic manner, while following the pattern called ignotum per ignotum. Examples include the Communication from the Commission to the European Parliament and the Council of 11 March 2014, "A New EU Framework for Strengthening the Rule of Law". In this document, the EC stresses that "respect for the rule of law is intrinsically linked to respect for democracy and for fundamental rights: there can be no democracy and respect for fundamental rights without respect for the rule of law and vice versa". At the same time, the EC notes that "Fundamental rights are effective only if they are justiciable. Democracy is protected if the fundamental role of the judiciary, including constitutional courts, can ensure freedom of expression, freedom of assembly and respect of the rules governing the political and electoral process". The communication in question does not actually define the rule of law as it is defined by the principles of democracy and respect

for fundamental rights alone. However, in the communication of the European Commission of 2014, there was already one important element in the definition of the rule of law that proved not only to be enduring, but central to the understanding of the rule of law. It is the association of the rule of law with the assertion of fundamental rights in the courts. This is confirmed by the European Parliament resolution of 25 October 2016 with recommendations to the Commission on the establishment of an EU mechanism on democracy, the rule of law and fundamental rights (2015/2254(INL). This resolution is particularly important as it calls for "the development of a shared rule of law culture understood as a universal value by everyone in all 28 Member States and the EU institutions alike". This means that although rule of law is an autonomous concept for EU law, and is not necessarily identical to the interpretation adopted in the constitutional orders of individual Member States whose legal identity is protected by the Treaties (see Article 4 TEU), it seeks – against the spirit of the Lisbon Treaty – to impose a single top-down interpretation of the rule of law and to recognise it as legitimate and therefore the acceptable interpretation subject to the triggering of Article 7 TEU procedure against a Member State, who infringes it (J. Barcz 2020: 523 et al). The resolution of the European Parliament further indicates that the rule of law "is the backbone of European liberal democracy and is one of the founding principles of the Union stemming from the common tradition of constitutionalism of all Member States". The resolution further underlines that "cultural diversity and respect for national traditions should not hamper the application of a uniform and high level of protection of democracy, lawfulness and fundamental rights in the Union", which means, among other things, that the rule of law is inextricably linked to "the efficient and independent justice system" and the judicial enforcement of fundamental rights, which is "the key to creating an environment that fosters citizens' trust in public institutions".

The European Parliament has made several more attempts to define the meaning of the rule of law. In its resolution of 15 November 2017 on the rule of law in Malta (2017/2935(RSP), the EP stated that the rule of law is intrinsically linked to the principle of democracy and separation of powers, the backbone of which is the independence of the judiciary. In its resolution on the rule of law in Malta, the European Parliament also stressed that the rule of law primarily concerns the effective mechanism for the judicial protection of fundamental rights. The Parliament reiterated and developed the above theses in a subsequent resolution on the rule of law in Malta. In the resolution adopted on 18 December 2019 (2019/2954(RSP) the EP noted that upholding the rule of law and respect for democracy, human rights, fundamental freedoms, values and principles enshrined in the EU Treaties constitute main obligations of the EU and its Member States. It also reiterated that the rule of law is an integral part of democracy and the separation of powers, within which the independence of the judiciary must be respected as it is a mechanism for the effective protection of rights and freedoms. A better developed concept of the rule of law was articulated in the resolution of the European Parliament of 14 November 2018 on the need for a comprehensive EU mechanism for the protection of democracy, the rule of law and fundamental rights (2018/2886(RSP). In this resolution, the EP noted that the "rule of law, democracy and fundamental rights interact, strengthen each other and together protect the constitutional core of the EU and its Member States". In this resolution, the EP also stated that compliance with the rule of law in Member States is a rebuttable presumption (*praesumptio iuris tantum*) and that this imposes an obligation on the EU to continuously monitor the state of compliance with the rule of law in Member States. The European Parliament reiterated once again that the rule of law is intrinsically linked to democracy, separation of powers and a high degree of protection of fundamental rights. A position on the concept of rule of law was also included by the European Parliament in its resolution of 16 January 2020 on the rule of law in Poland and Hungary (2020/2513(RSP). However, this position does not involve any new content and merely recapitulates earlier views in which the rule of law is defined by principles such as democracy, fundamental rights or the separation of powers. The European Parliament has consistently reiterated that these princi-

ples are fundamental values in the order of the European Union and its Member States, that they are interdependent and that the mutual trust in the relationship between the EU and its Member States is contingent upon them.

The above implies that the European Parliament has not even attempted to adopt a single, consistent definition of the rule of law. It considers the rule of law as one of the values underpinning the constitutional order of the EU and its Member States, while recognising that it is intrinsically linked to other values such as democracy or the protection of fundamental rights. The European Parliament sometimes also notes that these values are interdependent, so that respecting one of them implies the respect for the other values and vice versa, namely a breach of one triggers the domino effect where all the others are breached. However, the European Parliament has never even attempted to establish a base range of interpretations of the rule of law, in isolation from principles such as democracy, separation of powers or the protection of fundamental rights. Neither did it determine which elements should be considered necessary for the rule of law and which should be considered concurrent. Consequently, a conclusion that emerges from the European Parliament's documents is that the rule of law is democracy, the separation of powers and the protection of fundamental rights, and that striking at any of these individual principles blows back at the rule of law. This closed circle of definitions, founded on the logic behind defining the same by the same and the unknown by the unknown, according to the idea that the rule of law is democracy and democracy is the rule of law, was tentatively broken by the resolution of the European Parliament of 12 September 2018 on the proposal calling on the Council to declare, in accordance with Article 7(1) of the Treaty on European Union, the existence of a clear risk of a serious breach by Hungary of the values on which the Union is founded (2017/2131(INL). In the abovementioned resolution, the European Parliament indicated again that the rule of law is democracy and the protection of fundamental rights, and that democracy is the rule of law and fundamental rights, but in addition to this conventional view, the Parliament also indicated areas of concern which, although it is not explicitly stated, appear to determine or shape the rule of law and democracy. However, these areas, indicated in extremely general if not vague terms, are: the functioning of the constitutional and voting system; the independence of the judiciary and other institutions and the rights of judges; corruption and conflicts of interest; protection of privacy and personal data; freedom of expression; freedom of education; freedom of religion; freedom of association; the right to equality; the rights of persons belonging to minorities; the rights of migrants, asylum seekers and refugees; economic and social rights. However, the European Parliament's catalogue of areas that correlate with the rule of law and democracy cannot be regarded as a fitting definition of the rule of law. This means that an elaborate definition of the rule of law that fulfils the scientific criteria is nowhere to be found in the acts adopted by the European Parliament. Although Parliament has not even come up with such a definition, it presupposes that each principle and value underpinning the European Union (Art. 2 TEU) can evolve over time, as each principle and value is not unchangeable, but it is rather a "living process" (2015/2254(INL).

European Commission documents. The European Commission has come up with far more specific findings on the meaning of the rule of law. According to the Commission, the rule of law interpreted in the context of Article 2 TEU encompasses several more specific principles, including: 1) legality; 2) legal certainty; 3) prohibition of arbitrariness of the executive powers; 4) independence and impartiality of the judiciary 5) separation of powers and 6) equality before the law (A. Megan 2016: 1050). In the Communication from the Commission "A New EU Framework for Strengthening the Rule of Law" (COM/2014/0158 final), the European Commission indicates that the rule of law is the "backbone of any modern constitutional democracy" and is also stands as one of the "fundamental principles stemming from the common constitutional traditions of all EU Member States and thus one of the core values on which the Union is founded". The Commission notes that the rule of law "has gradually become the prevailing organisational model of contemporary constitutional law and

international organisations (...) for regulating the exercise of public authority", as it guarantees that "all public authorities act inside the law, in accordance with the values of democracy and fundamental rights and under the control of independent and impartial courts". The Commission also mentions that "the exact wording of the principles and norms derived from the rule of law may vary at national level depending on the constitutional system of each Member State". It is nevertheless possible to formulate "a definition of the fundamental importance of the rule of law as a common value of the EU under Article 2 of the Treaty on European Union". Within this definition, the rule of law essentially encompasses legality, namely "a transparent, accountable, democratic and pluralistic legislative process; legal certainty; prohibition of arbitrariness in the executive powers; independent and impartial judiciary; effective judicial review, including the monitoring of the respect for fundamental rights; and equality before the law". The Commission notes here that the listed component parts of the rule of law "do not constitute purely formal and procedural requirements". In the communication of the Commission, the rule of law was referred to as a "constitutional principle sharing both formal and substantive elements". Further in the document, the EC repeats this specific logical train of thought, arguing that "respect for the rule of law is intrinsically linked to respect for democracy and for fundamental rights: there can be no democracy and respect for fundamental rights without respect for the rule of law and vice versa". The Commission adds, elaborating on this thought, that "fundamental rights are effective only if they are justiciable. Democracy is protected if the fundamental role of the judiciary, including constitutional courts, can ensure freedom of expression, freedom of assembly and respect of the rules governing the political and electoral process". The Commission, when concluding its comments on the rule of law, pointed out that the rule of law is of particular importance in the EU. Furthermore, it is a necessary condition for the protection of all the fundamental values listed in Article 2 TEU, and it is also a sine qua non of the observance of all rights and obligations under the Treaties and international law.

Others suggest that such a broad approach to the rule of law, corresponding to the perception of the European Parliament that rule of law is associated with democracy and fundamental rights and vice versa is inappropriate. If, as they argue, Article 2 TEU names principles such as democracy or the protection of fundamental rights in addition to the explicitly indicated rule of law, the legislator undoubtedly intended the rule of law to be narrowly defined (A. von Bogdandy, M. Ioannidis 2014: 62 et al). After all, a rational legislator should not employ different terms to name the same things. The Rule of law cannot therefore be seen as just another way of expressing values such as democracy or the protection of fundamental rights. Each of these principles or values has its own inherent meaning. It cannot be therefore assumed that one of them defines the others. This is without prejudice to the otherwise valid assumption that a better or comprehensive understanding of each of the principles individually enshrined in Article 2 TEU requires them to be interpreted in conjunction with the other principles which constitute the axiological continuum on which the legal order of the European Union is based (J. Barcik 2019: 108). It is not the case that the guiding principle is or should be the rule of law. It is pointed out that, in fact, Article 2 TEU puts the principle of human dignity on top of the list. This implies that it is the value to which all other values listed in the Article 2 TEU are attributed. As a result, the principle of human dignity comes first, as a distinctive "principle of principles" in the legal order of the European Union, and all of the other rules are consequential and complementary to it. This eminently humanistic perspective on the interpretation of Article 2 provides a slightly different insight into the rule of law. This is because it recognises that all the principles and values under Article 2 TEU have a "subordinate, internal rather than external position in relation to the protection of human dignity" (J. Barcik 2019: 109). This principle comes first and the meaning of the other principles and values should be discovered in its context. This leads to the conclusion that the purpose of the European Union is to ensure the protection of individual rights. It is also a fundamental driver of the autonomous interpretation of principles such as the rule of law or democracy, which does not

necessarily lead to the same understanding of these principles as in the particular legal orders of the Member States. This has also led to a reorientation in the EU's interpretation of the rule of law, which for a long time in EU law was perceived in formal terms. The rule of law under Article 2 TEU procedural guarantees has been long understood as a formal approach that should be the basis for legality and procedural guarantees (D. Kocherov 2009: 24). In addition, under EU law, the principle of rule of law was referred to the separation of powers between Member States and the Union. Hence, anticipating the later transformation, it was postulated to open for its ethical dimension by adopting the assumption that it should be interpreted in accordance with the principle of human dignity. Otherwise, the rule of law would be perceived as an empty and useless value (I. Ward 1998: 953 et al). The approach to the rule of law has evolved over time. It has gradually adopted ethical and political characteristics, to the point where it has become the hallmark of the EU's moral face and, consequently, its specific export product (P.C. Westerman 2017: 171 et al). The correlation of the rule of law with human dignity has fostered this shift in the approach to the rule of law. The rule of law rule of law seen from this perspective started to be associated with democracy and the protection of fundamental rights, which has become a constant theme in the way the European Parliament defines the rule of law. Consequently, the rule of law under Article 2 TEU is seen today primarily from the angle of adequate safeguards for the assertion of individual rights and freedoms in the event of their violation, which is the primary task of the courts. This leads to the even more far-reaching conclusion that adherence to the rule of law is a condition for the protection of all the principles and values on which the EU is founded (COM/2014/0158 final). This leads to a conclusion that the rule of law implies that law and justice are protected by the independent judiciary, and respect for these two values is a core element of the rule of law (J. Barcik 2019: 111). This understanding of the rule of law must be evaluated in the category of obligation *erga omnes partes* (R. Baratta 2016: 361).

Rule of Law in the case law of the Court of Justice. The above shift in the EU's approach to the rule of law and embedding it in the human dignity on one side and the due protection of fundamental rights on the other would not have been possible without the position of the Court of Justice of the European Union, which at a certain point began to actively resort to the rule of law while abandoning the assumption of its merely formalistic nature. This, among other factors, contributes to the aforementioned "awakening" of the transnational system of the European Union (M. Taborowski 2019: 19 et al). There is no denying that this awakening has given a strictly political stimulus to evaluate political parties labelled as populist, which in some Member States (Austria, Hungary, Poland) have assumed power as a result of a democratic transition of power, which has been opposed by the liberal and left-wing elites of the EU, who regard allegedly populist voices in the Member States as a threat to the unity of the European Union.

However, the Court directly referred to the rule of law principle for the first time as early as 1986, before Article 2 TEU was adopted in the current wording. In the Case C-29483, the CJEU noted that the rule of law principle underpins the community, therefore both the Member States and the common institutions are subject to review of the compliance of their legal acts with the Treaties forming the constitutional basis of the EU (ECLI:EU:C:1986:166, par. 23). Even earlier, in 1979, the CJEU held that respect for the rule of law entails that those subject to EU law enjoy the right to enforce their claims in the courts (ECLI:EU:C:1979:38, par. 5). Whereas previously the rule of law was attributed an outstandingly formalistic meaning and invoked only occasionally, nowadays the principle is increasingly utilised by the CJEU, with more and more meaning being extracted from it. The CJEU held in the judgment in Case C-72/15 that, among other things, "the very existence of an effective judicial review to ensure respect for the principles of EU law is intrinsically linked to the rule of law" (ECLI:EU:C:2017:236, par. 73). By contrast, in Case C-477/16 PPU, the CJEU held that the term "judicial protection" refers to the judiciary, which "must be distinguished, in line with the principle of separation of powers that characterises the functioning of the rule of law, from the exec-

utive" (ECLI:EU:C:2016:861, par. 36). The CJEU embraced a similar view in Cases C-452/16 PPU (ECLI:EU:C:2016:858, par. 35) and C-279/09 (ECLI:EU:C:2010:811, par. 28), holding that the separation of powers, and thus the separation of the judiciary from the executive, is an element of the rule of law. In these cases, the CJEU took a consistent view that the protection of fundamental rights in the rule of law must be effective, thus it must be carried out by the judiciary, the independent bodies based on the system of separation of powers. In the latter case, besides the demand for judicial protection of fundamental rights, the CJEU also pointed out that the effective application of the law constitutes an integral part of the rule of law. The CJEU reiterated this view in a more pronounced way in Case C-447/17 R (ECLI:EU:C:2018:255), in which, referring to the logging activities in the Białowieża Forest, it concluded that the effective application of the law is intrinsically linked to the rule of law.

Several conclusions emerge from the CJEU case law cited above. The first indicates that the rule of law should be interpreted as a principle of legality, i.e. as a requirement to act on the basis and within the law. The second is that the CJEU links legality with the principle of legal certainty, which calls for the clarity of the regulations and their predictability for the addressees (D. Kornobis-Romnowska2018: *passim*). The third conclusion is to correlate the rule of law with the effectiveness of judicial protection (J. Maliszewska-Nienartowicz 2010: 200, 201). This aspect of the rule of law has appeared most frequently in the CJEU's judgments and has been directly related to the subsequent issues that, in the CJEU's view, determine the content of the principle of rule of law. These include the separation of powers as the basis of the rule of law and the consequent principle of the autonomy and independence of the judiciary. The CJEU considers the principle of separation of powers in a somewhat twisted way, as it views it "from the angle of a court that is independent, particularly from the executive" (M. Taborowski 2019: 64) failing to recognise the other issues that the principle of separation of powers reveals. Finally, the last element of the rule of law as interpreted by the CJEU is the principle of equality before the law, which stands as a guarantee of an effective, and therefore judicial way to enforce claims associated with violations of fundamental rights.

The judgments of the CJEU with regard to the rule of law support the claim that the rule of law in the EU has evolved from a formalist principle to a more materialist one, which emphasises the content of the law and, above all, an effective set of procedures to guarantee due respect for it. From the perspective of the paradigm of due process, this is of paramount importance, as it proves that due process is inherently connected with the rule of law, being the materialisation of the general principle of rule of law. This is why this element is so strongly emphasised in the case law of the CJEU, to the point that a separate principle of broadly defined legal security is sometimes extracted from it (J. Maliszewska-Nienartowicz 2010: 204 et al). This principle, in line with the terminology used, is a principle directly related to due process, which is ought to be compliant with the law, in both formal and substantive terms, and rulings should be based on the criteria of law, equity and justice, which is, after all, the quintessence of the rule of law.

The principle of rule of law thoroughly dissected in the case law of the CJEU, is related to the elements that delineate the meaning of due process. It is primarily a matter of an effective mechanism for the assertion of individual rights and freedoms. This mechanism is understood as a judicial procedure, which in turn must be designed in a way rendering the judiciary independent of political influence, which translates into a separation of powers that prevents any unauthorised influence on the judicial authorities, particularly by the executive. This fairly consistent and coherent case law of the CJEU, augmented by the individual right to a trial (A. Marcisz-Dynia 2018: 290 et al), stems from the assumption that, in the interpretation of the principles and values that underpin the EU, the key principle is the principle of human dignity, and all other principles and values, including the rule of law, must be interpreted in the context of human dignity. Therefore, the mechanism for the effective protection of fundamental rights should be created (which is surprising, as it entails, pursuant to the wording of Article 2 TEU, the interception of the principle human dignity as opposed to the rule of

law, which is derivative and subsidiary in relation to dignity). The rule of law, and in fact the principle of human dignity (which is often overlooked in the documents of the EU institutions and in the case law of the CJEU because of its Christian connotations, and replaced by the supposedly modern and liberal Enlightenment-era rule of law), provides, as evidenced by the case law of the CJEU, for the protection of the fundamental rights of the individual, which is what the courts are best equipped to do. This is why the courts must be safeguarded against any unauthorised influence of authorities of other separated powers (J. Barcik 2019: 111). Such an assumption, which is correct in principle, presupposes, however, one controversial element, namely the idea that the judiciary is not an equal power in the concept of separation of powers, but rather – in some sense – stands above the legislature and the executive. This assumption, implicit in the judgments of the CJEU, was directly expressed by the European Commission, which stated in the communication on a new EU framework to strengthen the rule of law that the rule of law is the principle according to which "all public authorities act inside the law, in accordance with the values of democracy and fundamental rights and under the control of independent and impartial courts" (COM/2014/0158 final). The promotion of a concept envisioning the primacy of the judiciary over the other separated powers stands in contrast to the traditional approach to the doctrine of the separation of powers, which stemmed from the principle of distrust of one power over the others, and which was altogether seen in the idea of balancing the separated powers, so that no power would rise above the others and the idea of equilibrium (B. Szmulik, J. Szymanek 2020: 7 et al) would be preserved. The theses formulated by the EU institutions stand in opposition to this idea, promoting the alien concept of absolute trust in the judiciary and limited trust in the other powers, which in a sense subverts the current premise that the powers should be separated (R.M. Małajny 2001: *passim)*.

In **conclusion**, the principle of the rule of law in the supranational legal order of the European Union has evolved over the years. It should be noted that in the 1970s and 1980s this principle was not defined and the CJEU merely referred to the fact that the Communities were based on the rule of law. In this case, the rule of law was referred to the institutional order of the Communities with no reference to the particular legal orders of the Member States. The rule of law has been gradually extended to include content relating to Member States and their constitutional systems. The elements such as the prohibition of retroactive application of the law, legal certainty, control of the legality of the law, protection of the rights of the individual and the right to a trial has emerged and saturated the rule of law (J. Maliszewska-Nienartowicz 2010: 200 et al). However, the correlation of the rule of law with the guarantee of the separation of powers, the autonomy and independence of the judiciary, the effective assertion of rights and freedoms has acquired a dominant status in the interpretation of EU law since 2000. It has become increasingly prevalent to associate the rule of law with the right to a jury and thus the effective assertion of fundamental rights on the one hand, and with the independence of the judiciary on the other, as a consequence of the separation of powers. This has led to correlating the interpretation of the rule of law with the general call for a fair trial, which implied the need to establish institutions and procedures that guarantee respect for the right to a trial.

Two developments seem to have shaped the understanding of the rule of law in the EU legal order. The first, strictly legal, was the adoption and entry into force of the Treaty of Lisbon, which laid foundation for the present-day Article 2 expressing explicitly the rule of law as one of the principles on which the European Union is based. The second, this time political, were the results of the election in several Member States, where power was taken over, either on their own or jointly with other political forces, by groups that were explicitly anti-European or highly sceptical of the EU project, to the dislike of the EU's leftist and liberal mainstream, who perceived the change of power in countries such as Austria, and later to an even greater extent Hungary and Poland, as a threat to the vision of permanently tightening EU that had been assumed a priori. Today, in turn, Slovakia is such a country, which, since the parliamentary elections in the fall of 2023 and the change of power, has been

increasingly referred to as a country violating the European standard of the rule of law. In January 2024, the European Parliament adopted a resolution questioning Slovakia's ability to fight corruption and protect the EU budget with 496 votes in favour, 70 votes against and 64 abstentions. Furthermore, the resolution included already existing references to the failure to uphold the rule of law in Slovakia. Members of the European Parliament indicated in the resolution that they were particularly concerned about the unjustified use of a fast-track procedure for the criminal code reform and the dissolution of the Special Prosecutor's Office, that handles corruption cases and serious crimes, which was perceived as an attack on the rule of law.

The two events or rather two groups of events indicated were topped by another, apparently fundamental, factor. It is a kind of orphan syndrome of the European elites after the failure of the European Constitution. The Treaty of Lisbon, adopted as a replacement for the postulated Constitution for Europe, included many of the solutions planned for the constitutional project, including Article 2 with its flagship principle of rule of law. The European community's opposition against the idea of the federalisation of the European Union pacified ideas of going further and deeper with the integration for a while. The federalisation was to be fulfilled by adopting a Treaty establishing a Constitution for Europe. The Treaty of Lisbon was intended to be a modus vivendi between centripetal and centrifugal thinking in a united Europe, and by adopting some of the provisions of the proposed Constitution it was intended to accommodate the supporters of closer integration, while by not adopting the variant of the Constitution for Europe it was intended to satisfy those opposed to closer integration of the continent. Such an agreement, situated at the starting point of the Treaty of Lisbon, has been increasingly undermined over time. Eventually, thinking about the European Union became dominated by a belief in the need for ever more far-reaching integration, so that in the Treaty of Lisbon started to be interpreted in the spirit of the Constitution for Europe, despite the fact that the it was only the Treaty that was interpreted, not the Constitution.

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DOI https://doi.org/10.30525/2592-8813-2024-4-12

LEGAL DEVELOPMENT IN THE MIDDLE EAST AND NORTH AFRICA REGION: A COMPARATIVE GROUPING OF THE COUNTRIES

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Abstract. The MENA region, though diverse in its composition, shares common cultural, economic, and political background that make it a unique and significant area on the global stage. Understanding the legal, economic, and social dynamics of MENA countries is crucial for addressing the challenges and opportunities in the context of international relations and global development. This grouping of MENA countries into leading, progressing, and emerging categories based on legal development is a new approach, introduced here for the first time. It offers a fresh perspective on the region's diverse legal systems and highlights the varying stages of reform and modernization. By studying the achievements of leading countries like the United Arab Emirates, Qatar, Saudi Arabia and others, we can see how focused legal changes, such as updating labor laws and advancing women's rights, can enhance a country's international image and provide great benefits to its population. This classification not only provides researchers with a clearer understanding of regional dynamics but also offers practical guidance for future studies and policy recommendations.

Key words: legal development, MENA region, governance, judicial independence, human rights, economic regulations, legal modernization, legal systems, protection of human rights.

Introduction. The legal development of the Middle East and North Africa (MENA) region has drawn a lot of interest from researchers worldwide because the region's legal systems are a mix of religious, traditional, and modern laws. There is quite a lot of research on individual nations or specific legal issues in the region. But comparative grouping of MENA countries based on their legal development remains underexplored and division of the above-mentioned countries into three groups was presented for the first time. This study fills this gap by introducing a new grouping of MENA countries into three categories. This grouping is based on legislative frameworks, judicial independence, adherence to human rights, and economic regulations.

This research aims to create a framework for understanding the different paths of legal development in the MENA region. It not only adds to academic discussions by highlighting trends and challenges, but also offers practical insights for policymakers, international organizations, and NGOs working to improve governance and human rights in the area. By exploring the experiences of leading countries in the region, the study provides valuable lessons for advancing reforms in progressing and emerging countries in terms of legal development. The findings highlight the importance of using strategies that fit the specific context of each country when modernizing legal systems.

Purpose of the study. The purpose of this study is to provide a comprehensive analysis of legal development across the Middle East and North Africa (MENA) region by categorizing countries into three groups, which are leading, progressing, and emerging. This grouping is made based on the legislative frameworks, judicial independence, adherence to human rights, and economic regulations. This classification aims to explore the achievements and challenges faced by each group. This study identifies trends, best practices, and areas for improvement. The study aims to provide deeper understanding of regional situations and dynamics for researchers, policymakers and international organizations. It aims to support efforts to strengthen legal systems and promote human rights.

Results and discussion. MENA is an acronym which refers to the Middle East and North Africa. The following countries are normally included in MENA: Algeria, Bahrain, Egypt, Iran, Iraq, Israel, Jordan, Kuwait, Lebanon, Libya, Morocco, Oman, Qatar, Saudi Arabia, Syria, Tunisia, United Arab Emirates, Palestine, and Yemen. Sudan and Turkey are sometimes included in MENA.

MENA is usually grouped together by international, economic, and academic organizations. The acronym, often considered interchangeable with the term “greater middle east” and in some cases the “Arab world”. It has different variations of included countries depending on the defining organization (Boshers, 2024).

The term "Middle East" emerged as a Eurocentric concept in the 19th century, describing a transcontinental region stretching from North Africa (Egypt) to Southwest Asia. Over time, the term has gained widespread usage among both Europeans and non-Europeans. However, ambiguity persists regarding which countries are encompassed by this geographical designation. To address this, international organizations like the World Bank and UNICEF have adopted more precise terminology, such as "MENA", to describe the region extending horizontally from Morocco to Iran.

This acronym is sometimes used interchangeably with the term “Greater Middle East”, introduced to encompass not only the Middle East but also other Muslim-majority nations such as Iran, Turkey, and Pakistan. Many countries in the Middle East, South and Central Asia, and Africa share common characteristics, such as the prevalence of the Arabic language, Islamic practices, or proximity to the Gulf region, considered the heart of the Middle East. As a result, different entities and organizations may include or exclude certain countries from the MENA or Middle East groupings, which leads to a lack of consensus on the exact composition of these regions (Saleh, 2017).

Legal frameworks in the MENA region vary widely, incorporating elements of Islamic law (Sharia), civil law, common law, and customary law. Some countries have advanced legal systems which align with international norms, others are still developing their legal frameworks.

MENA countries are known for their vast natural resources, particularly oil and natural gas. The Gulf Cooperation Council (GCC) countries, such as Saudi Arabia, Qatar, and the UAE, are some of the world's leading energy exporters. Conversely, countries like Egypt, Morocco, and Tunisia have more diversified economies focusing on agriculture, tourism, and manufacturing (Woertz, E. (2017). This difference also has an influence on the legal development in a way.

The political systems within the MENA region range from absolute monarchies (for example, Saudi Arabia, Oman) to parliamentary democracies (for example, Tunisia, Lebanon), with various forms of governance in between. The region has also experienced significant political changes, especially following the Arab Spring movements that began in 2010 (Middle East and North Africa (MENA) Regional Update, 2021).

In order to be able to classify MENA countries into categories based on legal development I have used a comprehensive analysis of four primary criteria: legislative frameworks, judicial independence, human rights adherence, and economic regulations. These criteria reflect key aspects of a country’s legal maturity and its ability to provide equitable governance, enforce the rule of law, provide human rights adherence, and support economic and social development.

Speaking about legislative framework criteria I would like to mention that this criteria evaluates the comprehensiveness, modernity, and enforceability of a country's legal system. Some of the important factors are codification and accessibility of laws. Leading countries have detailed, codified laws accessible to all citizens and businesses. Progressing nations may lack complete codification, with overlapping or outdated laws creating ambiguity. Emerging countries often rely on customary or religious laws without full integration into modern frameworks. Alignment with international standards does not play the last role either. Nations are assessed on the extent to which their laws comply with international conventions, treaties, and agreements in areas such as trade, labor, and human rights. Speaking about sector-specific legislation would be important to mention that leading countries typ-

ically have solid sectoral laws, such as commercial codes, labor laws, and intellectual property regulations, while others show gaps or inconsistencies (Heldt, 2023).

Judicial independence is essential for the fair and effective enforcement of laws. This criterion assesses the separation of powers. The extent to which the judiciary operates independently of executive or legislative influence. Leading countries generally have autonomous judicial systems, but progressing and emerging nations may experience political interference. Judicial independence relies on judicial transparency and accountability. Leading countries provide mechanisms to ensure judicial decisions are impartial and subject to oversight. Progressing countries may lack transparency, and emerging nations often struggle with corruption and weak accountability. Efficient case resolution, specialized courts (for example commercial courts), and easy access to justice are hallmarks of leading countries. In contrast, delays, high costs, and inaccessibility to marginalized groups are more common in emerging nations.

Adherence to human rights principles is a critical indicator of a nation's legal development. After deep research conducted on the MENA countries, it was identified that leading countries uphold freedoms such as speech, association, and political participation. Progressing countries in the sphere of legal development may offer these rights unevenly and emerging nations often have significant restrictions due to conflict or authoritarian rule.

Gender equality and women's rights plays a significant role as well. Property rights, family law equality, and protection from gender-based violence are well-developed in leading countries like Qatar, Saudi Arabia, the United Arab Emirates, and a few other countries in the MENA region. Progressing nations show mixed progress while emerging countries often have significant difficulties in this sphere of human rights development. Findings about the protection of vulnerable groups were used as well in order to have a comprehensive review of the subject (OECD/CAWTAR, 2014). This includes protections for refugees, minorities, and low-income populations. Leading countries provide legal safeguards and support systems, while some others lack comprehensive policies or fail to enforce them effectively (Situational Analysis of Women and Girls in the Middle East and North Africa. A decade review 2010–2020, 2021).

One more critical measure of development is the ability of a legal system to support economic growth and investment. Leading countries have streamlined regulations for starting businesses, resolving issues, and enforcing contracts. Progressing nations may face bureaucratic limits, while emerging countries struggle with outdated or inefficient systems.

Labor laws and workforce protection plays a significant role for this analysis as well. Modernized labor regulations, assurance of fair wages, safety, and mobility, are present in leading countries. Progressing nations often implement reforms incrementally, and emerging countries may lack comprehensive labor protections. Speaking about foreign investment and trade laws I would like to mention that leading countries provide transparent, investor-friendly environments with well developed trade laws, while emerging nations often have underdeveloped or inconsistent frameworks (Gatti and others, 2024).

After analysis of the criteria we previously identified for this grouping, it would be logical to divide countries of the MENA region into three categories which are leading countries in legal development, progressing countries and emerging countries.

The leading countries have such characteristics as: strong legislative frameworks harmonized with global standards; independent judiciaries, which are capable of upholding the rule of law without interference; high levels of human rights adherence, including gender equality, protection of minorities, protection of women's rights, etc; transparent and efficient economic regulations that attract international investment and low level of corruption.

For progressing countries in legal development, such characteristics are common: partially modernized legislative systems where reforms are ongoing; limited judicial independence which includes

political influence; significant progress in some areas of human rights adherence, but gaps still remain present; economic regulations improving steadily, but bureaucratic influence is high which leads to slower process.

The third group would be emerging countries in legal development: We can identify such characteristics as: fragmented or underdeveloped legislative systems, which often rely mostly on customs or religious laws; weak or politicized judicial systems with a high level of corruption; adherence of human rights standards is quite low, with minimal mechanisms of protection for vulnerable groups; economic regulations that are outdated or poorly implemented; the level of international investment is on the low level.

By applying these criteria, the article provides a systematic and comprehensive grouping of MENA countries, highlighting achievements and areas in need of reform.

It was decided to include in the leading group in legal development within the MENA region such countries: Qatar, Saudi Arabia, the United Arab Emirates (UAE), Bahrain, Kuwait, and Oman. These nations are at the forefront of legal modernization and development. They are characterized by comprehensive legislative frameworks, independent judicial systems, and quite high adherence to human rights principles in the above-mentioned region. Economic regulations are well developed and could serve as a good example to other countries in the region. Legal systems of these countries are modern and keep up with the times. Cultural and religious contexts are respected in the legal frameworks of these countries too. Leading countries in terms of legal development are providing valuable models for other countries in the region. UAE, Qatar and Saudi Arabia are widely recognized for their recent proactive efforts in legal modernization.

Qatar has implemented significant reforms to align its legal framework with international standards, particularly in labor laws and human rights protections (Viennikova, 2021). Qatar's reforms have been recognized by major human rights groups and United Nations organisations. This progress makes Qatar the leader in the Gulf on labour reform as unlike others in the region, Qatar's reforms are genuine, long-lasting, and the product of years of careful planning (Labor Reform, 2022). The abolishment of the Kafala system and the establishment of a minimum wage law shows how Qatar successfully addressed long-standing labor issues during preparation for its global engagements, such as hosting the FIFA World Cup 2022.

Saudi Arabia, under its Vision 2030 initiative, has focused on judicial reforms, including the codification of laws and the establishment of specialized commercial courts (Dhawi and Albaqami, 2017). These efforts aim to improve legal certainty and attract foreign investment.

The UAE stands out for its innovative approach to legal development. It has created a dual legal system combining Sharia and civil law principles, especially within free economic zones. A strong legal system protects and encourages social and economic development that in turn comes about by strong domestic and international investment. In the UAE, the rule of law is similarly a cornerstone of its fast-paced ongoing social and economic growth (Crosse, 2023). The UAE has also prioritized judicial efficiency by implementing digital court systems. Human rights reforms in the UAE have been taking place gradually, but the last decade has seen the biggest changes (Schaer, 2021). The country has made a significant commitment to gender equality. It is evident in reforms such as equal pay for men and women in the private sector. Above mentioned achievements in legal development brings the UAE to one of the leading positions in the region.

Kuwait has a well-established parliamentary system, offering a unique blend of democratic practices and traditional governance. The country's judiciary is quite independent. There were some recent efforts to modernize commercial laws in order to improve Kuwait's economic competitiveness (AlZumai, 2023).

Bahrain has a balance between preserving cultural traditions and working on legal modernization. Bahrain has made progress in protecting women's rights, including legislation to combat domestic

violence and improve gender equality in the workplace. Also, progressive financial regulations provided an opportunity to become a regional hub for banking and investment. Bahrain's legal system has also been influenced by foreign legal systems, most notably those of Egypt and France. These influences have brought diverse perspectives, enriching Bahrain's legal framework with international best practices and legal principles that align with its societal context (The Evolution of the Legal System in the Kingdom of Bahrain, 2023).

After analyzing Oman's approach to legal development we can say that it has gradual yet consistent reforms. The Sultanate has a significant level of judicial transparency and efficiency. Specialized courts and arbitration centers have been successfully established there. Oman has also gone through labor reforms to enhance workers' rights, including protections for migrant workers and improved dispute resolution mechanisms. The state of human rights in Oman presents a complex picture. The nation has undoubtedly achieved significant progress in terms of economic development and modernization. However, there are still pressing human rights concerns that require attention (*ECDHR*, 2024). Oman may not yet reach the scale of legal advancements like in Qatar or the UAE, but its steady progress shows a commitment to aligning its legal system with international norms.

After research conducted on MENA countries based on the criteria mentioned in the beginning of the article, the second group, which is progressing countries in legal development, were identified. This group includes Egypt, Jordan, Morocco, Tunisia, and Lebanon. These nations have made considerable progress towards modernizing their legal frameworks. They are demonstrating substantial efforts in judicial reform, human rights protection, and regulatory development (Shalhoub and Henderson, 2007). They have not yet reached the level of legal advancement like in leading countries, but ongoing reforms and initiatives strive for progress.

The Egyptian legal system is built on the combination of Islamic (Shariah) law and Napoleonic Code, which was first introduced during Napoleon Bonaparte's occupation of Egypt in 1798 and the subsequent education and training of Egyptian jurists in France (Abdel Wahab, 2019). Egypt is actively pursuing legal modernization despite the complexities of its socio-political historical background. The judiciary has undergone reforms aimed at improving efficiency and transparency. Country has a focus on tackling corruption within legal institutions, however, it is not yet working on the aiming level. Recent updates to family law and property regulations reflect an effort to address societal needs. Egyptian legislators aim to adjust the current legal system with international standards. However, challenges remain in areas such as judicial independence and human rights, particularly concerning freedom of expression and political dissent.

Speaking about Jourdan it would not be out of place to mention specialized courts. Family and juvenile courts have been introduced to address specific legal needs more effectively. Jordan is committed to protect women's rights: there are amendments to discriminatory laws and policies (Alqudah, 2024, p. 14). However, more work is needed to ensure full gender equality and developing human rights in the country in general. The country has also prioritized some anti-corruption measures. It demonstrates its dedication to building trust in legal institutions.

Morocco has made significant progress in modernizing its legal system to promote economic development and human rights. A limited number of national and international scholars have examined the importance of judicial reform in Morocco and argued that the problem of inaccessibility is combined with the inadequate performance of the justice sector (Eisenberg, 2011). This is mainly due to the complex and multidimensional issues that are involved in analysing the performance of Moroccan justice sectors. Diverse social norms, cultural values, the religious system as a legal source, the legal structure, and scarcity of data have made any feasible evaluation of the performance of the Moroccan justice sector extremely complicated (Lopez, 2014).

Tunisia stands as the Arab Spring's lone success story ten years after those uprisings began. A willingness to compromise, a weak security sector and a powerful civil society helped Tunisia's transition

to democracy survive its difficult early years (Grewal, 2021). The adoption of a progressive constitution in 2014 laid the foundation for developing human rights protections and judicial independence (Zimbris, 2017). Tunisia has also taken significant steps to improve gender equality through legislative measures and public awareness campaigns. However, economic challenges and political instability continue to hinder the full realization of its legal reforms (Salehi, 2021).

Speaking about Lebanon, it would be important to note that the country has introduced reforms in commercial law and banking regulations to support its economy, particularly in response to recent financial crises. Lebanon continued to fight with an economic and financial crisis that has impoverished most of the population since 2019 (*World Report 2024: Rights Trends in Lebanon*, 2024). Advancements have been made in protecting freedom of speech and women's rights, but Lebanon still faces challenges in addressing systemic corruption and ensuring judicial independence. Human rights conditions in the country deteriorated in 2023 due to well known events in the country.

The emerging group in legal development in the MENA region includes Algeria, Iraq, Libya, Palestine, Syria, and Yemen. These nations face significant challenges in advancing their legal frameworks, often due to political instability, economic struggles, and, in some cases, active conflict. Despite the obstacles, they are making efforts to establish or rebuild legal systems to address fundamental societal needs. They are trying to lay the groundwork for future development, however it will still take some time and effort.

Algeria's legal system is deeply rooted in French civil law traditions. Unfortunately, ongoing political instability has complicated its efforts for modernisation. Recent constitutional reforms aim to strengthen the judiciary and enhance the rule of law, however their practical implementation remains quite limited. There are some efforts to address corruption and improve public trust in legal institutions, but systemic challenges still present, especially in enforcing reforms and protecting civil rights. (Ait Aoudia, 2024).

Iraq's legal system is rebuilding after decades of conflict and instability. Judicial reforms have been introduced to improve efficiency and Iraq's legal system, but it is still a very challenging task after a long period of instability. Judicial reforms have been introduced to improve efficiency and overcome corruption, but the judicial system still struggles with independence and has some limits. There are efforts to modernize commercial and property laws in order to attract foreign investment, but issues such as corruption and political interference slows down the progress. Human rights remain a critical area of concern, with widespread reports of violations requiring urgent legal attention. However, the country remained fragile and deeply divided, and issues after the 2019 mass protests remained unresolved, including discontent with the current political system, failing public services, deteriorating infrastructure, and rampant corruption. Violent repression of protesters and arrests of journalists covering protests continued in 2023 (*World Report 2024: Rights Trends in Iraq*, 2024).

Libya's legal development is heavily influenced by its ongoing political issues and security challenges. It is difficult to implement consistent legal reforms there due to the country's competing governments and lack of centralized authority. There are some localized efforts to improve judicial access and protect human rights by some global NGOs, particularly for internally displaced persons. In order to achieve more legal progress it will require a stable political framework and more international support (Otman and Karlberg, 2007).

Palestine's legal system operates under unique and complex circumstances due to the ongoing occupation and fragmented governance. There are some efforts to develop legal institutions despite challenges (Abu Drabi, 2023). It is focused on improving judicial system efficiency and addressing human rights violations. However, limited resources and external pressures slows down this progress. Some localized initiatives aim to modernize legal practices and enhance access to justice for marginalized populations (Shalbak, 2023).

Syria's prolonged civil war unfortunately has severely disrupted its legal system development. There are significant gaps in judicial access and its enforcement. Although efforts have been made to stabilize legal processes in government-controlled areas, these initiatives usually lack impartiality and are significantly slowed down by ongoing conflict (Wilson and others 2021).

Yemen's legal system is one of the most fragile in the MENA region due to the ongoing conflict and humanitarian crisis. Unfortunately, judicial institutions have largely collapsed in many parts of the country. There are some efforts to address critical issues such as property disputes and gender-based violence. Unfortunately, Yemeni women continue to face restrictions on their freedom of movement in areas under Houthi control. International organizations have also played a role in supporting legal aid programs and capacity-building initiatives. However, without a resolution to the conflict, substantial legal development remains unlikely (World Report 2024: Rights Trends in Yemen, 2024).

Conclusions. By offering a structured approach to understanding the region's legal diversity, this study could be a base for practical applications and future scholarly contributions. Its findings underline the importance of continuous legal reform, contextualized to each nation's unique circumstances, as a cornerstone of stability and progress in the MENA region.

The author notes that the experiences of leading countries can serve as important examples for others in the region. The experiences of leading countries, such as Qatar, UAE and Saudi Arabia, provide a blueprint for best practices that other nations in the region can adopt to improve their own legal development. For example, the UAE's implementation of specialized courts and free economic zones to attract foreign investment shows how well-planned legal reforms can drive economic progress. Progressing nations like Jordan and Morocco can adapt such strategies to overcome their own legal challenges. Emerging countries such as Yemen and Libya, despite their difficulties with conflict and instability, can use these insights to build stronger legal foundations. This new grouping empowers knowledge sharing and collaboration, helping MENA countries modernize their legal systems and contribute to regional development.

In the field of academic research, this grouping could be a foundation for future research, allowing scholars to explore the relationships between legal frameworks and social, economic, and political progress. Comparative studies using this framework can analyze the impact of legal reforms on gender equality, economic growth, or judicial efficiency.

The results of this article could be used not only for further academic research. It could be used also for policymakers and international organizations, such as NGOs and intergovernmental bodies. For example, NGOs can use the findings to design programs to address specific legal gaps in emerging and progressing countries in terms of legal development.

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THEORY AND INSTITUTIONS OF EDUCATION

DOI https://doi.org/10.30525/2592-8813-2024-4-13

THE ROLE OF ORCHESTRA PERFORMANCE IN THE PROCESS OF TRAINING BACHELOR OF MUSIC ARTS

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Abstract. The training of professional, qualified bachelors of musical art is relevant for art education. One of the key components of this process is orchestral performance. It has been determined that orchestral performance combines not only technical performing skills, but also the basics of musical interpretation and ensemble playing. The purpose of the article is to reveal the role of orchestral performance in the process of training bachelors of musical art. To achieve the goal of the article, the method of literature analysis and comparative method were used. It is noted that the value of orchestral performance in the process of training bachelors of musical art lies in the development of such skills as the enrichment of auditory representations, the development of skills necessary for solo and ensemble playing. Orchestral playing requires a high level of intonation mastery, rhythmic clarity, dynamic balance, synchronization of one's own part with others, the ability to listen to the parts of other performers. Also, playing in an orchestra provides applicants with the opportunity to master specific aspects of performance.

Key words: orchestra, performances, timbre, musical instruments, bachelors of musical arts.

Introduction. In the modern system of art education, an important role is played by the training of professional, qualified bachelors of musical art. One of the key components of this process is orchestral performance, which contributes to the formation of technical, artistic, intonation skills, the assimilation and practical use of music-theoretical, genre-stylistic knowledge and the corresponding skills, the development of collective cooperation, creative thinking. Orchestral art in the modern art-historical and pedagogical environment is an integral part of the process of professional instrumental training of bachelors of musical art, which combines not only technical performing skills, but also the basics of musical interpretation, artistic thinking and ensemble playing. It is worth emphasizing that the key role of orchestral art is the development of musical skills and knowledge. The pedagogical component of orchestral performance contributes to the technical improvement and development of ensemble playing of bachelors of musical art. Such opportunities as ensemble playing, interpretation of a diverse repertoire, stage experience, which is extremely important for further realization as a performer – all this can be obtained thanks to playing in an orchestral ensemble.

Orchestral performance is a musical activity that combines the individual skills and abilities of Bachelors of Music into a single whole. Playing in an orchestral ensemble helps them realize the importance of ensemble playing, musical communication. And also to master the musical repertoire of different genres, styles, composers, and discover previously unknown creativity. The above determines the relevance of studying the role of orchestral performance in the process of training Bachelors of Music.

Materials and methods of research. The methodological basis of the article was formed by such general scientific methods of cognition as the analysis of scientific and methodological literature, which allowed us to determine the main aspects of the training of bachelors of musical art in the field of orchestral performance, to study the history of orchestral performance; as well as the comparative method, which allowed us to compare various aspects of orchestral performance in the pedagogical plane. **The purpose of the article** is to reveal the role of orchestral performance in the process of training bachelors of musical art.

The results and discussion. The orchestra, as a musical group, is a space for the creative realization of the performing potential of bachelors of musical art, which allows for a detailed study of the interaction between various musical instruments, their timbre color, and intonation features. The study of orchestral parts provides students with not only impeccable mastery of their own instrument, but also deep theoretical knowledge, which includes an understanding of musical genres and styles, the features of musical forms, and the ability to interpret musical works. Orchestral performance is an important stage in the process of becoming a professional bachelor of musical art, which in turn involves not only technical mastery of the instrument, but also developed musical abilities, artistic expressiveness, and the ability to work in a team. As noted by O. Ilchenko, «orchestral performance is one of the most advanced and effective means of reproducing works of musical art». According to the scientist, «it was formed under the influence of a significant number of historical-evolutionary and socio-artistic factors that reflect the objective process of the progressive development of civilization, artistic and spiritual culture, the formation of artistic thinking, the improvement of types, forms and means of musical performance» (Ilchenko, 1996, p. 1).

From the musicological literature we learn that the kaleidoscopic sound of musical instruments, their timbre spectrum is combined into a synergistic system called an orchestra. Since ancient times, people have observed how the sound of musical instruments affects human mood. And at the same time, it can be emphasized that the joint play on several similar instruments not only enhances the brightness of the sound, but also causes a psychological effect on a person. Therefore, it can be traced that gradually with the emergence of the first instruments and the perception of music by humans, the first associations of musicians began to emerge, who accompanied ceremonial events and rituals with their play. In each of the primitive cultures (Mesopotamia, Ancient Egypt, China, Greece and Rome) there are references to collective music-making. In primitive society, musical ensembles were an important component of cultural and social life. The very use of simple musical instruments, the improvisational nature of performance and collective music-making all determined the features of primitive musical practices. It is the study of these aspects through archaeological, anthropological and ethnographic methods that allows us to understand more deeply the evolution of music, instruments and the role of music in the life of primitive human communities.

The term «orchestra» first appeared around the VIth century BC in Ancient Greece, but had a completely different meaning. Various instruments, such as the lyre, cithara, aulos and percussion, were used to accompany performances in Greek theater. And already during the Roman Empire, the orchestral area became a place for stage effects and for depicting theatrical sea battles. Usually large ensembles were used, in which flutes, trumpets and other musical instruments of the time were played. The Middle Ages were not a time of the heyday of musical instruments, since most of the musical works of that time were written for the voice, and instruments were used mainly for accom-

paniment. In Western European culture, a group of musicians was called a chapel, and this name was also associated with a specific place where music was performed. First, church chapels were formed, and then court chapels. In medieval Europe, music was an integral part of the services held in the church. The basis of the repertoire of choirs and instrumental ensembles were religious works, such as motets and masses. Instrumental groups of that time usually consisted of various wind and string instruments. There were also folk chapels, in which amateur musicians played mainly. These chapels were a mass phenomenon, although such chapels could not compete with church and court chapels, they had a significant impact on great composers and European culture as a whole. In medieval Europe, initially there was no division into vocal and instrumental music. The fact is that the main one was the Christian church, and instrumental music developed only as an accompaniment. Therefore, the first chapels included both vocal and accompanying musicians.

Gradually, the term «orchestra» begins to appear in different parts of the world. Thus, in Italy the term «orchestra» has always been the property of instrumental music, not vocal music. The Italians borrowed this term from the Greeks. The first Italian orchestras began to emerge in the 16th–17th centuries, just as the opera genre emerged. Due to the popularity of the opera genre, the word "orchestra" spread very quickly throughout the world. J. Spitzer & N. Zaslaw (Spitzer & Zaslaw, 2004) expressed a firm belief: the early orchestra is only an ensemble due to the lack of a clear structure and standardization of the composition. J. Stauffer had a different opinion regarding the emergence of the orchestra. In particular, he believed that the orchestra emerged in the middle of the 18th century, noting that only the classical orchestra is «really the first type of ensemble that we can call an orchestra without hesitation or qualification» (Stauffer, 2006).

The Renaissance was the heyday of instrumental music. Composers increasingly began to turn to the instrumental genre, thereby replenishing the repertoire with instrumental and ensemble works. It was during the Renaissance that the first ensembles with a permanent composition began to appear, which became the prototype of orchestras in the future. Among the popular instruments of that time, it is worth noting the viola, lute, and block flute. Orchestras of the Renaissance, Baroque orchestras were mainly court or church. Their purpose was to accompany religious services or to satisfy and entertain those in power. In the 16th–17th centuries in England, there was another, specific name for an orchestra, usually a small one – «consort». Later, the word «consort» fell out of use, and the concept of chamber music appeared in its place.

Baroque art by the end of the 17th century was increasingly luxurious. The theater opera orchestra has always been a kind of creative laboratory for composers – a place for various experiments, in particular with unusual instruments. For example, at the beginning of the 17th century, C. Monteverdi introduced a trombone part to the orchestra of his opera «Orpheus», one of the first operas in history, to depict the Furies. The Royal Orchestra «24 Royal Violins» at the court of Louis XIV was created by J.-B. Lully in France. It became the first professional group in Europe, which significantly influenced the general development of orchestral music. At the same time, under the influence of composers such as G. Schütz and J.S. Bach, orchestral music developed in Austria and Germany. Orchestras began to form at princely courts and in churches that performed both religious and secular music.

The opera orchestra was also closely related to the meaning of timbre. Its emergence and functioning in different countries was different. In particular, in Italy, vocals were more important, so the orchestra played an accompanying role. In the ballet art of France, the orchestral interlude was traditional. S. Borodavkin wrote that «in addition to the ballet orchestra in France, there was a brass band, the basis of which was oboes, even before the 18th century» (Borodavkin, 2011, p. 104), noting the long-standing traditions of orchestra formation in this country. So, paradoxically, the opera genre in France stimulated, rather than hindered (like in Italy), the formation of an independent orchestra.

Composers of the 17th and 18th centuries consciously recorded only part of the information related to the future performance of the work; phrasing, nuance, articulation and especially exquisite deco-

rations – an integral part of the Baroque aesthetics – all this was left to the choice of musicians, who thus became the composer's creators, and not simply obedient executors of his will.

The formation of the modern symphony orchestra can be called the era of Classicism. It was at this time that the foundation of the orchestra structure was laid, which has survived to this day. The father of the symphony and string quartet is considered J. Haydn, who developed structures that in the future served as a standard for symphonic works.

Note that the orchestra is a phenomenon influenced by the development of social thought. In this regard, it is important to note the role of philosophy. Researchers used the word "thinker" not only in relation to philosophers, but also to composers: «Berlioz is an outstanding orchestral thinker» (Leibowitz & Maguire, 1960, p. 28), J. Brahms – «a thinker without a search for picturesqueness and with a separate power of dignity» (Louvier & Castanet, 1997, p. 28). The involvement of «philosophical» terminology in musical research became another confirmation of the synthesis of philosophy and art. Social events of the 1830s and the late 1840s in France changed the worldview of composers and the image of a musician, the combination of composer-performer, composer-conductor. The philosophy of the Enlightenment, which prevailed in the 18th century, changed the tonality of musical art. E. Kant, a representative of the philosophy of the Enlightenment, who carried out modulation in another era. S. Korobetska noted that the classical orchestral style «organically grows out of the philosophical ideas of the Enlightenment, directed against the old social order, the old worldview, and therefore the artistic worldview» (Korobetska, 2011, p. 183).

Based on the ideas of E. Kant, the philosophy of Romanticism was formed in Germany at the turn of the 18th and 19th centuries. Its representatives were the philosophers and writers of the Jena School (V. G. Wackenroder, Novalis, the brothers F. and A. Schlegel). They defined themselves as the basis of self-knowledge, in which the creative personality is the most important. This contributed to the strengthening of the role of national culture.

The spread of the orchestra was facilitated by the construction of concert halls in London and Paris, Leipzig and Hamburg at the end of the 18th century, and the popularity of private orchestras increased. According to E. Dolan considered the end of the 18th century to be a turning point in the history of music, ushering in «the era of the rise of the orchestra» (Dolan, 2013, p. 159). Thus, philosophical ideas had a significant impact on composers' understanding of musical art and their views on the functioning of the orchestra.

In the modern sense, an orchestra is a collective of musicians united to perform musical works. O. Ilchenko defines: the unification into a certain organic integrity of a large number of various musical instruments; the presence of orchestral groups formed on the basis of related or relatively related instruments; the presence of a large range that actually covers the entire musical range; the presence of maximum dynamics; dynamically balanced sounding of orchestral groups, the presence of a large number of related and contrasting timbres; the possibility of rational selection, contrast and coordination of timbres, the creation of new timbres; the ability to simultaneously reproduce a significant number of various metrorhythmic patterns; the presence of technical capabilities for performing the most complex musical text; the presence of a large number of methods and techniques of sound extraction and sound management (Ilchenko, 1996, pp. 23–24).

To the signs of a musical and instrumental collective T. Plyachenko includes the following: 1) the common goal of mastering the skills of orchestral and ensemble performance in the process of joint performance of orchestral and ensemble works); 2) joint activity (educational, concert-performance), aimed at achieving a specified goal, 3) creative traditions (adherence to a certain performance manner, specific sound, repertoire, etc.; features of preparation and holding of concerts, competitions, festivals, master classes, cultural and educational events, academic concerts, tests, exams, etc.): 4) specific and typical characteristics (determined by the quantitative and qualitative composition of the orchestra or ensemble, for example, a chamber string orchestra, an ensemble of woodwind instru-

ments Tosho): 5) stylistic and genre characteristics – performance of instrumental music of a certain style (academic, folk, pop, etc.), genre (symphony, concert, suite, sonata variations, medley, etc.), direction (ancient, modern; baroque, romanticism, impressionism: pop music, rock music, jazz-rock, country, folk, etc.) (Plyachenko 210, p. 30).

At different times, the orchestra had a significant impact on the development of performance. It is also worth mentioning the constructive changes in wind instruments. This was facilitated by the reform of T. Boehm in the 30s of the 19th century, which concerned woodwind instruments, and the revolution of the 40s–50s of the 19th century, which concerned the group of brass instruments. Constructive changes in instruments led to an increase in their expressive capabilities, the personification of timbres, and an increase in the role of the solo. «One of the most important features in the evolution of orchestral thinking is the hitherto unheard-of emancipation of wind instruments», R. pointed out. Leibowitz (Leibowitz & Maguire, 1960, p. 11). Some instruments were used for the first time. In particular, the piccolo flute was used by H. Gluck in the opera «Iphigenia in Tauris» (thunderstorm scene). The classics used this instrument extremely rarely, except for L. Beethoven (the fourth movement of the Sixth Symphony, the coda in the»Egmont» overture, etc.).

Each of the musical instruments has its own unique sound characteristic, which is determined by their timbre. Timbre combinations in the orchestra allow composers to create various colorful sound effects. For example, the combination of string and wind instruments allows you to create a warm, rich, sensual sound.

The orchestra occupies an important place in modern musicology and pedagogy, playing a key role in the development of musical knowledge and skills. In musicology, the orchestra serves as a valuable object for studying the historical, theoretical and performance aspects of music. In pedagogy, the orchestra is an indispensable tool for training musicians, contributing to their technical improvement, the development of ensemble skills and the expansion of musical horizons. Participation in the orchestra provides musicians with the opportunity to work in a team, interpret a wide repertoire and gain stage experience, which is important for their professional growth and creative development.

The value of orchestral performance in the process of training bachelors of musical art is that it provides a comprehensive development of skills necessary for a professional performer, such as the development of technical skills, enrichment of auditory representations, development of skills necessary for solo and ensemble playing. Also, playing in an orchestra provides an opportunity for students to master specific aspects of performance that cannot be fully mastered in individual practice. As N. Mozgalova notes, «along with the development and improvement of the necessary performing knowledge, skills and abilities, the problem of developing the personality of a future music teacher, forming his motivation to achieve success in educational and professional activities becomes significant» (Mozgalova, 2011, p. 1).

One of the key aspects of orchestral performance is the feeling of ensemble integrity and communication. Students learn to listen to each other, not only in intonation, dynamics and rhythm, but also have to pay attention to the individuality of timbre sound, which in turn allows musicians to work as a whole organism. Orchestral playing contributes to the development of auditory sensitivity, the ability to quickly respond to dynamic, agogic changes, and phrasing.

Performing orchestral parts always requires from the orchestrator a high level of technical skill, precise observance of the metro-rhythm, purity of intonation. In the process of orchestral playing, students develop a certain discipline, which in turn is reflected in the organic and harmonious sound of the orchestral work.

Since the orchestral repertoire is quite diverse and covers a wide range of styles, genres and eras, from classical symphonic samples to works by contemporary composers, students have the opportunity to familiarize themselves with the peculiarities of performing music of different eras, which includes such concepts as articulation, stroke, melismatics, and sound management. «The acquired

theoretical knowledge is practically applied when playing a musical instrument» (Mozgalova & Novosadova & Luchenko & Sokolova, 2023, p. 66).

It is important to begin work on a musical work with its analysis. It is worth remembering the history of its writing, the facts, and events that the composer laid down as its basis. It is also worth analyzing the main provisions of the author's creative style and analyzing their embodiment in this musical composition. It is advisable to listen to different performances of the orchestral work. Analyze the means of musical expression, tempo, dynamics, and other terminological designations. The next stage is to work on the parts of the orchestra members, musical images. It is worth playing and listening to individual orchestral parts, their combination in the orchestral sound. It is worth separately analyzing the melody as the carrier of the main idea of the musical work, determining its melodic and rhythmic originality. Analyze the harmonic plan, coloristic qualities of harmony. It is worth analyzing the nature of the movement of each voice, differentiated nuance. It is also worth analyzing the form, the features of all parts, the dynamics associated with the form, determining the location of the main and local climaxes and their significance for the content of the work. It is important to note that classes in the orchestral class are also aimed at developing the analytical skills of bachelors of musical art, understanding the melodic, harmonic, and polyphonic basis of the work, and texture. Performance skills are acquired in the process of studying the elements of the musical text and mastering the texture of the musical work found in orchestral parts, the coherence of the strokes and dynamics of all orchestral parts.

Since the vast majority of orchestral works are large in structure, orchestra players need to learn to think on a large scale and in a complex way. Students should be aware of the need to understand the drama of the work, the development of themes and the interaction between different orchestral parts. Playing in an orchestra, in addition to the technical side, also teaches musicians stage endurance, the ability to control their emotions and work for a long time in a high concentration mode. «It is worth noting that performing and instrumental skills are realized during a concert performance. Its success is determined by the performer’s ability to convey an artistic image, emotional state, compliance with the genre and style, as well as technical skills. A public performance is the logical conclusion of performing and instrumental training, technical work, rehearsals» (Seleznyov & Kshyvak & Novosadov, 2024, p. 104).

Rehearsals in orchestral performance are one of the main components of the process of preparing for the performance of musical works. Regular rehearsals allow students to systematically work on improving their orchestral playing skills. The specificity of playing in an orchestral ensemble is that it is important not only to skillfully perform one's part, but also to listen to other orchestra members, coordinate dynamic shades, articulation, agogic deviations. It is during rehearsals that students work on ensemble interaction, learn to feel the unity of the collective, which is the basis of orchestral performance. In large ensembles, it is important to learn to adapt their sound to other instruments in order to achieve a balanced sound of the entire ensemble. Rehearsals allow orchestra members to feel each other, polish details and achieve harmonious sound. In addition to collective rehearsals, it is also important to pay attention to independent work: work on intonation accuracy, meter-rhythm, timbre color.

Orchestral performance covers works of different styles and eras, which allows students to expand their knowledge and master the stylistic features of performance. Its initial stage is playing in small ensembles, which later moves to a full-fledged orchestra. In addition to practical mastery of musical compositions, great attention is paid to the analysis of the score, the features of expressive means, and the artistic content that the orchestra must convey.

The process of orchestral performance creates opportunities for the professional growth of bachelors of musical art. In particular, the orchestra requires a high level of intonation mastery, rhythmic clarity, dynamic balance, synchronization of one's own part with other musicians, the ability to lis-

ten to the parts of other performers, take into account their features and coordinate one's actions to achieve a harmonious sound.

It is worth noting that the main aspect of orchestral performance is joint compliance for the result. In the orchestra, each of the orchestra members has his own place and role in the musical fabric, at the same time being part of the overall ensemble sound. It is through collective performance that the student develops such musical abilities as auditory attention, the ability to adapt his sound, and to quickly respond to tempo and dynamic changes during the performance of musical works.

It is also worth emphasizing that the performance of works by different composers and eras allows students to master the stylistic features and principles of interpretation, contributes to the ability to convey the emotional content of music through individual and collective performance. It is important that orchestral practice gives students experience working in conditions of stress associated with concert performances, which helps them adapt to stage activities.

Orchestral performance in the process of training bachelors of musical art faces a number of problems. Among them: lack of time to work on new repertoire, lack of original instruments that are written in the score, lack of solid motivation for orchestral playing. To overcome these problems, it is advisable to integrate orchestral practice with the disciplines of the music theory cycle, involve bachelors of musical art in concert activities, and introduce digital technologies into orchestral practice.

Conclusion. Orchestral performance is an integral part of the process of training Bachelors of Music, as it allows you to master a wide range of skills and abilities necessary for further realization of yourself as a performer. Orchestral performance helps everyone to reveal themselves as a performer, contributes to further professional growth, the formation of professional competencies of future Bachelors of Music, such as intonation, rhythmic accuracy, ensemble playing skills, the ability to collective interaction, which are important for successful professional activity. The performance of orchestral works contributes to the development of emotional depth and the ability to artistically interpret musical material. We also note that orchestral performance contributes to the possibility of using theoretical knowledge acquired during training in practice. Therefore, orchestral performance is an important factor in the formation of comprehensively developed, professional Bachelors of Music.

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DOI https://doi.org/10.30525/2592-8813-2024-4-14

DISTANCE EDUCATION AS A MEANS OF IMPROVING THE ORGANIZATION OF THE EDUCATIONAL PROCESS

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Abstract. The features of distance learning as one of the forms of modern education are analyzed. The research methodology consists in the use such methods as analysis, systematization and generalization of theoretical sources, comparison of traditional and distance learning, generalization of features of distance learning. Many scientists were interested in studying the features of distance learning. It was determined that in the conditions of the global Covid-19 pandemic and martial law in Ukraine, the need to implement distance learning and develop its methodical system became urgent. It is emphasized that distance learning is one of the forms of the educational process, which is implemented with the help of the use of information technologies at the physical distance of the teacher and students of education. Distance learning criteria are considered, including the popularity of information technologies today, scalability, convenience, and cost-effectiveness.

Key words: distance learning, principles of distance learning, information and communication technologies, Internet technologies, implementation of distance education.

Introduction. The rapid development of technology and science, the Internet of possibilities allows studying various scientific fields, introducing new forms of education that correspond to modern times. The use of digital technologies in education has been updated by the Covid-19 pandemic, ensuring the safety of students in wartime conditions. In the context of such difficult conditions, maintaining the continuity of the educational process is possible under the condition of distance learning. At the same time, the development of technology and science became an impetus for the study of information technologies and the introduction of distance learning. Distance education makes it possible to present educational information in the synthesis of graphics, video, sound, various interactive systems, and multimedia equipment. The basis of distance learning is global and domestic methodical experience, the use of modern technologies. «Modern trends – speed and mobility, transition to a digital economy, globalization and development of education without borders, digitalization of production and society, use of ICT to meet human needs in constant updating of knowledge and skills, acquisition of new competencies» (Vorotnikova, 2022, p. 27).

The pandemic of the corona virus disease opened mass access to information technologies, and presented how it is possible to combine the methods and techniques of teaching acquired over the years with new, modern information technologies. It was not easy, but nevertheless, everyone was interested in solving the question of how to continue existence online. The development of the Internet, devices (smartphones, tablets, laptops) made it possible to study from anywhere in the world.

The emergence of such platforms as Coursera, Prometheus Prometheus offers courses from leading universities. It is worth noting that distance learning as an independent component of education was formed at the end of the last century. The implementation of distance education in Ukraine is determined by such normative documents as the Regulation on distance education, approved by the order of the Ministry of Education and Culture of April 25, 2013 number 466 (Ministry of Education and Science of Ukraine (2013), the Concept of the Development of Distance Education in Ukraine (The concept of distance education development in Ukraine, 2000) the Law of Ukraine «On Education» (Verkhovna Rada of Ukraine, 2017). Significant resources of information and communication technologies of distance learning actualize the training of students in accordance with their tasks. The spread of information technologies and the need to continue the educational process in remote areas determined the need for distance education in domestic practice. At the same time, there are obstacles to the wide implementation of the distance learning system. In particular, there are no methods of its organization. Virtual classrooms, interactive whiteboards, video conferencing and online simulations increase the effectiveness of learning. Students learn to independently plan time, complete tasks and analyze results. Distance learning develops digital literacy, self-organization skills, which are critically important in the XXI century. Distance learning allows you to quickly acquire new knowledge and skills. J. Tondor notes that there is a certain gap between technicaland pedagogical skills among teachers, teachers feel the need for training in methods of using digital technologies (Bykov, 2011).

Materials and methods. The purpose of the article is to analyze the features of distance learning as a means of organizing the educational process. The task of the research: to analyze the approaches to the definition of the concept of "distance learning"; outline the features of distance learning. To achieve the goal of the research, such methods as analysis, systematization and generalization of theoretical sources, comparison of traditional and distance learning, generalization of features of distance learning were used.

Many scientists were interested in studying the features of distance learning. Peculiarities of the distance learning implementation process have been studied by scientists such as V. Bykov, V. Kukharenko, N. Syrotenko, O. Rybalko, Yu. Bogachkov, O. Andreev, V. Kuharenko and others. The issue of training future teachers in the conditions of distance learning was considered by A. Kuzminskyi, O. Kuchai, O. Bidoyu, A. Chichuk, T. Kuchai, R. Gurevich, M. Kademiya, M. Kozyar, O. Bondarchuk, N. Mozgalova, A. Martyniuk, L. Gavrilova and others. In the works of the named authors, the peculiarities of the implementation of information technologies in the training of students of various specialties are considered. Foreign researchers Ch. Wedemeyer, B. Holmber, O. Peterson consider distance learning in the context of the philosophy of constructivism and define communication as the basis of distance education. At the same time, issues of distance learning technologies remain insufficiently studied.

Results and discussion. The state of modern education is controversial and complex. Expanding the opportunities of the educational sector requires radical changes and the search for new ways of its renewal. Thanks to the «release» of training programs on the Internet, the term eLearning – «electronic training» appeared. E-learning refers to its form, in which those who are taught and the teacher are distant from each other in space, and when working on educational material, I use Internet services. Another name for such an education scheme is distance learning. «Digitalization of society promotes active implementation of information and communication technologies in the educational process, teachers' interest in using them during lessons a variety of digital tools and online resources,

which in its own the first step is the development of modern methods and pedagogical technologies, which are based on the systematic application of digital technologies, and the corresponding training of teachers for their implementation» (Vorotnikova, 2022, p. 39).

In modern science, there is still no unified definition of distance learning. There are many approaches to the interpretation of this concept. The term «distance learning» was fixed in 1982 – the name of the International Council for Correspondence Education was changed to the International Council for Distance Learning. By distance learning, P. Luzan understands «a synthetic, integral, humanistic form of learning, which is based on the use of a variety of traditional and new information technologies and their technical means». At the same time, «the learning process is not limited in space and time and does not require the constant, mandatory presence of students in a specific educational institution» (Luzan, 2003, p. 85). Distance education is defined by O. Anishchenko as «education implemented with the help of distance learning» (Anishchenko, 2014, p. 261). In Clause 1.2 of the «Regulations on distance learning», distance learning is defined as «an individualized process of acquiring knowledge, abilities, skills and ways of cognitive activity of a person, which takes place through the mediated interaction of remote participants of the educational process in a specialized environment, the functioning of which is carried out on the basis of modern psychological and pedagogical and information and communication technologies» (Ministry of Education and Science of Ukraine, 2013).

Scientists note that the requirements for a teacher in distance learning differ from traditional ones. Practice shows that teachers working remotely must have universal training: master information technologies, be able to develop strategies of subject interaction between participants in the educational process, and also increase creative activity and their own qualifications. For example, lectures are a small part of the educational process. The main role belongs to the independent work of the students of education, their performance of practical tasks based on the acquired theoretical knowledge.

Distance learning is characterized by cognitive motivation. Its basic elements, first of all, are network computer technologies that allow applications located in geographically separated places to interact and provide access to them by remote users. For full distance learning, file sharing, e-mail sending, audio and video conferences in online mode are possible. The use of information technologies contributes to the saturation of educational material, the motivation of teachers and students of education to master modern technologies. «Distance learning involves the use of information and communication technologies, the use of various media sources, electronic resources» (Mozgalova, & Martinyuk, & Bondarchuk, 2022, p. 500).

V. Kukharenko notes that the necessary conditions for distance learning are:

– access to a computer;

– access to the Internet. If there is no such possibility, a case form is possible: when the student is given a so-called «case» containing all the necessary educational materials and manuals;

– the desire to learn and the ability to work independently. This is very important, because the effectiveness of the entire educational process depends on these two features (Kukharenko, 2001, p. 46).

Distance learning, as one of the forms of the modern educational process, is carried out with the help of information technologies at the physical distance of the teacher and students of education. At the same time, the effectiveness of this form is possible thanks to the complex work of all participants in the educational process, assimilation of the full volume of educational material, its consolidation, independent work. The difference between traditional and distance learning is the technological basis. However, if necessary, distance learning involves students visiting an educational institution, as well as a combination of traditional and remote forms of learning, integration of known learning methods at a new level.

One of the main advantages of distance learning is the independent work of students. At the same time, its effectiveness is possible under the condition of maintaining their dialogue with the teacher.

Education seekers get the opportunity to use information resources. Among them are audio and video recordings, electronic manuals and textbooks, teaching and methodical materials, electronic libraries. The world experience of distance education shows that with this organization of the educational process, the dialogue between the teacher and the learner, and the performance of individual tasks, the educational process is more effective. Distance education provides educational opportunities to everyone. It allows you to meet educational needs and is socially useful in the social context, it increases the intellectual and cultural level of the students of education. Distance education is of particular importance for the correspondence form of training of education seekers. For example, students can independently choose a course or several courses, get access to electronic educational resources and study the material at a convenient time. In many educational institutions, media libraries are created that store educational texts, presentations, audio and video recordings. The media library allows the teacher to conduct classes of different forms – group or individual, organize independent work of students. Thanks to such means of distance learning, a new learning environment is created in which the student feels like an integral part of the team. And this, in turn, sharply increases the motivation to study.

Educational institutions that use distance learning in their work can be conditionally divided into two groups. The first group is represented by educational institutions that combine distance and traditional forms of education. In particular, some courses of the educational institution are transferred to a distance form, while the credit and examination sessions are held in face-to-face format and vice versa. The choice of a study course, classes with students, the transfer of control tasks and their verification, as well as the passing of intermediate and final exams are carried out via the Internet. There are more and more such educational institutions every year. The second group includes educational institutions in which the Internet is a means of communication. In particular, on the website of the university, you can find the schedule of classes, educational programs, electronic library, etc.

In connection with the spread of distance learning, some teachers and scientists raise questions about the completeness of the knowledge of the student of education, the formation of his professionalism under the condition of taking electronic courses. For example, is it possible to admit to work a doctor who has mastered the profession exclusively with the help of electronic training courses? Undoubtedly, we will not find an answer to this question. Therefore, some educational institutions consider it possible to issue diplomas on the acquired qualification in some specialties only under the condition of full-time study.

After analyzing the scientific sources, we will highlight the following distance learning criteria:

The popularity of information technologies today. This becomes the basis for the expansion of forms of distance learning and the possibility of introducing new educational strategies.

Scalability. Information technologies with which students of education work are developing and becoming more and more complicated. The educational process is saturated with various alternative sources of information, programs, own web resources, which contributes to the mastery of educational material on a large scale.

Convenience. Distance learning allows you to master theoretical and practical topics at a convenient time, without limiting the student to certain time limits.

Economy. Access to electronic materials, use of other electronic means are cheaper than traditional forms of education.

An important feature of distance learning is interactivity. Information is provided in digital format – encyclopedias, handbooks, educational programs, interactive presentations, etc. It is worth noting that such materials contribute to the activation of students as participants in the educational process, and do not simply testify to their passive participation. We note that the types of presentations can be diverse. Traditional is a scripted presentation that uses slides, color charts, and graphs. During the demonstration, you can make certain changes to the presentation process itself, use titles

that contain additional information. The interactive presentation helps to find the necessary information by the deepening method. Automatic presentation is a fully completed informational software product that can be recorded on various types of media.

The scope of presentations can be very wide – consolidation of learned material, explanation of a new topic. Examples of educational presentations can be:

– presentation-seminar;

– presentation for specialists;

– educational presentation.

The presentation-seminar is an introduction to new material or its comparative analysis. Also, this type of presentation can be considered as one of the forms of education for distance learning students. The presentation for specialists is the development of educational or thematic media. An educational presentation can be:

a) a presentation with a script – used in laboratory, practical, seminar classes and provides an opportunity to vary the educational material depending on the composition of the audience;

b) interactive – educational courses for independent study.

We will highlight the following forms of work during remote classes:

1. Synchronous forms – involve the simultaneous participation of teachers and students in the educational process via the Internet (online lectures and seminars through the use of platforms such as Zoom, Google Meet).

2. Asynchronous forms – students tasks independently or study the material at a time convenient for them through video lessons, recorded lectures.

3. Individual work – discussion of issues with the teacher in chat or video communication.

4. Group work – work in chat rooms, modeling of cases.

5. Checking the level of acquired knowledge – testing.

It is worth emphasizing the use of Moodle, Google Classroom, Canvas, Jamboard, Google Drive, OneDrive. The Google Class service helps in systematization, planning and comfortable conducting of both online and asynchronous knowledge tests. There was an opportunity to record new material and help return to it without losing data. Giant companies such as Google have focused their attention on the development of educational software in recent years. It is worth noting Google Workspace for Education, which includes tools based on cloud technologies, which are designed for secondary schools, colleges and higher education institutions that use distance learning.

Google for Education tools work together to transform teaching and learning so that every learner and teacher can realize their personal potential. First of all, it is worth noting Google Meet. This service was created for video calling and video conferencing. One of the key features was to show the desktop to other users. The next advantage of this service is that it is important to note that up to 250 users can be present in a video conference at the same time, which in turn makes it possible to gather not just a class, but also an entire team of one or another institution to hold mass events.

One of the forms of distance learning is educational courses. In our opinion, to create an educational course, it is advisable to choose a working group of five people: two course developers, a programmer and two designers. When creating a course, it is worth taking into account the level of training of the students, their computer skills. For this, it is advisable to conduct testing to determine the available knowledge, the optimal form and content of the presentation of the educational material. It is worth emphasizing that educational courses should be created on the basis of students' previously acquired knowledge and not just repeat it, but ensure the availability of new information. The preparatory part of the educational course is writing its text, choosing reference material, illustrations. The next stage is the creation of a training program. It is worth noting the importance of visual material that will help students master the content of the educational course. It includes illustrative fragments, audio and video fragments. When working with the text of the training course, it is necessary to perform its

structuring with the determination of the exact list of all the necessary topics that should be covered in this course. The creation of this or that section should correspond to the purpose of the course, its tasks, the acquisition of skills and knowledge of students. The text of the educational course should be edited. The final edited text will turn into hypertext. In parallel with writing the text of the course, its multimedia component is created: animation, audio and video fragments, illustrations. The course text should contain references to concepts, topics, sections or concepts, illustrations, audio and video fragments, graphics, diagrams, etc.

The main stage of creating an educational course is defined by the authors as the work on its creation. Note that the form of writing educational material must comply with the laws of scientific style. Excessive text or graphic material should be avoided. Special attention should be paid to the background and color of the text. Therefore, the background should be light and plain, the color of the text should be dark. The main requirement for a font is its readability. The typeface, small fonts should be limited. When using graphic images, it is worth remembering about graphic formats, which will reduce the total volume of the educational program. It is worth using animation that has the ability to demonstrate the movement of objects and allows you to convey to the viewer the visual expression of text and sound fragments. Software and technical complexes of computer video editing are used to create video fragments. It is advisable to use Macromedia Flash (Server), Adobe Premiere, Ulead Media Studio.

It is also worth using sound effects in the form of phrases spoken by an announcer, dialogue between different characters, or an audio or video fragment. Don't neglect software that helps you create different sounds. Among the means of creating educational courses, the following are highlighted:

– Macromedia Flash – for creating animation fragments;

– Macromedia Fireworks a Freehand – editors for creating graphics;

– Macromedia DreamWeaver – for creating hypertext content for the introductory course.

Dividing the course into topics, creating hypertext links is the final stage of creating educational courses. After that, the course is tested and refined. It should be noted that in the process of studying the educational material, it is important to evaluate the intermediate results and, in accordance with them, correct the educational process. It is important to analyze the text from the standpoint of its content, qualitative description of the content of the educational material. Solving this issue is possible if clear educational goals and a hierarchical presentation of the material are defined. In particular, the hierarchical presentation of the material involves the relationship between different concepts, their arrangement according to the degree of complexity. It is also worth considering different types of educational activities. Among them are reproduction, memorization of the studied material, learning, recall, understanding, synthesis, evaluation. In particular, recall, memorization, and reproduction refer to specific facts or theories. Learning involves the reproduction of educational material, methods and facts. Understanding consists in studying and operating the rules, facts, principles of educational material, interpreting schemes of graphs and charts. Synthesis consists in the ability to combine knowledge from different areas, combine elements into a single whole, generalize the material. Evaluation involves determining the logic of building the educational material, the meaning of this or that concept, statements in accordance with the criteria. The assessment components are: outlining the goals of the educational process, tasks for checking their achievement and evaluating their achievement. Tasks to check their achievement can be created in the form of tests. Tests make it possible to assess the knowledge of students with the help of statistical methods in the distance learning system. They can include concepts, theories, laws, connections between objects. In order for the tests to reveal student achievements, the tests must meet the following requirements:

– compliance of the content of the test with the studied material;

– simplicity and clarity of questions;

– compliance with the knowledge control test.

The sequence of creating tests is as follows:
– determination of educational material from the chosen subject;
– creation of tests in draft form;
– correction of tests;
– analysis of created tests.

Conclusions. The modern period of education development requires a review of the content of educational programs, the use of computer technologies in education and, accordingly, a transition to electronic textbooks and methodical materials. Distance learning, which is the main educational link of modern times, involves the wide use of information technologies, electronic media, and Internet networks. A component of distance education is the independent work of students under the guidance of a teacher. In our opinion, distance learning has a positive effect on the quality of the educational process and improving learning outcomes. Distance learning is a powerful tool that allows for a broader education. A flexible study schedule allows students to study at a time convenient for them and to carry out this process from anywhere in the world. It is also important to take into account that distance learning requires a high level of self-discipline from students. It is important to balance the advantages and disadvantages of distance learning and find the optimal approach to learning that will take into account the individual needs and capabilities of each student.

Distance education has become an important tool in the modern education system. Students can choose a convenient time and pace of studying the material, which allows them to effectively combine studies with work and other matters. The use of digital platforms allows taking into account the needs and capabilities of each student. Distance classes are provided with multimedia materials, interactive tasks and access to a wide range of sources, which contributes to better assimilation of knowledge. Despite its advantages, distance learning has a number of challenges. For example, insufficient level of digital literacy of students and teachers, lack of access to fast Internet. At the same time, distance education is a powerful tool for improving the organization of the educational process, promotes effective assimilation of knowledge. It takes into account the challenges of modern times and promotes work on overcoming them.

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DOI https://doi.org/10.30525/2592-8813-2024-4-15

THE FORMATION OF SOCIOCULTURAL COMPETENCE IN THE PROCESS OF TEACHING WRITING TO THE STUDENTS OF NONLINGUISTIC SPECIALTIES

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Abstract. The article deals with the psychological, linguistic and methodological aspects of teaching writing to students of nonlinguistic specialties. The essence of sociocultural competence is outlined, its component composition is determined, and the importance of its development in the process of teaching writing to students of nonlinguistic specialties is proved. The components of sociocultural competence, the stages of its formation in students of nonlinguistic specialties, exercises that will contribute to its formation are considered. The authors emphasize that modern programs provide an opportunity not only to promote the effective development and learning of a foreign language but also to monitor the performance of tasks, to develop training exercises that are individually suitable for each student. An algorithm for the formation of sociocultural competence of students of nonlinguistic specialties in the process of learning writing has been developed.

Key words: communicative competence, sociocultural competence, foreign language, teaching writing, students of nonlinguistic specialties, algorithm of teaching writing.

Introduction. In the world of the new language policy in Europe and Ukraine, the emphasis in training students of nonlinguistic specialties is on the need to organize the teaching of foreign languages in new multicultural conditions, which would allow the teacher to sufficiently fully realize his culturally conscious role in building an educational and educational environment at the university, encouraging students to the dialogue of cultures, perception of socially significant spiritual and aesthetic values.

Modern linguistics pays considerable attention to the study of issues related to the reflection of national culture and history in a certain language, because the role of language in the accumulation of cultural achievements is significant. It reflects all aspects of the people's life – geographical location, climate, lifestyle, moral norms and values. The language reflects the national character and creates a unique picture of the world for people who use it as a means of communication, as it preserves the cultural values and heritage of the people in vocabulary, grammar, folklore, literary works, etc.

That is why it is no coincidence that one of the goals of teaching a foreign language in a higher educational institution is the formation of the student's sociocultural competence.

Main part. The problem of teaching a foreign language at the university is particularly relevant at the moment, because changes in the nature of education are more and more clearly oriented towards the 'free development of a person', creative initiative, independence, competitiveness, and mobility of students. Studying language and culture at the same time provides not only effective achievement of practical, general educational and developmental goals, but also contains significant opportunities for further support of student motivation.

In pedagogical and methodical literature, a significant number of researchers worked on the issue of developing students' sociocultural competence, namely: V.V. Safonova, Yu.I. Passov, N.E. Bulankivna, NF. Borysko, N.B. Ishkhanyan, O.L. Kraskovska et al. The problems of teaching writing are explored in the works of I.L. Beam, S.F. Shatilov, G.V. Rohova, N.I. Gez, V.N. Rachmaninova, S.Yu. Nikolaev. Studies of the psychological features of students' development are studied in the works of Sh.O. Amonashvili, L.I. Bozhovich, L.S. Vygotsky, V.V. Davydov, V.Ya. Liaudis, L.S. Slavina.

The *purpose of the article* is to work out a scientifically and methodologically grounded algorithm for the forming of sociocultural competence in the process of teaching writing.

The set *goal* is implemented through a number of tasks: to characterize sociocultural competence; to study the psychological characteristics of students of nonlinguistic specialties and take them into account when determining the requirements for exercises; to develop a system of exercises in teaching English to students of nonlinguistic specialties.

The main method of the research is a critical analysis and generalization of theoretical sources, as well as the own work in teaching English to students of nonlinguistic specialties.

The sociocultural competence is the ability of the individual to acquire a variety of cultural (linguistic-) geographic, sociocultural and cross-cultural knowledge and use them to achieve their goals and foreign language communication. Sociocultural components are knowledge (general cultural, background and cross-cultural), skills, ability and willingness to sociocultural competence. Sociocultural competence is a set of knowledge about the rules and social norms of behaviour of the speakers of the language being studied, their traditions, history, culture, social system of the country, its organization (Bronetko, 2014: 183-186). In the process of learning a foreign language, the teacher introduces students to a new culture, so the ability to understand certain features of its development, to take into account rules of behaviour, norms of etiquette, and certain stereotypes when communicating with native speakers is extremely important. It should be noted that sociocultural competence is formed as certain background knowledge, students' awareness of various phenomena of social and cultural life, certain generally accepted norms, behaviour patterns that determine lifestyle, etc.

The program envisages teaching the following components of sociocultural competence: choose and use greetings, polite words, appeals, exclamations appropriate to the communication situation; understand the features of holiday greetings and use them in accordance with the communication situation; knowledge of the cultural realities of the community whose language is studied related to everyday life (Bighych, Nikolajeva, 2013).

In the process of teaching foreign language, writing as a type of speech activity is the goal of learning, serves as an effective means of teaching foreign language, and also plays a significant role in achieving the practical, educational and educational goals of training. At the current stage of foreign language education, writing plays one of the important roles, presenting in general other types of speech activity: listening, speaking and reading, with which it is very closely related, being a receptive and reproductive mechanism of foreign language reproduction.

In the content of learning writing, three components are distinguished: linguistic, it is "an additional means of communication to sound speech using graphic signs, which allow you to record information for transmission over a distance for storage in space and time (Abramovych, 2013);

psychological – creation of visual and graphic impressions of language signs and development of the mechanism of the writing hand (Bighych, 2013: 429); and methodological – as a means and method of communication, cognition and creativity in accordance with the achieved programmatic level of students' knowledge.

Teachers should teach the students to work with authentic materials, to use language as a source of sociocultural information, a certain number of sociocultural behaviour strategies, and help to form a complete linguistic and sociocultural picture of the world. Also they should teach their learner how to form a cross-cultural awareness, the ability to analyze and highlight similarities and differences between the native and foreign culture.

Learners should master the rules of verbal and non-verbal behaviour of the language and learn foreign cultural realities, customs, traditions.

In order to make the writing experience a success for their learners teachers need to take into account the psychological characteristics of writing process and mechanisms which regulate it.

The psychological characteristics of writing are to create visual and graphic prints of linguistic signs and the development of a mechanism the writing hand.

It's important to take into account the linguistic aspect of teaching writing as writing the text the learners review sounds and letters, vocabulary and grammar, spelling of words, the meaning of words and word combination. The linguistic peculiarities of writing are analysis of the sound structure of words; transformation of sound to phonemes; transferring sound to the letter; writing letters and letter combinations; correct spelling writing.

The effectiveness of teaching writing and the forming of sociocultural competence directly depend on taking into consideration age peculiarities of the students, mainly the cognitive processes, memory, attention, imagination, thinking, perception of speech.

Teachers should identify the most difficult facts and phenomena of reality, organize the teaching process of using authentic materials according to the age peculiarities and the interests of learners and distribute the materials according to the stages of teaching writing.

Also it is very important to involve learners into the various learning activities that help to improve the learning of foreign languages and develop the identity of a learner.

Summarizing the general requirements of the program, it is possible to predict the amount of work of the teacher on the development of writing tasks. Thorough preparation is necessary in the development of exercises on this topic, communicative situations. When teaching writing, an important point is the correlation of the existing material with the formation of sociocultural competence. After all, this is the main condition for further successful mastering of a foreign language. That is why the first "bricks" of international culture should be laid in education for a comfortable existence in the international space (Nikolajeva, 2010: 14).

We created the algorithm according to the methodological stages of teaching writing and stages of the forming of sociocultural competence (Humankova, 2009). We integrated the stages of the forming of sociocultural competence into the stages of teaching writing working with the greeting card.

The algorithm includes the following stages:

The first stage is to prepare students for the writing of a certain type of written expression. It includes Content anticipation, Language anticipation and Sociocultural anticipation. The aim of this stage is to determine the value of the suggested material concerning the sociocultural component according to the topic, Syllabus requirements and the age peculiarities of the learners. To familiarize students with a sample of a certain type of written statements and his special directions in English-speaking countries:

A: its contents;

B: with its structure;

C: with this type of feature writing statements in English-speaking countries.

This stage is based on the exercises of receptive character.

To form Content anticipation we suggest such exercises:

– Choose the postcard
– Look and identify
– Think and say
– Analyze and compare
– Look and underline
– Match the beginnings with the endings

To form Language anticipation we suggest such exercises:

– Point out greetings
– Locate the words of “hellos” and “good byes” in a box
– Use the words instead of the pictures
– Write the words in circles
– List the key words
– Write as many words as you can in the circles around the picture
– Read the poem and locate the words of greeting in the cards
– Read the poem and point out the words of greeting in it
– Look at the greeting cards with different pictures in them and choose one card for you mummy, your sister or brother and your friend

To form Sociocultural anticipation we suggest the following exercises:

– Look at the picture & give your reasons
– What do you usually say if
– Group up with your friend and decide
– Say what you know about
– Listen to pieces of music and say
– Look and try to guess
– Fill in the gaps
– Fill in the chart and speak
– Listen and clap your hands
– Listen and snap your fingers

Sociocultural component includes the next exercises:

– Listen to the girl’s talks about…
– Read the information about holidays in Great Britain and compare
– Look through the carols and try to guess
– Draw the symbol of … and try to remember
– Listen to the descriptions
– Look at the postcards written in English and compare Ukrainian and English postcards
– Look at the postcards written in Ukrainian. Pay attention to the address. What is the logical order of the words in the address? Where is the address usually written?

The second stage is to develop the students' skills of building a certain type of text written statement. The aim of this stage is to organize students’ work on formulating skills to build some kind of written statements with various sociocultural supports, to activate language, speech and sociocultural material and to expand students' knowledge of sociocultural phenomenon.

The aim of this stage is to review the text comprehension, activate language, speech and sociocultural material on the basis of reading, broaden students' knowledge about the sociocultural phenomenon. This stage is based on the exercises of receptive and receptive-reproductive character.

The exercises of this stage are:

– Analyze and say what kind of postcard it is

– Identify the words
– Distribute the content of the postcard into groups
– Guess the name of the addressee
– Jigsaw activities
– Fill in the grid
– Choose the information and write it out
– Complete a card with necessary words
– Omit some information
– Choose the right card
– Read and send your answer
– Address your greetings

The third stage is to write a self-written statement. The aim of this stage is to organize the students work creating their own written statements with the use of various sociocultural incentives. This stage is based on the exercises of reproductive and productive character.

Here we suggest:
– Follow the instructions
– Reply to the invitation
– Complete the greeting card
– Use pictures for a greeting card
– Write a postcard back to your friend
– Circle writing
– Create a collage
– Shape writing
– Congratulate on somebody
– Choose a holiday and congratulate your best friend
– Look at the greetings card and complete it with your greetings, adding necessary information
– Reply to Sue's greetings card using the prompts and a sheet of paper
– Look at the things in the pictures, use them for a greeting card, congratulating your granny on Christmas
– Read one of the postcards and send your answer in the form of a greetings card
– Sit in a circle and write only one line of a greeting card, pass the postcard to your neighbour.
– Congratulate one another on Christmas holiday and send your cards with the help of a postman.

Conclusions. Therefore, one of the most important tasks of teaching writing at school is the formation and development of sociocultural competence in all its outlines. In the process of formation of sociocultural competence, all outlined components should be taken into account and included in the process of learning to write, starting from the initial stage of education in higher education institutions. The teacher should be cognizant that a pivotal role is assigned to the psychological component of students' attitudes towards other cultures, contributing to a comprehensive and well-rounded language learning experience.

The article does not cover all aspects of the research problem. Further scientific interpretation requires the determination of the conceptual foundations of this process in the outlined direction, the development of technologies and the creation of appropriate educational and methodological support for teaching English in universities, the study of foreign experience of its organization.

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THEORY AND HISTORY OF CULTURE, SOCIAL COMMUNICATIONS

DOI https://doi.org/10.30525/2592-8813-2024-4-16

PROBLEMS AND CHALLENGES OF ART DIGITALIZATION

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Abstract. The article examines the key problems and challenges of digitalization of art in the modern cultural space. The impact of digital technologies on the creation, preservation and distribution of works of art is analyzed, both opportunities and risks of this transformation are identified. The research methodology is based on a comprehensive analysis of modern practices of digital art activities, including the study of the use of artificial intelligence, NFT technologies and other digital tools in art. Results Research has identified significant challenges in preserving the authenticity of works, ensuring the proper preservation of digital artifacts, and addressing copyright issues in the digital art space. Promising directions for the development of digital art are identified and ways to overcome the identified problems through the introduction of innovative technological solutions and improvement of the regulatory framework are proposed.

Key words: digital art, virtual reality, NFT technologies, artistic creativity, digital transformation of culture, artificial intelligence in art, multimedia technologies, interactivity.

Introduction. The relevance of the research topic is due to the profound transformations that are taking place in the art sphere under the influence of the rapid development of digital technologies. Contemporary art is going through a period of revolutionary changes, where digitalization acts not only as a technological tool, but also as a powerful catalyst for cultural transformations. These changes create unprecedented opportunities for creative expression, while at the same time giving rise to a complex complex of complex challenges that require a thorough scientific Comprehension.

The digitalization of art has become a defining phenomenon of modern culture, radically changing the established paradigms of creating, perceiving, and preserving works of art. This process is characterized not only by the technological modernization of creative practices, but also by a fundamental rethinking of the role of art in the digital age. A new aesthetic is being formed that integrates traditional artistic values with the possibilities of digital technologies.

In the modern art space, there is an active integration of digital technologies into the creative process, which is confirmed by numerous scientific studies. In particular, O. Yaseniev in his works analyzes in detail the impact of digital technologies on the formation and perception of works of fine art, noting significant changes in artistic language and aesthetic criteria for evaluating works of art (Yaseniev, 2023). His research demonstrates how digital tools are empowering artistic expression, creating new forms of visual communication.

The revolutionary impact of NFT technologies and artificial intelligence on contemporary art is thoroughly explored by K. Düzenli and N. Perdahçi (2024). Their work reveals not only the technical aspects of these innovations, but also their profound impact on the art economy, the copyright system, and the mechanisms for monetizing creativity. Researchers pay special attention to the transformation of traditional models of interaction between artists, gallerists, and collectors in the digital economy.

An important contribution to understanding the transformation of art education in the context of digitalization was made by F. Huang and J. Xu (2024). Their research highlights the need for a fun-

damental revision of educational programs and methods of teaching art disciplines. Scientists emphasize the importance of forming new competencies that will allow future artists to work effectively in the digital environment, while maintaining a connection with traditional art practices.

However, despite a significant amount of research, the challenges of digitalization of art remain insufficiently studied, especially in the context of preserving the authenticity of works, protecting copyrights and ensuring the long-term storage of digital artifacts. N. Shchyglo (2022) in his works emphasizes the need for a systematic approach to solving these problems in the Ukrainian context, emphasizing the importance of developing national strategies for the development of digital art and creating an appropriate infrastructure.

The relevance of the study is further enhanced by the rapid development of artificial intelligence technologies and their impact on artistic creativity. This raises new ethical, aesthetic and philosophical questions about the nature of creativity, the role of the artist and the future of art in general.

The purpose of the study is to comprehensively analyze the problems and challenges of digitalization of art, determine their impact on contemporary art practice and develop recommendations for overcoming them. Achieving this goal involves not only theoretical understanding of the processes of digital transformation of art, but also the development of practical solutions to ensure the harmonious development of art in the digital age.

Main part. The rapid development of digital technologies and their integration into all spheres of life creates new challenges and opportunities for the development of art. As O. Yaseniev notes, digital technologies are not just a means of modeling, but also the basis of artistic and scientific and technical creativity, which significantly affect the formation of the work, ensuring the composition and perception of the work (Yaseniev, 2023: 107). A comprehensive study of these processes requires a systematic approach and a clear definition of research tasks.

In the context of global digitalization, the art sector is going through a period of fundamental changes. According to research by K. Düzenli and N. Perdahçi, these transformations encompass not only the technical aspects of the creation of works of art, but also change the very understanding of the nature of art, its role in society, and the ways in which it interacts with audiences (Düzenli, Perdahçi, 2024: 45). This process is accompanied by the emergence of new artistic practices, the rethinking of traditional art forms and the emergence of innovative approaches to art education.

An important aspect of the current stage of digital art development is its impact on the educational process. O. Bobyr emphasizes the need to adapt educational programs to new technological realities, emphasizing the importance of a balanced approach in preparing future artists (Bobyr, 2023:241). In turn, H. Zhang's research demonstrates that the use of 3D technologies in art education creates new opportunities for the development of students' spatial thinking and technical skills (Zhang, 2024: 286).

Particular attention is drawn to the issue of preserving cultural identity in the context of the digital transformation of art. In her research, N. Shchyhlo emphasizes the need to develop special strategies to preserve national specificity in digital art, especially in the context of globalization of the cultural space (Shchyhlo, 2022: 648). This position is also supported by A. Pozniak, who further emphasizes the importance of creating an appropriate infrastructure for the development of digital art at the national level (Pozniak, 2024: 114).

The methodological basis of the study is based on an integrated interdisciplinary approach. Y. Li in his research demonstrates the effectiveness of this approach, in particular when analyzing the use of digital tools in artistic practice (Li, 2024: 585). An important aspect of the methodology is also the consideration of educational perspectives, which are considered in detail by F. Huang and J. Xu, emphasizing the need to integrate traditional and innovative teaching methods (Huang, Xu, 2024: 01047).

A significant contribution to the understanding of the transformation of artistic practices under the influence of digitalization was made by Y. Xu and W. Dou, who analyzed in detail the processes of integration of artistic creation and digital technologies (Xu, Dou, 2024: 01009). Their research shows

that digitalization not only changes the artist's toolkit, but also creates new opportunities for creative expression and experimentation.

In the context of theoretical understanding of digital art, the contribution of C. Paul, who offers a comprehensive approach to understanding digital transformations in art and their impact on the cultural sphere as a whole is especially important (Paul, 2023: 158). Her research demonstrates how digital technologies are changing not only the process of creating works of art, but also the way they are presented, perceived, and preserved.

According to the results of the analysis of empirical data conducted by H. M. Briel, it can be argued that there are significant changes in approaches to art education and professional training of artists (Briel, 2024: 45). These changes require the development of new educational methodologies that take into account both traditional artistic practices and the possibilities of digital technologies.

The study also revealed the need to revise existing approaches to the preservation and archiving of digital artworks. Y. Li pays special attention to the challenges of long-term preservation of digital artifacts and ensuring their availability for future generations (Li, 2024: 590). These issues are of particular relevance in the context of rapid technological development and the constant change of digital formats.

Analysis of the cultural context of the digitalization of art, presented in the work of A. Pozniak, demonstrates that digital transformations create not only new opportunities, but also certain challenges for cultural institutions (Pozniak, 2024: 115). In particular, special attention needs to be paid to the issue of adapting traditional museum and gallery spaces to the needs of digital art presentation.

In the context of technological innovations, O. Yaseniev emphasizes the importance of understanding the specifics of various digital tools and their impact on the artistic expressiveness of works. According to his observations, digital technologies allow artists to more accurately convey the idea of a work and make it understandable to the maximum number of viewers (Yaseniev, 2023: 109). This correlates with research by K. Düzenli and N. Perdahçi, which further notes the role of NFT technologies in creating new opportunities for the monetization of digital art (Düzenli, Perdahçi, 2024: 48).

An important aspect of the current stage of digital art development is the integration of artificial intelligence into the creative process. Y. Xu and W. Dou in their study analyze in detail the potential of AI technologies in artistic practice, emphasizing the need for a balanced approach to their use (Xu, Dou, 2024: 01010). They note that artificial intelligence should not be seen as a substitute for human creativity, but as a tool to expand the creative capabilities of the artist.

In the context of the digitalization of art, the issue of educational transformations attracts special attention. H. Zhang, in his research, presents a detailed analysis of the impact of 3D technologies on the development of art education, demonstrating their potential in shaping new competencies of future artists (Zhang, 2024: 288). This is complemented by O. Bobyr's observations on the need to integrate digital technologies into traditional educational programs while preserving fundamental artistic principles (Bobyr, 2023: 242).

The methodological aspects of digital art research are discussed in detail in the work of C. Paul, which offers an integrated approach to the analysis of digital transformations in art (Paul, 2023: 162). Its methodology includes not only the technical aspects of digitalization, but also the sociocultural and aesthetic dimensions of this process.

F. Huang and J. Xu in their study pay special attention to the transformation of pedagogical approaches in art education, emphasizing the need to develop new teaching methodologies that take into account the specifics of the digital environment (Huang, Xu, 2024: 01048). Their analysis shows that the successful integration of digital technologies into art education requires not only technical equipment, but also a fundamental rethinking of educational paradigms.

H. M. Briel's research demonstrates the importance of an interdisciplinary approach in the study of digital art. The author emphasizes that contemporary art practices are increasingly emerging at the intersection of different disciplines, from computer science to cognitive psychology (Briel, 2024: 47). This creates new opportunities for artistic expression, but at the same time requires artists to expand their professional competencies.

Y. Li in his study draws attention to the psychological aspects of artists' interaction with digital tools. According to his observations, the process of adaptation to new technologies is often accompanied by a certain psychological resistance and the need to overcome established creative stereotypes (Li, 2024: 592). This is especially important to take into account when developing educational programs and professional trainings for artists.

The issue of preserving cultural heritage in the context of digitalization is considered in detail in the work of N. Shchyhlo. The researcher emphasizes the need to develop specific strategies for the documentation and archiving of digital artworks, given their specific nature and technological features (Shchyhlo, 2022: 650). This position finds support in the work of other researchers, including A. Pozniak, who further emphasizes the importance of creating an appropriate infrastructure for the long-term preservation of digital artifacts (Pozniak, 2024: 116).

O. Yaseniev pays special attention to the transformation of aesthetic criteria for evaluating works of art in the context of digitalization. He notes that traditional criteria for evaluating art need to be rethought and adapted to the specifics of digital works (Yaseniev, 2023: 110). This is especially true in the context of the development of new forms of digital art, such as interactive installations and virtual reality.

K. Düzenli and N. Perdahçi conclude their analysis with an important observation on the future of digital art, emphasizing the need for a balance between technological innovation and the preservation of fundamental artistic values (Düzenli, Perdahçi, 2024: 50). According to researchers, the successful development of digital art is possible only if there is a harmonious combination of traditional and innovative approaches.

Summarizing the analysis, it is worth noting that the digitalization of art is a complex and multifaceted process that requires an integrated approach to its study and understanding. As C. Paul points out, the future of art is inextricably linked to the development of digital technologies, but the nature of this connection will depend on the ability of the artistic community to adapt to new conditions and creatively use technological opportunities (Paul, 2023: 165).

Materials and Methods. The methodological basis for the study of the problems and challenges of the digitalization of art was a comprehensive systematic approach, which made it possible to consider this phenomenon as a holistic structure of interrelated elements. The empirical basis of the study was formed by scientific publications on the problems of digitalization of art for the period 2022–2024, analytical reports on the introduction of digital technologies in the art sector, as well as the results of research on the use of NFT technologies and artificial intelligence in art, presented in the works of K. Düzenli and N. Perdahçi.

In the process of research, the method of system analysis was applied, which made it possible to study the structural components of the digitalization of art and their interconnections. An important tool was comparative analysis, thanks to which a comparison of traditional and digital forms of artistic activity was carried out. Particular attention is paid to the content analysis of scientific publications, which helped to identify the main trends and problems of digitalization of art. The methodology of expert assessments described in the work of Y. Li was used to identify the key challenges of digitalization in the art sphere.

The study was carried out in stages, starting with the collection and systematization of scientific sources, continuing with the analysis of the collected materials and identifying the main problems and challenges of digitalization of art, and ending with the formulation of conclusions and the devel-

opment of recommendations. The processing of the obtained data was carried out using qualitative analysis methods, which made it possible to identify key trends and patterns in the processes of digitalization of art.

Of particular value for the study were the materials on the transformation of art education in the context of digitalization, systematized in the research of O. Bobir, which made it possible to trace changes in approaches to the training of future artists and the formation of their digital competencies.

Results and Discussion. An analysis of the current state of digitalization of art revealed fundamental transformations covering all aspects of artistic activity. A comprehensive study conducted during 2022–2024 demonstrates not only a quantitative increase in the use of digital technologies in the art field, but also qualitative changes in approaches to the creative process. An important aspect of this transformation is not just technical equipment, but a radical change in the paradigm of artistic creativity, including new forms of conceptualization, creation and presentation of works of art.

There is a significant evolution in understanding the role of digital technologies in art – from a purely instrumental approach to recognizing them as a full-fledged medium of artistic expression. This change is accompanied by the formation of new aesthetic categories and criteria for evaluating works of art. Especially noticeable is the transformation in the perception of digital technologies by the younger generation of artists, for whom the digital environment is becoming a natural space for creative realization.

The study revealed a significant diversification in the use of digital tools in different types of art. If in the visual arts digital technologies are mainly used to create and process visual content, then in the performing arts they become a means of expanding the possibilities of interaction with the audience and creating immersive experiences.

An important aspect of the transformation is the change in the processes of documentation and archiving of works of art. Digital technologies not only provide new opportunities for the preservation of works of art, but also create challenges related to the long-term preservation of digital artifacts and ensuring their availability for future generations.

To understand in detail the scale and nature of these changes, a comprehensive survey of artists on the use of digital technologies in their work was conducted. The results of this study, presented in Fig. 1, demonstrate not only quantitative indicators of the introduction of digital technologies, but also the qualitative characteristics of their use in various artistic practices.

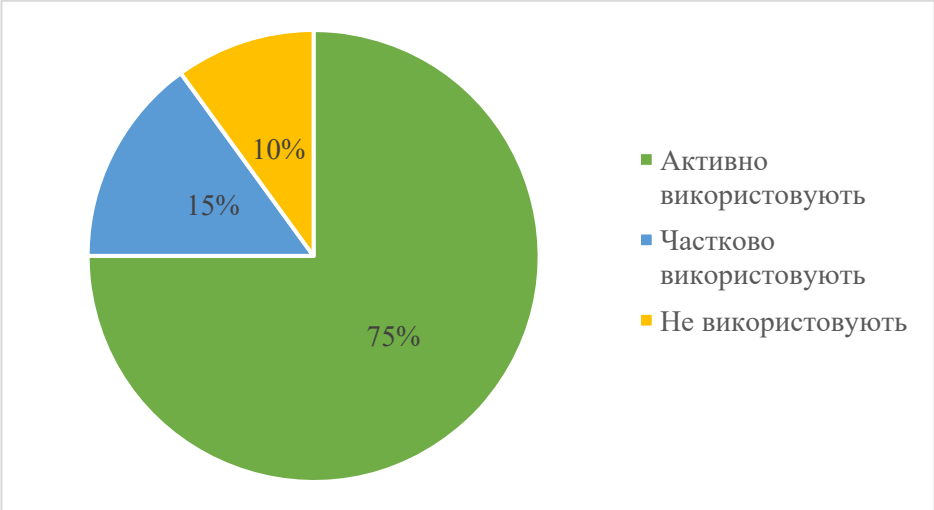

Fig. 1. Distribution of digital technology use among artists (according to a survey of 100 respondents)

According to the results of the Y. Li study, among the surveyed artists, 75% actively use digital tools in their work, 15% use them partially, and only 10% completely refrain from digital technologies. Such a distribution indicates a significant transformation of artistic practice and the formation of new creative approaches. It is important to note that the active use of digital technologies does not mean a complete rejection of traditional methods – many artists successfully combine both approaches, creating unique hybrid art forms.

Particular attention is drawn to the analysis of the current state of the introduction of various types of digital technologies into art practice. According to a study by K. Düzenli and N. Perdahçi, there is a clear differentiation in the use of different digital tools. Artists most actively use digital painting technologies, which is confirmed by statistical data and indicates a high level of their integration into the creative process. At the same time, NFT and AI technologies are in the phase of active implementation and show significant potential for further development. The general picture of the distribution of the use of various digital technologies in art is presented in Fig. 2.

Fig. 2. Distribution of the use of various digital technologies in art as of 2024

Statistical analysis shows that digital painting remains the dominant technology, used by 75% of artists. NFT technologies, although showing a lower percentage of use (35%), show steady growth, especially in the context of monetization of digital works. The use of AI tools, which makes up 25%, indicates the gradual adoption of these innovative technologies by the art community. Of particular interest is the category of mixed technologies (40%), which reflects the tendency to integrate different digital approaches in modern art practice.

The transformation of art education under the influence of digitalization is also of considerable interest. Modern educational institutions face the challenge of adapting curricula to new technological realities while preserving fundamental artistic traditions. In this context, it is important to analyze the ratio of traditional and digital teaching methods in art education, which is presented in Fig. 3.

According to the results of O. Bobir's research, there is a balanced approach to the introduction of digital technologies in art higher education institutions. The preservation of the significant role of traditional teaching methods (45%) indicates an understanding of the importance of fundamental artistic training. At the same time, the active introduction of mixed (40%) and purely digital (15%) teaching methods demonstrates the adaptability of the educational system to modern requirements.

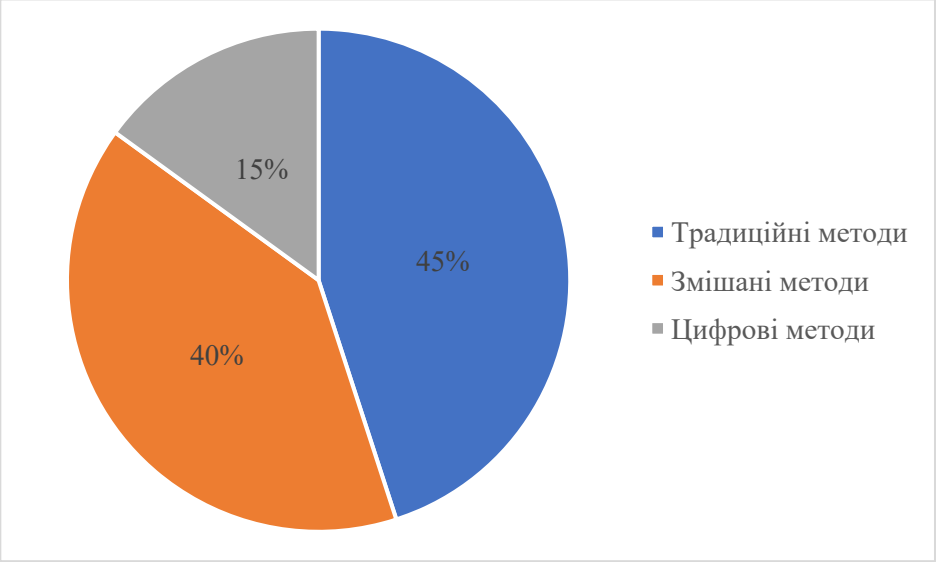

Fig. 3. Distribution of teaching methods in art education (according to the analysis of 10 higher education institutions)

The biggest challenge remains to ensure a balance between traditional and digital teaching methods – 65% of teachers note the difficulty in combining these approaches.

An important aspect of the digitalization of art is the issue of accessibility of digital art platforms for a wide audience. The analysis conducted by A. Poznyak revealed a significant digital inequality: only 40% of the potential audience has full access to digital art resources. This is due to both technological limitations and insufficient digital literacy of potential users. This situation creates additional challenges for the democratization of art in the digital age and requires systemic solutions at the level of cultural policy.

Statistical analysis of the data obtained was carried out using the methods of descriptive statistics, which made it possible to identify key trends and patterns in the processes of digitalization of art. The reliability of the results obtained is confirmed at the level of statistical significance $p<0.05$, which indicates the high reliability of the detected patterns.

Discussion. The interpretation of the results of the study allows us to identify several key aspects of the digitalization of art, which are of fundamental importance for understanding modern transformational processes in the art sphere. First of all, there is a distinct tendency to hybridize artistic practices, where digital technologies not only coexist with traditional forms, but create fundamentally new opportunities for their development and transformation preservation of cultural heritage and the development of new forms of artistic expression.

According to Xu and Dou (2024), who conducted a thorough study of contemporary art practices, a new type of artist is being formed – a "digital hybrid". This phenomenon is characterized not only by technical competence in the use of digital tools, but also by a special type of creative thinking that organically combines traditional artistic approaches with innovative technological capabilities. Such artists are able to create unique works of art that could not be realized exclusively by traditional or exclusively digital means.

An important discovery of the study was the identification of significant unevenness in the introduction of various digital technologies in artistic practice. If digital painting has already become an integral part of modern art tools, then NFT and artificial intelligence technologies are still at the stage of experimental development. This observation correlates with the research of Li (2024), who not

only states this fact, but also offers an in-depth analysis of the reasons for such unevenness, emphasizing the need for a more systematic study of the potential of the latest technologies for the development of art.

The phenomenon of "digital stratification" in the artistic environment, which has a multi-level character, deserves special attention. This phenomenon manifests itself not only in the different availability of technologies for different groups of artists, but also in the formation of new forms of professional inequality associated with different levels of proficiency in digital tools. The findings of Bobyr (2023) confirm the need for a systematic approach to solving this problem through the development of specialized educational programs and the creation of an infrastructure to support digital art.

The analysis of the results indicates the need to develop comprehensive integrated educational programs that would organically combine traditional and digital methods of teaching art. Such programs should take into account not only the technical aspects of using digital tools, but also develop critical thinking, the ability to experiment and understand the aesthetic possibilities of new technologies.

In the context of the development of the professional community, the creation of specialized platforms for the exchange of experience between artists is of particular importance. Such platforms could become not only a place for the exchange of technical knowledge, but also a space for creative collaboration, experimentation, and the development of new forms of artistic expression.

The study also revealed a need for a deeper study of the impact of artificial intelligence on the nature of creativity and originality in art. This issue becomes especially relevant in the context of the development of generative AI systems capable of creating visual content, which raises new questions about authorship and authenticity in digital art.

The results obtained create a solid basis for further research on the processes of digitalization of art and can be used to develop comprehensive strategies for the development of art education and cultural policy. Particular attention should be paid to the study of the long-term consequences of the introduction of NFT technologies for the art market and the study of the psychological aspects of the perception of digital art by different audiences.

In the light of the results obtained, the issue of institutional support for digital art is of particular relevance. The study showed that existing cultural institutions are often unprepared to fully integrate digital art practices into their activities. This applies to both technical infrastructure and methodological approaches to exhibiting, preserving and documenting digital works of art.

An important aspect that requires a separate discussion is the economic transformations in the field of art under the influence of digitalization. The emergence of NFT technologies has created not only new opportunities for monetizing digital creativity, but has also led to the formation of fundamentally new models of interaction between artists, collectors, and art institutions. These changes require careful analysis and development of new approaches to the evaluation and valorization of digital artworks.

Special attention should be paid to the issue of intercultural communication in the context of digital art. The study showed that digital technologies create unique opportunities for cultural exchange and collaboration between artists from different countries and cultural traditions. At the same time, new challenges arise related to the preservation of cultural identity and local artistic traditions in the global digital space.

The analysis of the psychological aspects of the perception of digital art revealed the complex dynamics of the viewer's interaction with digital works. Unlike traditional art, where the physical presence of the work plays an important role in shaping the aesthetic experience, digital art creates new forms of sensory and intellectual engagement of the audience. This requires the development of new theoretical approaches to understanding aesthetic perception in the digital age.

The issue of ethical aspects of the use of artificial intelligence in artistic creativity requires special attention. The study revealed complex philosophical and practical problems related to defining the

boundaries of authorship, originality, and creative autonomy in the context of AI-generated art. These questions are important not only for art theory, but also for the development of legal mechanisms for copyright protection in the digital age.

The analysis of the educational aspects of the digitalization of art revealed the need to develop new pedagogical approaches that would take into account both technological capabilities and traditional values of art education. It is important to create educational programs that develop not only technical skills, but also critical thinking, the ability to experiment and understand the cultural context of digital art.

In the context of institutional development, it is important to create specialized digital art centers that would combine the functions of experimental laboratories, educational platforms and exhibition spaces. Such centers could become key nodes in the network of support and development of digital art, providing the necessary infrastructure and expertise.

A promising area of further research is the study of the impact of digital technologies on the processes of democratization of art. Digitalization creates new opportunities for access to art and participation in the artistic process, but at the same time it can exacerbate existing forms of social inequality. This issue requires a comprehensive study, taking into account social, economic and cultural factors.

The analysis of the technological aspects of the digitalization of art also revealed the importance of developing specialized infrastructure for the long-term preservation of digital works. Unlike traditional art forms, digital works face unique challenges in the context of their archiving and conservation. This issue is becoming especially relevant in light of rapid technological progress and the constant change in digital data formats and standards.

The study revealed the need to create specialized protocols and methodologies for documenting digital art. Traditional methods of cataloguing and describing works of art are insufficient to fully reflect the specifics of digital works, especially when it comes to interactive and process-oriented works. This creates a need to develop new documentation standards that would take into account the technical, conceptual and contextual aspects of digital art.

An important aspect that requires a separate discussion is the impact of digitalization on the processes of curatorial practice. Digital technologies are not only changing the way art is presented, but also creating new opportunities for curatorial experimentation and the development of innovative exhibition formats. At the same time, new challenges arise related to the need to provide technical support for digital exhibitions and create an appropriate context for the perception of digital works.

Particular attention should be paid to the development of critical discourse around digital art. The study found that existing approaches to art criticism are often insufficient to fully analyze and evaluate digital works. There is a need to develop new critical methodologies that would take into account the technological, aesthetic and socio-cultural aspects of digital art.

In the context of globalization of the artistic process, the issue of preserving cultural diversity in the digital space is important. The study revealed a trend towards standardization of artistic practices under the influence of dominant technological platforms and tools. This creates risks for the preservation of local artistic traditions and unique cultural forms of expression.

The analysis of the economic aspects of the digitalization of art revealed the need to develop new business models and mechanisms for financing digital art projects. Traditional art support models often prove ineffective in the context of digital creativity, creating a need for innovative approaches to funding and monetizing digital art.

Especially important is the development of interdisciplinary cooperation in the context of digital art. Research has shown that the most innovative and impactful projects often arise at the intersection of art, science, and technology. This creates a need for the development of new formats of cooperation between artists, technologists and scientists.

The analysis of the social aspects of the digitalization of art revealed the need for a more in-depth study of the impact of digital technologies on the formation of new forms of artistic communities and collective practices. Digital platforms create new opportunities for collaboration and exchange of experiences, but at the same time can lead to fragmentation of the artistic environment and the creation of closed digital communities.

In the context of educational practices, the development of critical thinking and media literacy in the process of art education is important. The study showed that the successful integration of digital technologies into art education requires not only technical skills, but also the development of the ability to critically analyze and understand the socio-cultural context of digital media.

Conclusions. The study of the problems and challenges of art digitalization allows us to draw a number of important conclusions. The analysis of the current state of art digitalization revealed the dynamic nature of the transformation of art practice, where digital technologies are becoming an integral part of the creative process. At the same time, it is important to note that 75% of contemporary artists actively use digital tools, while maintaining a connection with traditional art forms.

The study showed that the process of introducing digital technologies into the art sphere is uneven. Digital painting is the most widespread, while the use of NFT technologies and artificial intelligence is still in its infancy. This situation creates both new opportunities and challenges for the art community.

Particular attention is drawn to the transformation of art education, where there is a tendency to form hybrid educational models. The combination of traditional (45%) and innovative teaching methods reflects the desire to maintain a balance between classical artistic training and the development of digital competencies.

A significant impact of digitalization on the accessibility of art for a wide audience has been revealed. However, the existing digital inequality creates barriers to the full democratization of art in the digital age. This indicates the need to develop comprehensive strategies to bridge the digital divide in the cultural sphere.

The results of the study are of practical importance for the development of art education, the formation of cultural policy and support for artists in the process of mastering digital technologies. Further research in this area should focus on studying the long-term effects of digitalization on the development of art and finding effective models for preserving cultural identity in the face of technological transformations.

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DOI https://doi.org/10.30525/2592-8813-2024-4-17

RETROSPECTIVE OF THE APOSTLE PAUL'S PILGRIMAGE ROUTES IN THE CONTEXT OF SACRED COMMUNICATIONS IN THE FIELD OF INTERNATIONAL RELIGIOUS TOURISM

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Abstract. This article has a deep social communication analysis, considering the figure of the Apostle Paul from different sides and in different spheres: through culture, religion, tourism, communication, art, cinema. An interesting route for tourists in Turkey is called the Lycian Way, which allows you to get acquainted with the history of ancient Lycia. The advantages of such routes are associated with the ability to simultaneously combine several types of recreation, get acquainted with historical events at the immediate sites of events and thus get as close to the past as possible. This is considered the path along which the Apostle Paul walked.

The methodological basis of the article is the dialectical method and the systems approach. The leading method used was the Desk Research method. It allows you to quickly obtain information, which is necessary to achieve the goal of this article; comparison of many sources of information allows you to consider the object of study from different angles and make more compelling and substantiated conclusions.

Key words: apostle Paul, pilgrimage routes, shrines, communication links, virtual pilgrimage, the socio-cultural space.

Introduction. Apostle Paul made three long-term missionary journeys, which is more journeys than all the apostles had made. The main thing is that he never saw Jesus alive, he appeared to him as a vision when Paul (Hebrew name Saul) destroyed and persecuted a Christian. The relics of the holy apostle Paul were discovered in the tomb of a Roman basilica. According to legend, the body of the apostle after his martyrdom in 65 was buried in the catacombs on the Appian Way (Via Appia), and then transferred to the church that was consecrated in his honor. Of all the New Testament sacred writers, it was Apostle Paul, who wrote 14 epistles, and who labored the most to present Christian doctrine. Due to the importance of their content, they are rightly called the «Second Gospel» and have always attracted the attention of both philosophers and ordinary believers (Panchenko S. et al. 2023, p. 766).

In 2006, Vatican archaeologists discovered a stone sarcophagus, after studying which they were able to confirm that the relics belonged to the Apostle. Incidentally, it was from the Appian Way (Via Appia) that the great journey of the Apostle Paul began with the preaching of the Gospel. Acts 28: 13–16 says that Paul sailed to Italy and on the ship arrived in Puteoli (now Pozzuoli), that stayed on the Gulf of Naples shores. From there, Paul went to Rome along the paved road, Via Appia.

This road was named after the Roman statesman Claudius Appius Zecus. He began building it in 312 BC. The 5–6 meters wide Appian Way is paved with volcanic rocks. It stretched for 583 kilometres southeast of Rome and connected the city with the port of Brundisium (now Brindisi), from where the road to the East opened. Every 20–25 kilometres there were stops where travellers could buy food, spend the night or change horses or carriages. Paul walked 212 kilometres along the Appian Way from Puteoli to Rome. Part of the route passed through the Pontine swamp. Recalling this muddy area, one Roman writer complained about the stench and clouds of mosquitoes. To the north of the Pontine swamp was the Appian Market (65 kilometres from Rome) and the overnight stay for

travellers «Three Races» (50 kilometres from the city). It was in these places that the Christians from Rome were waiting for Paul. When he saw them, he «thanked God and was lifted up in spirit» (Acts 28:15) (URL: http://osbm-buchach.org.ua/Bibliya/Diyannia.html).

An interesting route for tourists in Turkey is the Lycian Way, which allows you to get acquainted with the history of ancient Lycia. The Lycian Way (translated into Turkish – Lycia-Yolu) is a tourist route of almost 540 km in length, connecting the cities of Antalya and Fethiye. The advantages of such routes are associated with the ability to simultaneously combine several types of recreation, get acquainted with historical events in the immediate places of events, and thus get as close to the past as possible. This is considered the road along which the Apostle Paul walked. Perhaps most travellers or tourists have already heard of the Lycian Way, which is the longest trekking route in Turkey, but few know about another long route, the St. Paul's Trail.

The length of the route is about 540 km and it consists of two branches:

- the first starts in Perge (Aksu) and ends in Yalvac;
- the second begins in the village of Beskonak before the entrance to the Koprulu canyon and connects with the first branch in the former Roman city of Adada (now near the village of Sagrak) [URL: https://pohod-v-gory.com/likijska-stezhka/].

Fig. 1. The St Paul Trail. URL: https://cultureroutesinturkey.com/st-paul-trail/

Main part. Apostle Paul came from a deeply religious Jewish family, his first name was Saul, he belonged to the tribe of Benjamin, he was born in the city of Tarsi (Cilicia) in Asia Minor, which was then famous for its Greek academy and the education of its inhabitants. He received his further education in Jerusalem. Despite belonging to the party of the Pharisees, he was a free-thinking person and an admirer of Greek wisdom. According to Jewish custom, young Saul learned the art of making tents, which later helped him earn a living by his own labour.

He inherited Roman citizenship from his father and was a zealous persecutor of early Christians. But during his journey to Damascus (for the purpose of persecuting Christians), he had a vision of Christ, after which he became an unceasing apostle of Christianity. At noon, a light from the sky suddenly shone on him and his companions on the way. He fell to the ground and heard a heavenly voice: «Saul, Saul, why are you persecuting me?». To which Saul said: «Who are you, Lord?». And he heard the answer: «I am Jesus, whom you are persecuting. Get up and go to the city, and they will tell you what to do». The surprised and blinded Saul was brought to Damascus, where after meeting with Christ's disciple Ananias, he received his sight, and he said: «The God of our fathers chose you so that you would understand His will and that you would see the Righteous One and hear a voice from His mouth. Because you will be His witness before all people...».

After Paul's conversion to Christianity and the infilling of the Holy Spirit, the other apostles did not trust him and communicated through an intermediary, the apostle Barnabas, with whom Paul subsequently carried out apostolic work in Antioch, Macedonia, Athens, Thessalonica, Corinth and

Fig. 2. Lycian Way map.
URL: https://fromsunrisetosunset.com/hiking-500km-lycian-way-in-turkey/

Ephesus. Preaching the Word of God, the Apostle Paul healed the seriously ill, but was persecuted and attacked. Several times he was miraculously saved by the Lord (after being stoned and having his ship sunk) and spent two years in prison in Caesarea. After two years of imprisonment in Caesarea, Agrippa sent Paul to Rome for trial by Caesar, where he found the death of a martyr: the apostle was sentenced to death and executed by beheading (a year after the death of the apostle Peter). Pope Clement I writes about this in his first letter, that the apostles Paul and Peter died the death of martyrs. Modern historical and religious thought confirms that the Apostle Paul is a real historical figure (https://velychlviv.com/gonytel-hrystyyan-shho-stav-pervoverhovnym-apostolom-10-tsikavyh-faktiv-pro-apostola-pavla/).

Review of the Apostle Paul's New Testament epistles

Apostle Paul is credited with authorship of 14 epistles, which are placed in the New Testament in the following order:

Message of St. Apostle Paul to the Romans
The first message of St. Apostle Paul to the Corinthians
The second message of St. Apostle Paul to the Corinthians
Message of St. Apostle Paul to the Galatians
Message of St. Apostle Paul to the Ephesians
Message of St. Apostle Paul to the Philippians
Message of St. Apostle Paul to the Colossians
The first message of St. Apostle Paul to the Thessalonians
The second message of St. Apostle Paul to the Thessalonians
The first message of St. Apostle Paul to Timothy
The second message of St. Apostle Paul to Timothy
Message of St. Apostle Paul to Titus
Message of St. Apostle Paul to Philemon
Message of St. Apostle Paul to the Jews (Novyy Zapovit)

This order is not chronological. This placement is made, as is easy to see, according to the importance and scope of the messages themselves and according to the comparative importance of the Churches and persons to whom the messages are addressed. The epistles to the seven Churches are followed by the epistles to three persons, and the epistle to the Hebrews is placed behind them all, because its authenticity was recognized the latest.

The epistles of the apostle Paul are usually divided into two unequal groups:

1. Epistles are universally Christian;
2. Pastoral epistles.

These latter include the two Epistles to Timothy and the Epistle to Titus, because they indicate the foundations and rules of good shepherding. Some places in Paul's epistles, such as 1 Cor. 5:9; Qty. 4:16, gave reason to think that there were other letters of Paul that have not reached us.

Apostle Paul preached in Arabia, and then in Syrian Antioch. At the Apostolic Council in 48–49, he expressed a strong conviction that faith in Christ, and not belonging to the Jewish religion, was decisive for the conversion of pagans to Christianity.

In the following years, he preached in Asia Minor, Macedonia, Greece, founding Christian communities everywhere. In the late 50s, he was arrested in Jerusalem.

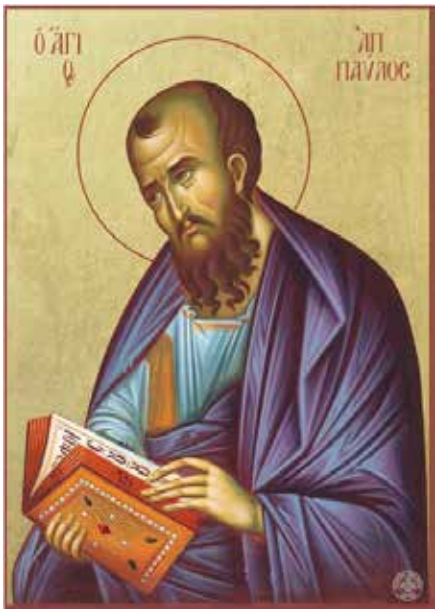

Fig. 3. Icon of the Apostle Paul. URL: https://www.athoniteusa.com/products/saint-paul-the-apostle

Methods of research. The methodological basis of the article is the dialectical method and the systems approach. The leading method used was the Desk Research method. It allows you to quickly obtain information, which is necessary to achieve the goal of this article; comparison of many sources of information allows you to consider the object of study from different angles and make more compelling and substantiated conclusions. To summarize and formulate conclusions, an abstract logical method was used. The author applied logical-semantic analysis, the method of reflection, text reconstruction and comparative analysis of the relatively characterized routes, analysis of biblical messages, characteristics of films about the apostle and their combination with primary sources in the context of the scientific direction. The communicative method focused on the implementation of intercultural communication between pilgrims during trips to the relics of the saint, and intercultural communication is also traced when planning such sacred journeys through the media and the Internet. The author also used historical, systemic and informational approaches to provide material in an accessible form for pilgrims of different social groups and thereby prove the importance of sacred communication during pilgrimage (Panchenko S., Rizun V., 2024).

Results and Discussions. 10 interesting facts from the life of the Apostle Paul.

1. The persecutor of Christians from Tarsus. Saint Paul, before his conversion – Saul, came from the generation of Benjamin. He was born in Tarsus, the main city of Cilicia. His father sent him to Jerusalem, where he was educated in the school of the famous Gamaliel, a respected lawyer. Young Saul absorbed all knowledge from him, from the simplest to the explanations of Moses. Subsequently, Saul joined the Pharisees, who were famous for keeping all the commandments of Moses more faithfully. And indeed, to divert attention, they followed those prescriptions, but in their hearts, they were the greatest unbelievers, and became the worst enemies of Christ the Saviour and His science, which opposed the external observance of the law and nourished faith not for the eyes, but following from the depths of the heart. Therefore, Savlo did not know the light of truth, and the young, proud of his learning and blinded by this, became the most zealous enemy and per-

secutor of those who believed in Christ the Saviour. He was there when Stephen was stoned, and even guarded the clothes of those who killed the deacon, he heard the last prayer of the holy first martyr. It is to this prayer that he thanks his conversion, for, as St. Augustine notes, «we would not have seen Paul among the saints if the first martyr Stephen had not prayed for him» (https://www.tarsus.ie/resources/NEMI/Paul2015.pdf).

2. The meeting with Christ on the road to Damascus that changed his life. In the year 34, Saul was sent to Damascus by the high priests to torture the Christians hiding there. And on the way there, an event happened to him that changed Saul's whole life. As he approached Damascus, a Divine Light illuminated him. All the soldiers accompanying him fell to their knees and he heard a voice saying, «Saul! Saul! why are you persecuting Me?» Saul asked, «Who are You, Lord?» The voice answered, «I am Jesus, whom you are persecuting. But arise and stand on your feet, for this purpose I have appeared to you, to appoint you a minister of both what you have seen and what I will reveal to you» (Acts 26:13-16). Saul's companions heard the voice, but could not make out the words. Saul was blinded by the light of God and, by the command of the Lord, went to Damascus, where the Apostle Ananias lived, who was told in a vision to go to «straight street, and inquire at the house of Judas for a man named Saul» (Acts 9:11). Ananias had to lay his hands on him so that he could see; when this command was fulfilled, Saul received his sight, received holy Baptism and was named Paul.

3. Saint Paul became a participant in the first Council in Jerusalem. He was among the participants in the first Council of the Apostles in Jerusalem. Constantly preaching the Gospel, the Apostle endured many sorrows and sufferings, the ship on which he was sailing sank three times, he was beaten with rods and stoned. Preaching in Macedonia, the Apostle Paul was seized and taken to prison. But even in shackles, he continued to pray and glorify God. But suddenly, at midnight, the foundation of the prison building trembled, the door opened and the chains fell apart.

4. He was sent to trial at Caesar. Returning from his third missionary trip to Jerusalem, the Apostle Paul was captured by the Jews, and as a Roman citizen, he was sent to trial at Caesar.

5. Paul was in unity with the Apostle Peter. In Rome, the Apostle Paul helped the Apostle Peter enlighten the Romans with the light of the Christian faith, for which he was sentenced to death. The holy Apostle Paul was beheaded with a sword. At that time, Saint Paul was standing next to him. These two apostles have greater power than Nero and his army, their weapons are truth and love, with which they find peace.

6. Both apostles sat together in prison. Both chief apostles in prison, in chains, continued to preach the word of God.

7. Saint Paul wrote the Second Epistle to Timothy and the Epistle to the Ephesians in prison.

8. He died a martyr's death. He was scourged five times, beaten with rods three times, stoned, and three times he was put into the shipwrecks. Neglect, insults, need, hunger, constant travels through deserts, seas, lakes, mountains – all this did not undermine his love for Christ the Saviour. He could now boldly say: «... the time of my departure has come. I have fought the good fight; I have stopped the race – I have kept the faith. But now there is prepared for me a crown of justice, which the Lord, the just Judge, will give me on that day; and not only to me, but to all who with love awaited His appearance» (2 Tim. 4:6-8).

9. The body of St. Paul was buried on the Ostojska road. The heads of both chief apostles rest in the Lateran Church. One part of the relics of St. Paul rests in the Church of St. Peter, and the other outside the city, where his body was originally buried, in the Church of St. Paul.

10. St. Augustine on St. Paul. «His previous life», writes St. Augustine, «would have led him straight to destruction, if the extraordinary grace of God, of which he was not worthy, had not saved him». And then, when Saul's power, strength, and obstinacy had reached their heights, the Lord, as St. John Chrysostom says, casts him into the dust to humble his pride; turns the mad wolf into a humble

Fig. 4. Map of St. Paul's travels.
https://www.churchofjesuschrist.org/study/scriptures/bible-maps/map-13?lang=eng

lamb, makes a courageous preacher of Christ's science out of a persecutor. (https://velychlviv.com/gonytel-hrystyyan-shho-stav-pervoverhovnym-apostolom-10-tsikavyh-faktiv-pro-apostola-pavla/).

Paul was perhaps the greatest apostle and evangelist the world has ever known, and certainly deserves to be counted among the apostles. Second Timothy was the last letter Paul ever wrote, and in it he knew that the time of his death was approaching as he wrote to Timothy, «For I am poured out like casting, and the time of my departure is near. I have fought the good fight, I have finished the race, I have kept the faith. Now there is laid up for me a crown of righteousness, which the Lord, the righteous judge, will award to me on that day – and not to me only, but also to all who have desired His appearing». Paul's passion and love can be heard in his final words to Timothy. He wrote from prison, knowing that his execution was near. Christ himself had likely told him this, and he was preparing Timothy to take his place. Listen to Paul's heart-breaking final words as he awaited execution in 2 Timothy 4:16-18, «In my first defence no one supported me, but they all forsook me. Let it not be against them. But the Lord stood by me and gave me power that through me the message might be proclaimed and all the Gentiles might hear. And I was delivered out of the lion's mouth. The Lord will rescue me from every evil attack and bring me safely into his heavenly kingdom. To him be the glory forever and ever. Amen». How heart-breaking. Paul was abandoned by everyone as his execution approached… everything except his treasured Lord. Paul was not ashamed of the way he lived his life as his death approached. Most historians, both secular and ecclesiastical, claim that he was beheaded. His final thoughts were likely of his beloved Lord, knowing that since He had rescued him from eternal death, saved him, He would rescue him after his physical death and be with the Lord forever (Ioannov Rodnik, n.d.).

The figure of the Apostle Paul in cinema

Of course, the Apostle Paul could not remain aloof from cinema. Such a charismatic biblical figure entered modern cinema. Therefore, we suggest remembering the Apostle Paul in Christian cinema as the main character, who preached the word of God and carried out Christianization.

Fig. 5. The tomb of the Apostle Paul. Photo.
URL: https://www.ncregister.com/blog/st-paul-s-tomb

1. *«Paul the Emissary»*
Year of release: 1997
Country: USA
Director: Robert Marcarelli
Starring: Harry Cooper, Leon Lissek, Kermit Christman, Grant Parsons and others.

From the execution of the saint to the execution, from a fierce persecutor to a faithful disciple. The dramatic film truthfully and frankly tells the story of the fate of the Apostle Paul from the moment when he was present at the martyrdom of St. Stephen to the death of the preacher himself.

2. *«Peter and Paul»*
Year of release: 1981
Country: USA
Director: Robert Day
Cast: Anthony Hopkins, Robert Foxworth, Eddie Albert, Raymond Burr, Jose Ferrer and others.

A film about the life of the Pharisee Saul, his atrocities against Christians, his blindness and miraculous healing, his baptism and finding a new name, and with it a new life. The story of how the paths of the apostles cross to unite in preaching the teachings of Jesus Christ.

3. *«Apostle Paul: Miracle on the Road to Damascus»*
Year of release: 2000
Country: Italy, Czech Republic, Germany
Director: Roger Young
Cast: Johannes Brendrup, Thomas Locker, Barbora Bobulova, Ennio Fantastichini, J.W. Bailey, Giorgio Pasotti, Franco Nero, Daniela Poggi, Umberto Orsini, Christian Brendel and others.

The worst enemy of Jesus Christ becomes one of the most important evangelists of the Lord's teaching. «...for it is written, 'They had no news of him – they will see; and they had not heard – they will know...'« What was Apostle Paul like in life and what changed the consciousness of the persecutor of Jesus, making him a saint?

4. *Pilgrimage to the Eternal City. Apostle Paul*
Year of release: 2005

Country: Russia
Director: Vladimir Khotinenko
Hosts: Krzysztof Zanussi and Vladimir Mashkov

In two episodes of documentary film dedicated to the apostles Peter and Paul, the viewer learns about their lives, sermons and death, immersing themselves in the atmosphere of Rome in the first centuries of Christianity.

Analysis of the figure of the apostle Paul (Saul) in the «Acts of the Apostles» as an interpretation of sacred communication

The New Testament book «Acts of the Apostles» describes in detail the figure of the Apostle Paul (Saul), his story of faith and conversion of pagans to Christianity. His faith and word were so powerful and convincing that they turned the earth upside down and touched the sky. Paul was always surrounded by different people and assistants, leaders who helped him during the sermon and went on missionary journeys with him. Therefore, I propose to analyze the figure of the Apostle Paul through the «Acts of the Apostles» as a transformation of sacred communication from pagans to Christians (Acts of Apostles).

And they brought him out of the city, and began to stone him. And the witnesses laid their cloaks at the feet of the young man named Saul. And they stoned Stephen, praying and saying: «Lord Jesus, receive my spirit!». And falling on his knees, he cried out in a loud voice: «Do not count this sin against them, Lord!». And when he had said this, he fell asleep... (Acts 7:58-60).

Now Saul praised his murder. And a great oppression arose that day against the church which was at Jerusalem, and all were scattered abroad into the regions of Judea and Samaria, except the apostles. And the devout men buried Stephen, and wept zealously for him. But Saul was destroying the church, breaking into houses, dragging out men and women, and throwing them into prison.

Now Saul, breathing out threats and murder against the disciples of the Lord, came to the high priest, and asked him for letters from him to the synagogues at Damascus, that if he should find any men or women confessing this doctrine, they might bind them and bring them to Jerusalem. And as he journeyed and drew nigh to Damascus, behold, a light shone boldly around him from heaven, and he fell to the ground, and he heard a voice saying, Saul, Saul, why persecutest thou me? And he asked, «Who art thou, Lord?» The same: «I am Jesus, whom you are persecuting. It is hard for you to kick a thorn!» But he, shaking and afraid, said: «What do you want me to do, Lord?» And the Lord said to him: «Get up and go into the city, and there they will tell you what to do!» The people who were going with him stood speechless, because they heard a voice, but saw no one. 8 Then Saul got up from the ground, and although his eyes were open, he saw no one. And they led him by the hand and brought him to Damascus. And for three days he was blind, and neither ate nor drank (Acts 9:1-9).

Now there was a disciple in Damascus named Ananias. And the Lord said to him in a vision, «Ananias!» And he said, «Here I am, Lord!» And the Lord said to him, «Arise and go to the street which is called Simple, and look in the house of Judas for Saul named Tarsus. Behold, he is praying, and he saw a man in a vision named Ananias, who came to him and laid his hand on him, that he might see...» And Ananias answered, «I have heard, Lord, from many about this man, how much evil he has done in Jerusalem to your saints! And here he has authority from the chief priests to bind all who call on your name.» And the Lord said to him, «Go your way, for he is a chosen vessel for me to bear my name before the Gentiles and kings and the children of Israel. For I will show him how much he must endure for my name's sake.» And Ananias went and entered the house, and laid his hands on him, and said, «Saul, brother, the Lord Jesus, who appeared to you on the way as you came, has sent me, behold, that you may become able to see and be filled with the Holy Spirit.» And at that moment it seemed as if scales fell from his eyes, and immediately he became able to see... And he arose and was baptized, and having taken food, he became strong.

And he immediately began to proclaim in the synagogues about Jesus, that He was the Son of God, and at the miracle all who heard were amazed, and said, «Is not this he who persecuted the confessors of this name in Jerusalem, and has he not come here for this purpose, to bind them and bring them to the chief priests?»

Saul became even more strong and disturbed the Jews who lived in Damascus, convincing them that He was the Christ. And when enough time had passed, the Jews conspired to kill him, but Saul became aware of their plot. But they kept watch at the gate day and night to kill him. So, the disciples took him by night and let him down from the wall in a basket. And when he came to Jerusalem, he tried to join the disciples, and they were all afraid of him, not believing that he was a disciple (Acts 9:10-26).

After this, Barnabas went to Tarsus to look for Saul. And when he had found him, he brought him to Antioch. And they gathered together in the church for a whole year, and taught many people. And in Antioch the disciples were first called Christians. In those days the prophets came from Jerusalem to Antioch. And one of them, named Agabus, stood up and spoke by the Spirit that a great famine would come upon the whole world, as there had been in the time of Claudius. Then the disciples, each according to his ability, decided to send help to the brethren who lived in Judea. And they did this by the hand of Barnabas and Saul, sending to the elders (Acts 11:25-30).

Barnabas and Saul, having fulfilled the service, returned from Jerusalem, taking with them John, who was called Mark (Acts 12:25). Now in Antioch, in the church there, were these prophets and teachers: Barnabas and Semen, who was called Niger, and Lucius the Cyrenean, and Manaen, who had grown up with Herod the tetrarch, and also Saul. While they were ministering to the Lord and fasting, the Holy Spirit spoke: «Separate Barnabas and Saul for Me for the work to which I have called them».

Then, having fasted and prayed, they laid their hands on them and sent them away. And they, sent by the Holy Spirit, came to Seleucia, and from thence sailed to Cyprus. And when they were at Salamis, they proclaimed the word of God in the synagogues of the Jews; and they had also John at their service. And when they had crossed over to Paphos, they found a certain fortune-teller, a false prophet of Judea, whose name was Barisus. He was with the proconsul Sergius Paulus, a wise man. He called Barnabas and Saul and sought to hear the Word of God. But Elymas the fortuneteller, for that is how his name is translated, opposed them and tried to turn the proconsul away from the faith. But Saul, like Paul, was filled with the Holy Spirit and looked at him and said: «O son of devils, full of all manner of malice and all manner of evil, you enemy of all righteousness! Will you not cease to confound the plain ways of the Lord? And now, behold, the hand of the Lord is upon you; you will be blind, and will not see the sun for a time!» And immediately he embraced the gloom and darkness, and began to grope and seek a leader… (Acts 13:1-11).

And I fell to the ground, and heard a voice saying to me, «Saul, Saul, why are you persecuting me?» And I said, «Who are you, Lord?» And he said to me, «I am Jesus of Nazareth, that you persecute him.» And those who were with me, indeed, saw the light, but they did not hear the voice that spoke to me. And I said, «What shall I do, Lord?» And the Lord said to me, «Arise and go to Damascus, and there they will tell you all that you must do.» But because of the brightness of that light, I became blind… And those who were with me led me by the hand, and I arrived in Damascus. And a certain man, Ananias, devout in the law, for all the Jews in Damascus give a good report about him, came to me and stood and said to me, «Saul, brother, become able to see!» And I saw its waves... And he said to me: The God of our fathers has chosen you, that you may understand His will, and that you may see the righteous, and hear the voice from His mouth. For you will be His witness before all people of what you have seen and heard! (Acts 22: 7-15).

Agrippa said to Paul, «We permit you to speak for yourself.»

Then Paul stretched out his hand and said in his defense, «O King Agrippa! I consider myself fortunate that I have to defend myself before you today against all the accusations of the Jews, espe-

cially since you know all the Jewish customs and controversies. Therefore, I beg you to listen to me patiently. Now my life from childhood, which was spent in Jerusalem among my own people, is known to all the Jews who have known me for a long time, if only they would be willing to testify that I lived as a Pharisee according to the most detailed sect of our faith. And now I stand here judged for the hope of the promise that God made to our fathers, and the fulfilment of which our twelve tribes are waiting to see, serving God continually day and night. For this hope, O king, the Jews will accuse me! Why do you think it incredible that God raises the dead? And when we had all fallen to the ground, I heard a voice speaking to me in Hebrew: «Saul, Saul, why are you persecuting me? It is hard for you to kick a thorn.» And I said, «Who are you, Lord?» And he said, «I am Jesus, that you persecute Him. But arise, and stand on your feet. For I have appeared to you to make you a servant and a witness of what you have seen and what I will reveal to you. I am delivering you from your own people and from the Gentiles to whom I am sending you, to open their eyes, that they may turn from darkness to light, and from the power of Satan to God, that they may receive the forgiveness of sins and a destiny among those who are sanctified through faith in Me» (Acts 26:1-18).

Sentences of the Apostle Paul as sacred communication in the context of Christianization

On the grace of God and spiritual gifts:

For as many as are led by the Spirit of God are sons of God. For you did not receive the spirit of bondage again to fear, but you received the Spirit of adoption by whom we cry out, «Abba, Father.» The same Spirit bears witness with our spirit that we are children of God (Rom. 8:14-16);

There are diversities of gifts, but the same Spirit; there are diversities of ministries, but the same Lord; there are diversities of works, but it is the same God who does all in all. But to each is given the revelation of the Spirit to profit. To one is given through the Spirit the word of wisdom, to another the word of knowledge by the same Spirit; to another faith by the same Spirit; to another the gifts of healing by the same Spirit; to another the working of miracles, to another prophecy, to another the discernment of spirits, to another diversities of tongues, to another the interpretation of tongues. All these things are done by one and the same Spirit, who gives to each his own just as he wills (1 Cor. 12:4-11);

For the grace of God has appeared that brings salvation to all men, teaching us that, denying ungodliness and worldly lusts, we should live soberly, righteously, and godly in the present age, looking for the blessed hope and the appearing of the glory of our great God and Savior Jesus Christ (Titus 2:11-13).

On life as a spiritual struggle:

Put on the full armour of God, that you may be able to stand against the devil's wiles. For our struggle is not against flesh and blood, but against the rulers, against the authorities, against the world rulers of the darkness of this age, against spiritual wickedness in the heavenly places. Therefore, take up the full armour of God, that you may be able to withstand in the evil day, and having done all, to stand. Stand therefore, having your loins girt about with truth, and having on the breastplate of righteousness, and having your feet fitted with the preparation of the gospel of peace; and above all, taking the shield of faith, with which you will be able to quench all the fiery darts of the wicked; and taking the helmet of salvation, and the sword of the Spirit, which is the word of God (Eph. 6:11-17).

On the importance of faith:

Through whom [i.e. Christ] we have access by faith into this grace in which we stand, and rejoice in hope of the glory of God (Rom. 5:2);

For with the heart man believeth unto righteousness, and with the mouth confession is made unto salvation (Rom. 10:10);

For in Christ Jesus there is no power in circumcision or uncircumcision, but faith working through love (Gal. 5:6);

For by grace ye have been saved through faith, and that not of yourselves, it is the gift of God (Eph. 2:8);

Now without faith it is impossible to please God, for he that cometh to God must believe that he is, and giveth a reward to them that diligently seek him (Heb. 11:6).

On the second coming of Christ:

Concerning the times and the seasons, brethren, ye have no need that I write unto you: for ye yourselves know perfectly that the day of the Lord so cometh as a thief in the night. For while they shall say, Peace and safety; then destruction cometh upon them suddenly, like pain in the belly; and they shall not escape (1 Thessalonians 5:1-3).

On the importance of good works:

Let us not be weary in doing good, for at one time we shall reap a harvest unless we grow weary. Therefore, as we have opportunity, let us do good to all men, and especially by faith (Gal. 6:9,10);

So whether you eat or drink, or whatever you do, do all to the glory of God (1 Cor. 10:31);

For we are His workmanship, created in Christ Jesus for good works, which God prepared beforehand for us to walk in (Eph. 2:10);

And do not neglect charity and fellowship, for with such sacrifices God is well pleased (Heb. 13:16);

Let each of you not worry about his own interests, but also about the interests of others (Phil. 2:4);

And whatever you do, do it heartily, as to the Lord and not to men, knowing that from the Lord you will receive an inheritance as a reward, because you serve the Lord Christ. But whoever does wrong will receive wrong, without respect to man (Colossians 3:23-25).

On gratitude to the Lord:

It is a great possession to be religious with contentment. For we brought nothing into the world, and it is clear that we can carry nothing out of it. Having food and clothing, let us be content with therewith. But he who desires to be rich falls into temptation and a snare and into many foolish and hurtful lusts, which lead men into ruin and destruction. For the love of money is a root of all sorts of evil. While some coveted after it, they have wandered from the faith and abandoned themselves to many sorrows (1 Timothy 6:6-10).

On spiritual renewal and Christian life:

Teach those who are rich at this age to have a low opinion of themselves, and not to trust in uncertain riches, but in the living God, who gives us all things generously for our enjoyment; that they may do good, be rich in good works, be generous and cheerful in sharing, laying up for themselves treasure, a good foundation for the future, that they may lay hold on eternal life (1 Tim. 6:17-19);

As many of you as were baptized into Christ have clothed yourself with Christ. There is neither Jew nor Greek, there is neither bond nor free, there is neither male nor female; for you are all in Christ Jesus. And if you belong to Christ, then are you Abraham's seed, and heirs according to the promise (Gal. 3:27-29);

Rejoice in the Lord always; and again, I say, Rejoice. Let your meekness be known to all men. The Lord is at hand. Do not be anxious about anything, but in everything by prayer and petition with thanksgiving let your requests be made known to God. And the peace of God, which surpasses all understanding, will guard your hearts and minds in Christ Jesus. Finally, my brethren, whatever is true, whatever is honourable, whatever is just, whatever is pure, whatever is lovely, whatever is of glory, if there is any excellence, and if there is any praiseworthy thing, think about these things. What you have learned and received and heard and seen in me, do, and the God of peace will be with you (Phil. 4:4-9).

Now we beseech you, brethren, admonish the unruly, comfort the fainthearted, support the weak, be patient with all. See that no one repays anyone evil for evil, but always provide for the good of one another and of everyone. Rejoice always. Pray without ceasing. In everything give thanks: for this is the will of God in Christ Jesus. Do not quench the Spirit. Do not despise prophecies. Examine everything, hold fast to what is good. Abstain from all evil (1 Thess. 5:14-22).

On love for the Lord:

Who shall separate us from the love of Christ? Shall tribulation, distress, persecution, famine, nakedness, danger, or sword? As it is written: «For thy sake we are killed all the day long; we are counted as sheep destined for the slaughter.» But in all these things we overcome through the power of him who loved us. For I am persuaded that neither death nor life, nor angels nor principalities nor powers, nor things present nor things to come, nor height nor depth, nor anything else in all creation, will be able to separate us from the love of God that is in Christ Jesus our Lord (Rom. 8:35-39).

On love for neighbors:

Though I speak in the tongues of men and of angels, but have not love, I am become sounding brass or a clanging cymbal. And though I have the gift of prophecy, and understand all mysteries and all knowledge, and though I have all faith, so as to remove mountains, but have not love, I am nothing. And though I bestow all my goods upon the poor, and give my body to be burned, but have not love, it profits me nothing. Love suffers long, is kind. Love does not envy. Love does not boast. It is not puffed up. It does not behave rudely, It does not seek its own, It is not angry, It does not devise evil. It does not rejoice in iniquity but rejoices in the truth. It bears all things, It believes all things, It hopes all things, It endures all things. Love never fails. Though prophecies will have their end, though tongues will cease, though knowledge will pass away (1 Cor. 13:1-8).

For the whole law is contained in one word: «You shall love your neighbour as yourself» (Gal. 5:14).

On the meaning of joy in life:

For the kingdom of God is not meat and drink, but righteousness and peace and joy in the Holy Spirit (Rom. 14:17);

Now the fruit of the Spirit is love, joy, peace, longsuffering, kindness, goodness, faith (Gal. 5:22);

Rejoice in the Lord always; and again I say, rejoice (Phil. 4:4).

On the meaning of Christian freedom:

Stand firm therefore in the liberty wherewith Christ has made us free, and do not be subjected again to the yoke of bondage (Gal. 5:1);

You were called to liberty, brethren, only that your liberty should not become an opportunity for the flesh to be pleased with, but through love serve one another (Gal. 5:13);

But beware lest this liberty of yours become a stumbling block to the weak. For if anyone sees you sitting at table in the temple, having knowledge, will not his conscience, being weak, turn away and eat food offered to idols? And through your knowledge the weak brother for whom Christ died will perish. Thus, sinning against the brothers and striking their weak conscience, you sin against Christ. Therefore, if food causes my brother to stumble, I will never eat meat, lest I cause my brother to stumble (1 Cor. 8:9-13).

On the holiness to which we must strive:

What is the compatibility of the temple of God with idols? For you are the temple of the Living God, as God said: «I will dwell among them and walk among them, and I will be their God, and they will be My people. holiness in the fear of God» (2 Cor. 6:16; 7:1);

For this is the will of God, your holiness: that ye abstain from adultery: that each of you may possess his own vessel in holiness and honour (1 Thess. 4:3,4).

On the importance of prayer:

Continue continually in prayer, giving heed to it with thanksgiving (Col. 4:2);

Prayers to Saint Apostle Paul in the Context of Sacred Communication

Saint Apostle Paul!

You are the chosen vessel of Christ, You are the preacher of heavenly mysteries, You are the teacher of the nations. You are the glorious evangelist of Christ's sciences, I ask and pray to You: do not turn away from me, a sinner, but have mercy on me.

Saint Apostle Paul! As You shook the foundations of the prison with Your prayer and freed the unfortunate prisoners, so follow us to the Almighty God and beg for me liberation from the shackles of my passions and iniquities.

Saint Apostle Paul! I pray to You, make it so that in Your likeness I consider the world, all the worldly things, to be vanity, and live only with Christ and for Christ. Saint Apostle Paul! Awaken the true apostles for our people. Amen.

The Apostle Paul prayed this way:

«Therefore I also, after I heard of your faith in the Lord Jesus and your love for all the saints, do not cease to give thanks for you and to make mention of you in my prayers, that the God of our Lord Jesus Christ, the Father of glory, may give you the spirit of wisdom and revelation, so that you may know him well; that the eyes of your heart may be enlightened, so that you may understand what hope he calls you to, what are the riches of the glorious inheritance among the saints, and what is the exceeding greatness of his power for us who have believed, because of the work of the mighty power which he wrought in Christ, when he raised him from the dead and seated him at his right hand in heaven, far above every principle and power and might and dominion and every name of what kind, not only in this world but also in that which is to come. And he put all things under his feet and exalted him above all things as chairman of the church, which is the body, the fullness of that which fulfils all things in everyone» (Ephesians 1:15-20).

Because he heard their faith, he prayed that they would see God. Do you pray like this for the believers you love? Paul knew that we need supernatural inner strength to feel the breadth, length, height, and depth of God's love for us in Christ (Eph. 3:15-18) – not only to receive it, but to experience it and grow in the experience. We need fresh grace today to enjoy God anew (7 Prayers of the Apostle Paul for Those We Love. https://dyvensvit.org/top/1022967/).

Discussion

Pilgrimage tour development. «The First Apostolic Journey of St. Paul». In general, the routes are associated with famous historical figures, military campaigns, ancient trade routes or, as in our case, missionary journeys, which have recently become especially popular among tourists. In Turkey, the «Lycian Way» route has become widely known among tourists, allowing you to get acquainted with the history of ancient Lycia. The advantages of such routes are associated with the ability to simultaneously combine several types of recreation, get acquainted with historical events at the immediate sites of events and thus get as close to the past as possible (Pohod v Gory, 2022).

The important role that the apostles played in the formation of Christian doctrine and their place at the top of the hierarchy of Christian saints gave special sacred significance to those places that were in one way or another connected with the earthly life of Christ's disciples. Due to this, the use of the route of the apostolic journeys in the field of tourism as certain historical routes makes it possible to combine the possibilities of excursion and pilgrimage tourism. It is also worth noting that today the possibilities of the route are partially implemented in a pedestrian tourist route (Clow K., Richardson T. 2004), however, in our opinion, the proposed option does not exhaust all the possibilities of this route. Let's try to follow the path of the apostles and consider the sights of the ancient and early Byzantine period in Pamphylia and Pisidia, which to one degree or another could be associated with the first apostolic journey of Saints Paul and Barnabas and their possible use in the tourism industry. Here it should be especially noted that the historical Pamphylian and partially Pisidian cities are located on the territory of the Antalya resort region of modern Turkey, popular among domestic tourists, which in turn significantly expands the possibilities of using these sights in the tourism industry (https://www.bethanyipcmm.org/wp-content/uploads/2020/10/Living-Word-Paul-The-Life-and-Work-of-St.-Paul.pdf).

The route of the first apostolic journey itself is quite long and complicated. It begins in Antioch-on-Orontes, then passes through Cyprus, then through the historical region of Pamphylia and further through the Taurus Mountains into the interior of Asia Minor. The last point of the route was the city of Derbe, the ruins of which are located near the modern Turkish city of Karaman (Ramsay W.M. 1896, pp. 52, 204). From the point of view of use in tourism, taking into account the features of the landscape, the nature of historical and natural monuments and their richness, the presence of tourist infrastructure, etc., the route can be divided into three main parts: Cyprus, Pamphylia-Pisidia (from Perga to Antioch of Pisidia) and Lycaonia (from Antioch of Pisidia to Derbe). In the context of using the route as a tourist and recreational resource, in our opinion, the second part is the most promising. Its advantages include a fairly large number of historical and archaeological monuments, a relatively short distance between the extreme points of the route, which can be covered within a two-day tour, and the presence of a developed tourist infrastructure (https://fbcclassroom.com/wp-content/uploads/2021/11/The-Theology-of-Paul-the-Apostl-James-D.-G.-Dunn.pdf).

Apostles Paul and Barnabas arrived in Asia Minor in July 47 from Cyprus (Ramsay W.M. 1896, p. 97). As already noted, the main destination of their journey was the city of Pisidian Antioch, interest in which was probably due to the presence of a significant Jewish community there. The apostles' route to Antioch ran through the Pamphylian cities (Perga is mentioned in the Acts of the Apostles) and then through the Taurus Mountains to Pisidian Antioch. Due to a not entirely friendly visit to Antioch, the apostles were forced to leave for Lycaonia and visited such cities as Iconium, Lystra and Derbe. The return route of the apostles looked similar: Derbe-Lystra-Iconium-Antioch-Perge. The only difference between these routes is that the apostles arrived at the port of Perga and left Pamphylia through the port of Attaleia (Diyannya Svyatykh Apostoliv, 14:25). The total duration of the trip lasted about two years, probably in July-August 49 Paul and Barnabas left the port of Attaleia and departed for Antioch-on-Orontes (Ramsay W.M. 1896., pp. 98, 204).

According to the text of the Acts of the Apostles, the place of arrival of Paul and Barnabas in Pamphylia was Perga (Diyannya Svyatykh Apostoliv, 13:13). In general, such a start of the route raises certain questions. The ancient city of Perga, located on a plain approximately 15 kilometers from the coast (the ruins of the ancient city are on the eastern outskirts of modern Antalya near the village of Aksu). In 43, by the will of Emperor Claudius, Perga became the center of administration of the province of Lycia-Pamphylia again (Grainger J. 2009, pp. 155, 188). At that time, it was a significant

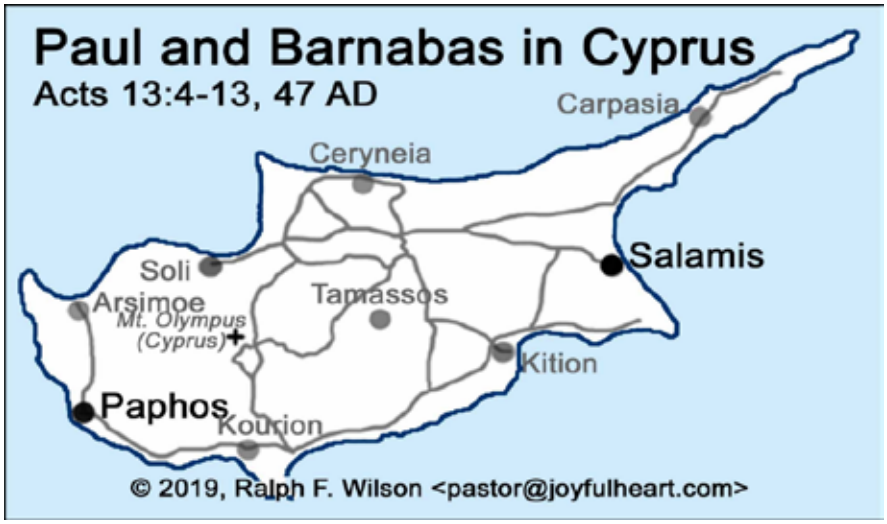

Fig. 6. Map: Paul and Barnabas in Cyprus (Acts 13:4-13, 47 AD). URL: https://www.jesuswalk.com/paul/03_galatia.htm

Fig. 7. Apostle Paul's. First Missionary Journey Map.
URL: https://www.biblestudy.org/maps/pauls-first-journey-map.html

administrative, cultural and religious center (the city was known as one of the important centers of the cult of Artemis) (Grainger J. 2009, 92-94). However, Perga never belonged to the important ports of Pamphylia and the centers of transit trade; this role was played by the neighboring cities of Side and Attaleia. The opinions of researchers about the starting point of the apostles' route in Pamphylia generally differ. Thus, D. French, in particular, believes that the place of arrival and departure of the apostles from Pamphylia was Attaleia (modern Antalya), and not Perga at all (French D. 1994, p. 52). M. Fairchild, on the contrary, considers Perga as one of the important goals of the missionary trip and the city from which the journey began (Fairchild M.R. 2013, p. 43). Although the city itself was located on a plain, thanks to the navigable river Kestor (modern name Aksu) the city was connected to the sea. Moreover, in late Roman documents the harbour of Perga, a small settlement of Emporium, is recorded (Grainger J. 2009, p. 192). It is quite possible that this harbour existed in the 1st century. Considering the fact that Attaleia is mentioned as the port from which the apostles sailed from Pamphylia, but is not mentioned as the port of arrival, it is quite possible to assume that the apostles arrived in Perga, and not in any of the large ports of Pamphylia (Diyannya Svyatykh Apostoliv).

Thus, the starting point of the apostles in Pamphylia must have been the small port settlement of Emporium, located at the mouth of the Kestor. The location of Emporium is today identified with a small hill on the left bank of the Aksu River near its mouth in the Gulf of Antalya. Unfortunately, this place has not yet been explored by archaeologists, so we have almost no information about it. Since one of the Roman bridges across the Kestor River, the Via Aquilia road, was overturned, it is likely that large sea vessels could not go up the river, so the apostles had to move to Perga either on a small vessel or walk 15 kilometers.

Perga was the only city in Pamphylia where, according to the text of the Acts, Paul and Barnabas preached among the local population (Diyannya Svyatykh Apostoliv, 13:13, 14:25). According to M. Fairchild, the apostles' visit to Perga was not accidental and was explained by the presence of a

Fig. 8. Perga. General view of the central part of the ancient city. In the foreground is a complex of monumental entrance gates

large Jewish community there (Diyannya Svyatykh Apostoliv 6:44). The fact that the apostles visited the city twice, at the beginning and at the end of their journey, may well indicate that the first Christian community in Asia Minor was founded here. Sources from the 3rd-4th centuries indicate that Perga had the most influential and largest Christian community in Pamphylia, whose members, even before Constantine's legalization of Christianity, allowed themselves to engage in public disputes with local pagans. In addition, Perga was practically the only city in the region that had a significant pantheon of early Christian saints (Diyannya Svyatykh Apostoliv 4:192). All data indicate the presence of a community in Perga that could well trace its history back to apostolic times. Thus, ancient Perga can be an interesting object, including for religious pilgrims.

The ruins of the city are very well preserved, although most of the territory of Perga has not yet been covered by systematic archaeological research. The sights of the city that can attract religious pilgrims can be divided into two groups: ancient structures that Paul and Barnabas could see, and early Christian and Byzantine churches, the remains of which have been preserved in the city. The oldest ancient sight of Perga is a complex of fortifications dating back to the Hellenistic period. The walls were erected in the 3rd century BC. They have been perfectly preserved to this day, and since the 1st century, when the apostles could see them, they have not undergone significant reconstruction (Mansel, A. M. 1975, pp. 60–62).

Thus, walking along the eastern flank of the walls, we can easily imagine the landscape that Paul and Barnabas saw two thousand years ago. Another object on the territory of the city, which the holy apostles should also see, is the monumental entrance gate. Initially, these gates were erected as the main well-fortified entrance to the city. In Roman times, when there was no particular threat from external enemies for the city, these gates were used as a ceremonial entrance, devoid of defensive functions, however, richly decorated with sculptures of gods of emperors and citizens (Lanckoroński K. 1890, pp. 58–61).

Fig. 9. The city gate of Perga, through which the apostles Paul and Barnabas probably entered the city. Current state (Panchenko S., Soboliev V. 2014)

Fig. 10. The city gate of Perga. Reconstruction by Karol Lanckoroński (Lanckoroński K. 1890, p. 61)

From these gates to the foot of the Acropolis hill stretched a large columned street. The street was laid out in the Hellenistic period, although the porticoes decorating the street were built in the Roman period (Grainger J. 2009, pp. 94–96), so it is quite possible that the ancient paving stones that have survived to this day remember the founders of the Christian faith. The other monuments of Prega that have survived to this day belong to later periods and probably did not exist in their current form in the middle of the 1st century.

After staying in Perga for some time, the apostles left the city and headed for Pisidian Antioch. Thus, the next group of monuments will be associated with the route that the apostles had to travel from Perga to Antioch. The route of their movement itself is a rather controversial issue. Today, there are two views among experts on the apostolic route from Perga to Antioch. One of the first researchers of the historical geography of Asia Minor, W. Ramsay, based on the absence of any mention of cities between Perga and Antioch in the Acts, believed that the apostles moved directly along small mountain roads (Ramsay W.M. 1896, pp. 52–53). This opinion is actually supported by K. Clow (Clow K., Richardson T. 2004, p. 32) and M. Fairchild (Fairchild M.R. 2013, p. 44). According to D. French and W. Hansen, Paul and Barnabas should have used not mountain paths, but Roman roads that had already been laid by that time (French D. 1994, p. 52). The absence of any information about this section of the route in the text of the Acts, on the one hand, and archaeological evidence that could reliably confirm or refute one or another hypothesis, do not allow us to assert anything for sure, so we will try to consider all the hypothetical routes of the apostles. and related monuments. Today, the system of ancient communication routes of Asia Minor has been studied quite well, but, of course, we do not know everything about these routes (French D.H. 1988; French, D.H. 2012).

Fig. 11. Map. Paul and Barnabas would have sailed from Cyprus to one of these ports on the Turkish coast before traveling to Perga.
URL: https://www.biblicalarchaeology.org/daily/biblical-topics/new-testament/pauls-first-missionary-journey-through-perga-and-pisidian-antioch/

It was possible to get from Pamphylia to the inner regions of Asia Minor by three main roads. The first is the shortest and easiest: along the road from Side through Etena, along the southern shore of Lake Beysehir, then to Melitea and Neapolis to Antioch. However, using this route is extremely unlikely, since the apostles arrived in Perga, and not in Side. Traveling through Pamphylia would create an additional route that would call into question all the advantages of the indicated route. The second route, which passed through the Roman roads Via Aquilia (from Perga to Kamama) and Via Sebaste (from Kamama through Appamea, Apollonia, the northern shore of Lake Erdigir to Antioch). It was this route that D. French and Hansen insisted on (French D. 1994, p. 52). Thus, the first two routes bypassed the mountainous regions of Pisidia and made it possible to move along relatively flat terrain. The third route option lay through the mountainous policies of Pisidia. M. Fairchild believed that Paul and Barnabas moved through Sagalassos to the southern shore of Lake Erdigir, preaching in the Pisidian cities at the same time. K. Clow and T. Richardson believed that the path of the apostles lay somewhat to the east through Adada and further along the Eurymedon valley (the modern name of the river is Kepryuchay) to the eastern shore of Lake Erdigir, and from there to Antioch. As already noted, from the point of view of historical authenticity, the second and third route options are essentially equivalent; the apostles could have used either of them. However, the route proposed by Fairchild had the significant advantage that almost all the cities through which the apostles' path ran lay within a day's walk of each other, which significantly simplified movement along the indicated route and made it safer for travelers.

From the point of view of tourist attractiveness, the second route is also extremely unsuccessful. There are practically no Roman roads left on it, the city of Comama has not even been accurately identified (Mitchell S. 1994, pp. 132–135), Appamea and Apollonia have not been explored and today are practically empty hills (in Apollonia, however, the remains of an aqueduct and late walls from the Seljuk periods have been preserved) (Cohen G.M., 1995, pp. 285–290). In addition, the area along which the route passes has virtually no tourist infrastructure, which also complicates its use. The route option through the Taurus Mountains, in our opinion, is the most successful, both from the point of view of historical authenticity and in the context of use in the tourism industry, since it combines the picturesque terrain of mountainous Pisidia with a fairly significant number of historical monuments that can be viewed. Moreover, if choosing between the routes proposed by M. Fairchild and K. Clow, in our opinion, the route through Sagalassos may be more interesting for tourists. We know very little about the settlements and other sites of the ancient period between Perga and Sagalassos. Most of them remain unexplored or poorly explored by archaeologists.

Approximately 40 kilometers north of Perga is the first ancient settlement where, according to Fairchild, the apostles stayed. This is the small Pisidian town of Siya. The ruins of the city are located one kilometer to the east of the modern Turkish village of Karaot. The ruins of the city are located on a picturesque hill among a pine forest. The ruins of numerous mausoleums and sarcophagi of the city necropolis are quite well preserved (The Year's Work. Anatolian Studies. 1986, p. 8).

The next city on the route of the apostles was Milios. The remains of city buildings are located approximately 20 kilometers to the east of Siya between the modern villages of Kokoaliler, Hekalan

Fig. 12. Southern gate of Kremna of the late Hellenistic or early Roman period (Panchenko S., Soboliev V. 2014)

and Kavachik. The city was located on a high rocky hill that dominates the valley of the Aksu River (ancient Kestor). The city also has visible remains of public and economic buildings, although its territory remains unexplored (The Year's Work. Anatolian Studies, 1986, pp. 8–10; Mitchell, S., Waelkens, M. Sagalassus and Cremna, 1987, pp. 37–47).

The ruins of Kremna are located on a rose mound near the modern Turkish village of Chamlik. All city monuments are in a very damaged state, although they are relatively poorly localized. Among the monuments of Kremna, which hypothetically the apostles could have seen first, are the city's tombs and gates. The fortifications of the city lasted until the time of Augustus, who at the time of the hypothetical visit of the apostles to the Kremlin had already been established. Among the entire fortification system of the city, the best preserved is the so-called Seven Gate, which tourists can see today. Among the two most interesting monuments of Kremna are the Longus Forum with its basilica and the so-called «Doric agora». Although the dating of both memorials is debatable, their relevance to the achievements of Augustus is entirely certain (Mitchell S., Waelkens, M., 1988, pp. 55–57).

In addition to the mentioned monuments of the 1st century, the ruins of 7 early Christian basilicas, approximately from the 5th–6th centuries, have been preserved in the city, which in turn points to Kremna as an important center. From Milios the path of the apostles could lie in Sagalassos, the largest and richest city of the mountainous Psis. It is true that between Milios and Sagalassos there is another interesting object that the holy apostles could see in its entirety. This is the Roman colony of Kremna. In contrast to the large number of Pisidian cities, the history of Kremna has been studied to be quite good, although most of the city's monuments remain little-known. At the end of the 19th century, the ruins of the city were discovered by the expedition of K. Lanckoronsky (Lanckoroński K. 1890, pp. 161–172), at the beginning of the 1970s, a Turkish expedition to the Caucasus with Yele Inan (The Year's Work. Anatolian Studies. 1986, p. 8) worked here, and in 1985–1987 a group of researchers from the British Archaeological Institute in Ankara (Mitchell, S., Waelkens, M. 1987, pp. 37–47).

Fig. 13. General view of the upper agora of Sagalassos. Current state (Panchenko S., Soboliev V. 2014)

The last point of mountainous Pisidia visited by the apostles must have been Sagalassos, the largest and richest city of mountainous Pisidia. Sagalassos is an extremely interesting object for both educational and pilgrimage tourism, since it has preserved a number of ancient and early Christian monuments, and, unlike neighbouring cities of Pisidia, thanks to an extensive research and restoration project launched by the British Archaeological Institute in Ankara. The city's excavations and partial restoration allow us to imagine Sagalassos of the apostolic times quite well. The city is located on a hillside and therefore has a complex terraced layout similar to the layout of Pergamon. The central architectural complexes of the city were two agoras (Greek – ἀγορά, market place), the upper and lower. Both of them, as well as the system of connected streets, belong to the late Hellenistic period, and therefore at the time of the hypothetical visit to the city of Paul and Barnabas they existed, although the ensembles of these agoras were finally formed during the imperial period (Mitchell S., Waelkens, M. 1988, pp. 60–64). Of greatest interest to tourists should be the complex of the Temple of Apollo, adjacent to the lower agora from the west. The large temple of the Ionic order belongs to the late Hellenistic period (Waelkens, M., Mitchell, S., Owens, E. 1989, pp. 185–188). Probably, somewhere in the 5th century, a large basilica was erected on the city of the temple, which, based on its size and location, could have played the role of the Sagalassos Cathedral (Waelkens, M., Mitchell, S., Owens, E. 1989, pp. 187–188).

The Upper Agora is a vast area of almost 3,000 square meters. It was planned back in the Hellenistic period, so a number of buildings have been preserved here, which the holy apostles could well have seen in the middle of the 1st century. Today, most of the agora has been excavated and partially restored (Waelkens, M., Owens, E. 1993, pp. 177–180). Among the Hellenistic and early Roman monuments of the Upper Agora, it is worth noting the building of the so-called Heroon, decorated with an exquisite frieze depicting dancing girls and a bouleuterion. Both buildings date back to the 2nd–1st centuries BC. One cannot help but notice the large nymphaeum, which occupies the northern side of the square. The structure dates back to the 2nd century and did not yet exist at the time of the apostles' visit, but today the nymphaeum has been fully restored and is of great interest to tourists. Of interest to pilgrims may also be the monuments dedicated to the first Christian emperors (including Constantine the Great), located along the perimeter of the square (Waelkens, M., Owens, E. 1993, p. 181).

Between the upper agora and the theatre of Sagalassos there are two more interesting sights. These are the library of Neon, although probably built in the 2nd century, and the fountain of the Hellenistic period. The fountain was presumably built in the 1st century BC. It has the form of a U-shaped courtyard with Doric porticoes located along the perimeter. The structure has been perfectly preserved to this day and has been fully explored and restored to date (Waelkens, M., Owens, E. 1993, pp. 170–171).

Among the Christian monuments of Sagalassos, two large basilicas should be noted. One of them is located on the city of the Temple of Apollo (we mentioned it above) and another one on the western outskirts of the city, unfortunately little explored to date (Waelkens, M., Mitchell, S., Owens, E. 1989., p. 186). During archaeological excavations, a small chapel from the 5th century was also found in the Upper Agora (Waelkens, M., Owens, E. 1993, p. 178).

From Sagalassos, probably through the southern shore of Lake Ergidir, the apostles moved to their main goal – Antioch of Pisidia. Antioch of Pisidia in the first century was an important economic and military-strategic centre in the Roman province of Galatia. During the reign of Octavian Augustus, the city was significantly rebuilt, populated by legionaries and turned into a Roman colony (Mitchell S., Waelkens M. 1998, pp. 5–14). At the same time, there probably remained a large Jewish community in the city, and preaching among its representatives was the main goal of the first apostolic journey of the apostle Paul.

The ruins of Antioch lie on a high plateau near the modern city of Yavlach. The city has been explored by archaeologists since the beginning of the 20th century. Thus, in 1911–1913 an expedition

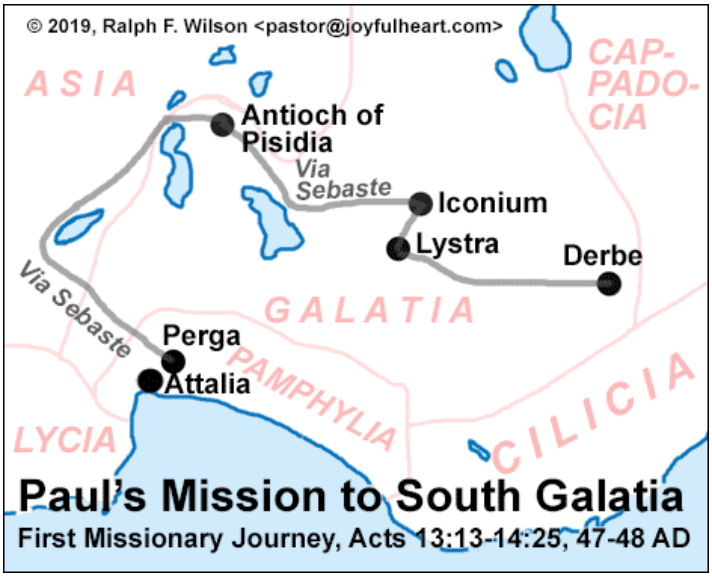

Fig. 14. Map: Paul's Mission to South Galatia, First Missionary Journey, Acts 13:13-14-25, 47-48 AD. URL: https://www.jesuswalk.com/paul/03_galatia.htm

headed by V. Ramsay worked here (Ossi A. 2006, p. 6), in 1923–1923 an expedition of the University of Michigan headed by Robinson (Robinson D.M. 1924, pp. 345–444), in 1982 an expedition of the British Archaeological Institute in Ankara (The Year's Work: Anatolian Studies. 1983, pp. 7–9; The Year's Work: Anatolian Studies. 1984, pp. 8–10). Separate non-systematic work was carried out in the city in the 1920s by Ramsay (separately from Robinson's expedition) and in the 1970s by M. Bellans (The Year's Work: Anatolian Studies. 1983, p. 7).

In 1998, British Archaeological Institute employees in Ankara S. Mitchell and M. Wilkins published a summary work devoted to the history and sights of the city (Mitchell S., Waelkens M. 1998). Extensive work on the study of the ancient city is also carried out by employees of the Yavlach Museum with the support of the city mayor's office.

During the time of Octavian Augustus, a number of ceremonial complexes of Antioch were built, which were obviously seen by the apostles. These buildings include the theater, two ceremonial avenues: cardo maximus and decumanus maximus, Tiberius Plateia and the Temple of Divus Augustus. Most of them were excavated during the great expedition of 1923–1925 (Ossi A., 2006, pp. 6–7). Unfortunately, all of these buildings are heavily damaged, but we can get an idea of what these complexes looked like in apostolic times with the help of the excellent reconstructions of F.G. Woodbridge (Ossi A., 2006, pp. 8–10). Although, in general, even the remains of the city create a unique atmosphere of familiarity with the biblical legend. Among the Christian buildings known on the territory

Fig. 15. Antioch of Pisidia. City plan (Ossi A. 2006, p. 5)

Fig. 16. Temple of the Divine Augustus. Current state (Panchenko S., Soboliev V. 2014)

Fig. 17. Temple of the Divine Augustus. Reconstruction by F. Woodbridge (Ossi A., 2006)

of the city, two basilicas should be mentioned, which, according to the artifacts found, are attributed to the temples of St. Paul and St. Bacchus (Fant C., Reddish M. 2003, p. 158). The Basilica of St. Paul was the largest church in the city. The studied part of the monument allows us to reconstruct it as a large three-nave basilica with one apse, without pastophoria. The atrium, exonarthex, and narthex were located in the western part of the building. A large courtyard with a small centric structure, probably a baptistery, adjoined the basilica on the northern side. Well-preserved mosaic floors have been partially studied in the basilica.

Fig. 18. Decumanus Maximus in Antioch. First-century paving stones that Saints Paul and Barnabas could have walked on. URL: https://www.ceeol.com/search/article-detail?id=816195

Fig. 19. Basilica of St. Paul in Antioch. General view of the ruins of the complex URL: https://www.ceeol.com/search/article-detail?id=816195

According to the inscription on one of them, which mentions Bishop Optimus, the basilica is dated to the end of the 4th century. During the 5th or 6th centuries, the temple was rebuilt, and during the rebuilding, the level of the original floor was significantly raised. A stone with the inscription «Αγίου Παύλου» was found in the city of Yavlach, which, based on the peculiarities of the font, dates back to the 6th century, quite likely indicates the dedication of the ham to the Holy Apostle (Fant C., Reddish M. 2003, pp. 159–160). At the crossroads of two avenues of the city there is another basilica, probably from the early Byzantine period, which, according to the mention on the plate of saints found by Ramsay during the excavations of 1926–1927, is attributed to the basilica of St. Bacchus.

During the excavations of the basilica, another building with an apse was found below the floor level, which V. Ramsay attributed to the remains of a synagogue in which St. Paul preached. However, today this opinion of V. Ramsay is quite controversial and is not supported by a significant number of researchers (Fant C., Reddish M. 2003, p. 158).

After their stay in Antioch, Paul and Barnabas went further east to Iconium. For the above reasons, we will not consider the eastern part of their route here. The apostles probably returned to Antioch on the Orontes along the same route. The last point of their stay in Asia Minor was the city of Attaleia (modern Antalya), from the port of which the apostles sailed back to Syria.

In Antalya, there are practically no monuments dating back to the apostolic times. Famous ancient landmarks in the city, such as Hadrian's Gate or the Hidirlik Tower, date back to the 2nd century AD. True, two monuments in the city may be of interest to pilgrims: the old harbor of Attalea, from which St. Paul supposedly set sail, and the Church of the Virgin Mary.

The Church of the Virgin Mary is the only surviving early Christian landmark in the city. It is a fairly large structure, originally built in the 6th century. The temple has a cross-domed plan with a wooden dome, which is quite unusual for that period. Somewhat later, the church was rebuilt into a vaulted basilica and several more rooms were added. After it was probably converted into a mosque in the 16th century, a minaret was also added to the building (Balance M. H. 1955, pp. 99–101, 112–114; Krautheimeir R. 1986, p. 296). After a fire in the mid-19th century, which severely damaged the building, it is no longer used for religious purposes (Balance M. H. 1955, p. 99). Today, the landmark is in a dilapidated state and, unfortunately, is closed to tourists, so it can only be viewed from the outside. The main route of the Apostolic Way passed through two Turkish regions, Antalya and

Fig. 20. Kesik Minaret Cami, former Church of the Virgin Mary in Antalya (Panchenko S., Soboliev V. 2014)

Isparta. Both are known as important centres of the tourism industry: Antalya as a seaside resort, and Isparta thanks to the large Erdosir Lake and skiing. Thus, all the necessary infrastructure for tourists (accommodation, recreation and food) is well developed.

Fig. 21. The harbor of Attaleia, from which the apostles sailed to Antioch-on-Orontes (Panchenko S., Soboliev V. 2014)

There are also high-quality communication routes. In particular, most of the ancient cities that we assume were visited by the apostles are located along the Antalya-Isparta highway. The situation is somewhat more complicated with the section of the route between Isparta and Yavlach. However, in this case, the quality of the roads is quite sufficient for the safe movement of tourists (Bakhov, I., Panchenko, S., 2022).

Thus, in our opinion, we can offer the following bus or car route for tourists.

As a starting point, it is advisable to begin with the harbour of Antalya, from which the apostles departed for Syrian Antioch and through which, according to some researchers, they arrived in Pamphylia. After inspecting the harbour, the Church of the Virgin Mary and the old city of Antalya, tourists can leave for Perga. After inspecting the ancient monuments of Perga, move north along the Antalya-Isparta highway to Melios. With this route structure, the city of Siya will remain on the sidelines and will be ignored by tourists. However, given the small number of attractions in the city and the overall saturation of the route, this gap should not affect the historical authenticity of the route. The first day of the tourist route ends with a review of Melios and Kremna. It is advisable to start the second day with a tour of the ruins of Sagalassos. After which begin the long journey to Pisidian Antioch. After visiting the ruins of the city and the Yavlach Archaeological Museum, tourists can head back to Antalya. Thus, historical sites associated with the route of the first apostolic journey of St. Paul and Barnabas can be used as a powerful multi-component resource to attract tourists, including pilgrims, to the region. Three main components can be distinguished in this resource: the great sacred significance of the route itself, along which the apostles once passed; well-preserved and partially explored cultural heritage sites (archaeological sites), natural recreational resources of the Taurus Mountains.

In combination with the presence of a developed tourist infrastructure and a large number of tourists from traditionally Christian countries in the Antalya region, in our opinion, the use of objects associated with the said historical route has great prospects in the process of organizing tourism activities.

Conclusions. In the article, the author attempted to carry out a retrospective of the pilgrimage route of the Apostle Paul with the help of sacred communications, through the analysis of the «Acts of the Holy Apostles», the analysis of Christian cinema and the reproduction of the direct path itself. The Apostle Paul is a multifaceted and versatile personality who preached the Word of God, made three missionary journeys, wrote 14 epistles in the Gospel and had such a power of speech that converted millions of tongues to Christianity. According to the author, this article has a deep social communication analysis, considering the figure of the Apostle Paul from different sides and in different spheres: through culture, religion, tourism, communication, art. An interesting route for

Fig. 22. Suggested tourist route. URL: https://www.ceeol.com/search/article-detail?id=816195

tourists in Turkey is called the Lycian Way, which allows you to get acquainted with the history of ancient Lycia. The Lycian Way (translated into Turkish – Likya Yolu) is a tourist route almost 540 km long, connecting the cities of Antalya and Fethiye. The advantages of such routes are associated with the ability to simultaneously combine several types of recreation, get acquainted with historical events at the immediate sites of events and thus get as close to the past as possible. This is considered the path along which the Apostle Paul walked (Bakhov et al. 2022, p. 551). Perhaps most ravelers or tourists have already heard of the Lycian Way, which is the longest trekking route in Turkey, but not many people know about another long route – The Saint Paul Trail. The figure of the Apostle Paul is full of secrets, ambiguous legends, ambiguous conclusions, which is why it is quite interesting and mysterious for all times, since people always look for subtext, read between the lines and come up with their own versions, this is the mystery of the charismatic Apostle Paul. Therefore, a number of documentaries and feature films have been released in which the main character is the Apostle Paul, giving the author hope for the continuation of scientific exploration in the analysis of films about the Apostle Paul and legends from the New Testament in the context of modern cinema as sacred communication.

In the article, the author examines the figure of St. Paul through the spheres of tourism, culture, art, and sacred communications with the hope of transforming sacred paths and showing that in the modern world, biblical stories have the right to live and actually exist in everyday life and are of scientific interest, as these areas are developing and attracting millions of pilgrims and tourists with different cultural preferences. That is why examples of pilgrimage routes along the paths of the holy Apostle Paul, recitation of prayers during pilgrimages, sacred journeys, watching films about the holy figure of the Apostle Paul, quoting the Acts of the Apostles, and interesting facts from the saint's life are all examples. All of this testifies to the great scientific interest in this saint and gives hope for further research in this area.

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DOI https://doi.org/10.30525/2592-8813-2024-4-18

VISUAL STRATEGIES OF THE SOCIAL POSTER IN UKRAINE

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Abstract. This article explores the visual strategies employed in Ukrainian social posters, with a focus on the use of metaphor and symbolism to convey socio-political messages. Through a detailed analysis, the study identifies three primary categories of metaphors: natural, social-domestic, and cultural-historical. The research methodology involves a visual content analysis of selected posters, examining how these metaphorical and symbolic elements function within the broader context of visual storytelling. The findings indicate that metaphor and symbolism are essential tools in the design of Ukrainian social posters, effectively enhancing the emotional and persuasive impact of the artwork. By integrating historical imagery and culturally significant symbols, the posters construct a shared cultural narrative that fosters unity and strengthens social identity, particularly in times of societal crisis. The study contributes to the understanding of metaphorical language in Ukrainian visual culture, providing insights into its role in shaping public perception and increasing message retention.

Key words: visual metaphor, symbolism, cultural narrative, social posters, national identity, emotional response, visual communication.

Introduction. The use of metaphors and symbolism in social posters has gained significant attention in contemporary research on visual communication and semiotics. The symbolic language of posters serves as a powerful tool to convey complex ideas, emotions, and cultural narratives in a simplified and impactful manner. In particular, the study of metaphor in posters highlights its importance in shaping public perception, influencing political and moral viewpoints, and reflecting historical and cultural contexts. Recent global literature has focused on the evolution of poster art, its role in social activism, and the interplay between traditional and modern visual forms. This article aims to explore the use of metaphor and symbolism in Ukrainian social posters, particularly in the context of socio-political changes and cultural identity formation. The objective of this study is to analyze the types of metaphors used, their impact on visual communication, and their significance in the context of modern Ukrainian society.

The research aims to address the following tasks:

To categorize the types of metaphors used in Ukrainian social posters.

To analyze the role of metaphor and symbolism in shaping the cultural narrative and social identity.

To evaluate the impact of these visual elements on public perception and emotional response.

Materials and Methods. The materials for this study include a collection of Ukrainian social posters created between 2014 and 2024, focusing on works that address key social issues such as domestic violence, environmental concerns, and the impact of the ongoing war. The research employs a semiotic analysis methodology, examining the visual language, metaphorical constructs, and symbolic imagery present in the posters. This approach allows for an in-depth interpretation of the cultural and socio-political messages embedded in the visual content. The well-established methods of visual analysis and semiotics are referenced according to standard academic guidelines.

The research methodology is based on a qualitative analysis of visual materials using semiotic and metaphor analysis frameworks. The study employs Peirce's model of signs and Barthes' theories

of semiotics to deconstruct the visual language of posters (Hatam, 2021). Additionally, the work incorporates a comparative analysis with existing international poster art studies to contextualize the Ukrainian examples. This methodology provides a comprehensive approach to understanding the cultural and symbolic significance of the visual elements used in social posters.

National and Historical Strategies (1990s–2000s). The history of the Ukrainian poster is closely tied to the development of Ukrainian visual art and graphic design as a whole. This relationship has been examined across different periods of Ukrainian art history, but its in-depth conceptualization occurred in the 20th century through a landmark national work, The History of Ukrainian Art in 5 Volumes, where the fifth volume covers 20th-century art (Skripnyk, 2006–2011). Within this framework, the poster emerged as a unique graphic art form, reflecting critical periods of Ukraine's cultural life: from active engagement in propaganda and agitation efforts to an expression of national identity in the 1990s when Ukraine achieved independence.

In the 1990s, the role of the poster transformed, taking on a new mission: it became a medium for expressing national consciousness and reflecting shifts in public sentiment. The poster's significance grew as it helped shape a distinct Ukrainian visual identity amid a period of national revival and the economic challenges of a transitional society. This era, marked by a search for self-awareness and a desire to establish Ukraine's cultural identity on the global stage, was characterized by both the preservation of national symbols and creative experimentation in styles and forms.

Despite these developments, the Ukrainian poster remained somewhat on the periphery of commercial graphic design, which evolved rapidly under the influences of globalization and technological progress. Scholar O. Khramova-Baranova (2014) noted that Ukrainian posters at this time displayed substantial stylistic diversity, reflecting both national and broader European trends. She identified several stages in the evolution of Ukrainian graphic design, each shaped by historical upheavals, such as wars, economic crises, and social transformations.

Within the context of national poster art, this period can also be viewed through the research of O. Lagutenko (2007; 2008), who highlighted that 20th-century Ukrainian poster art synthesized European and national stylistic features, maintaining a clear connection to sociopolitical events. During this time, the poster extended beyond purely graphic art to become an essential vehicle for visual and informational culture, embodying elements of Art Nouveau, modernism, and postmodernism.

Further contextualizing this evolution, O. Hladun's study (Hladun? 2018), Ukrainian Poster: The Development Stages of Visual and Plastic Language, analyzes how the visual and plastic language of Ukrainian posters evolved through these stages, shaped by social, economic, and technological factors. Hladun identifies key milestones in the development of the Ukrainian poster, emphasizing its role in reflecting national consciousness, adapting to global changes, and incorporating traditional symbols through contemporary design techniques.

Thus, the national and historical strategies that influenced the development of the Ukrainian poster in the 1990s and 2000s encapsulate a broad spectrum of themes related to social change, national identity, and adaptation to global challenges. These trends laid the groundwork for the continued evolution of the Ukrainian poster as a form that transcends graphic design, achieving a new level as a visual and informational phenomenon in the 21st century.

Critical Patriotism and Reflection During Wartime. Patriotism, as a unifying foundation for reviving the spiritual values of the Ukrainian people, reveals profound roots during this period of conflict. Through reflection, people gain a psychological and emotional understanding of the active patriotism that defines the Ukrainian people, particularly the youth, whose patriotism has evolved into a form of national-civic pride under martial law. This war, in essence, represents a battle for souls, with spirituality serving as a reminder of our sensitivity to others' pain, loss, and death, and our moral superiority over the aggressor.

The critical importance of reflection is essential in understanding Ukrainian patriotism during war. This reflection involves examining both personal and societal experiences, deepening a sense of belonging and ownership of one's country. Researcher O. Luchaninova (2023) asserts that during the war, Ukrainians have developed a strong internal resolve, learning to navigate challenging circumstances, assess risks, and take full responsibility. Thousands of young people, including students, have learned to independently choose their paths, recognizing their talents and potentials to acquire necessary skills and assume roles suited to their abilities.

Linguist K. Blyzniuk (2019), exploring the semantic field of «patriotism», describes it as encompassing love, devotion, respect, passion, elevation, courage, and the desire to help. Volunteering, as a collective action, has emerged as a vital expression of this desire to assist those suffering or fighting in the war. Patriotism is embodied in symbols of national pride and resistance, like the embroidered shirt, which serves as a means of self-expression and a symbol of defiance. This symbolism extends to murals, which reflect the nation's resilience and solidarity in the face of adversity.

Across the globe, murals dedicated to Ukraine's fight for freedom remind the world that Ukraine is fighting for universal human values. Murals feature powerful images: a dove symbolizing peace in Germany, a child covering toys with a blue-and-yellow flag in the Czech Republic, an eye witnessing explosions in Kyiv in the UK, a woman adorned in blue and yellow in Poland, and a girl in France representing the human toll of war. In Bakhmut, once home to the mural «Community of Happy People», buildings with symbolic murals have collapsed, yet new murals continue to appear. These murals visually express the world's reflection on Ukrainian courage and tragedy, standing as symbols of global support.

Language too has become a significant factor in patriotism. Since the start of the war, the use of Ukrainian has surged, becoming a defining aspect of identity and unity. Countries that preserve and promote their native languages have established numerous language institutions (Japan, for instance, has nearly a hundred), while Ukraine has only one. Language is crucial as it shapes public and political discourse and reflects societal values.

Patriotism reflects social actions driven by individual motivations and psychological responses to national challenges. Spencer (2009) emphasizes that patriotism holds a central place in self-concept, involving value orientations that encourage responsible behavior for the good of the country. According to O. Luchaninova (2023), the spiritual development of students during wartime naturally occurs through helpful actions, community involvement, and a growing sense of national solidarity.

This ongoing war acts as a catalyst, amplifying patriotism across all levels of Ukrainian society. Abramchuk (2008) argues that patriotism adapts to social and historical contexts, taking on specific national significance and forms. During wartime, patriotism becomes a moral bond, a sense of duty and sacrifice in defense of one's land and people, manifesting as both a moral principle and a political force. The war has shown that Ukrainians place the values of homeland, family, and freedom above even their own lives, demonstrating a deeply engaged patriotism.

This transformative patriotism has been visually captured in posters by artists like Nikita Shilimov, who states that his art exposes the realities of «Russian world» propaganda and dismantles the romanticism associated with it. D. Dzyuba created his first war-inspired poster on a napkin just three days after February 24, 2022, while M. Palenko acknowledges that his artistic work has taken on additional meaning and responsibility. A. Yaloza's posters «shout about death, pain, love, and courage», reflecting both personal and national resilience. In the curated project War-Time Posters, artists from Ukraine and abroad – including N. Lobach, A. Sai, Z. Horobyev, M. Shilimov, and others – contribute artwork that channels their experiences into collective expressions of national unity.

The Ukrainian people's patriotism, driven by reflection on their personal and collective wartime experiences, has matured into an unwavering resolve to defend their nation. This reflection has allowed Ukrainians to express their patriotism not only as a feeling but as actions, as a highest form of

value. Young generations of Ukrainians, raised in independent Ukraine, are now fulfilling the national idea – embodying shared values of freedom, justice, and solidarity. Patriotism unites people on the front lines, in communities, and in the hearts of compatriots, solidifying a nation's resolve and an indomitable will to preserve the homeland.

As war continues to reshape Ukrainian society, the phenomenon of Ukrainian patriotism will be explored in dissertations and preserved in history through the legacy of passionate defenders, artists, and volunteers whose actions reflect a profound love for Ukraine. This is not merely a wartime spirit; it's a permanent shift towards a cohesive society ready to uphold the values of justice, freedom, and cultural pride.

Global Responsibility and Solidarity (from 2022). The theme of global responsibility and solidarity has become central in Ukrainian social posters since the onset of Russia's full-scale invasion in 2022. As highlighted by Ukrainian scholars, such as H. Myskiv and I. Pasinovych, the war has severely hindered sustainable development efforts in Ukraine and has posed significant threats to achieving the Sustainable Development Goals (SDGs) worldwide. The destructive impact extends beyond Ukraine, affecting other regions, with poorer countries expected to bear the heaviest burden. Sustainable development, they emphasize, is inseparably linked with social responsibility, which is essential for resilience.

Since the invasion, international governments, corporations, and individuals have demonstrated social responsibility by supporting Ukraine through various means. Their actions rest on core principles: value-driven orientation, solidarity, empathy, voluntary financial sacrifices, and unconditional support. This groundswell of international solidarity underscores that sustainable development cannot be achieved without the active participation of global businesses. Global companies increasingly contribute to social and environmental initiatives, and during the war, many of these corporations have supported Ukrainians affected by Russian aggression through humanitarian and financial aid. Ukrainian businesses, too, have engaged in initiatives to support the Ukrainian Armed Forces, displaced persons, and war victims, demonstrating a high level of social responsibility. For businesses operating in post-war Ukraine, Corporate Social Responsibility (CSR) initiatives will provide a wide scope for alleviating local issues caused by the war. Analyzing non-financial corporate reports reveals that Ukrainian companies are aligning their CSR activities with specific SDGs, benefiting both communities and enhancing their reputations.

In an insightful discussion hosted by the Center for Contemporary Culture in Dnipro, T. Zlobina, editor-in-chief of «Gender in Detail» and PhD in Philosophy, spoke about the complexities of decolonial solidarity and the challenges Western perspectives face in fully understanding the Ukrainian context. She argued that solidarity, especially in times of war, demands a break from habitual views and requires deep empathy. Drawing from the October 2022 online discussion «In Search of Alliances: Solidarity and Cooperation During Wartime», Zlobina noted the difficulty Western countries, particularly in peaceful European societies, have in recognizing Ukraine's colonial history with Russia. The notion of decolonial solidarity asks allies to rethink abstract pacifism and calls for sustained, specific support for Ukrainian sovereignty.

The concept of solidarity, especially within the framework of decolonization, highlights that Ukrainian experiences are often obscured by global narratives dominated by Eurocentric and Russian perspectives. Ukrainians are increasingly calling for a restructuring of international alliances and institutions to better reflect the realities of the 21st century. According to Zlobina, in this interconnected world, crises, whether caused by war, climate change, or migration, inevitably affect all nations. Therefore, global citizens must prioritize collaborative approaches that align with modern challenges, replacing outdated frameworks from the 20th century.

A narrative commonly voiced in Western pacifist circles – «the main thing is for the war to end» – fails to resonate with Ukrainians who see victory and the end of aggression as essential for true peace.

This notion, according to Zlobina, stems from a lack of understanding about the depth of Ukraine's struggle against Russian imperialism. Abstract calls for peace without justice overlook the reality that an unresolved conflict would perpetuate occupation, terror, and further military build-up by Russia. For Ukrainians, true peace only comes through victory over aggression, as war is resolved not by simple cessation but by the triumph of values and justice. We further elaborate that solidarity in a conflict requires informed support, challenging Eurocentric assumptions about Russian culture and imperial history. Western countries' longstanding admiration for Russian literature, such as Tchaikovsky, often overshadows the violent colonial history of the Russian Empire. Breaking away from these perceptions demands a willingness to learn about the marginalized narratives of Ukrainian history and to re-evaluate the role of Russian cultural icons in global consciousness.

Western societies are now realizing the precariousness of relying on Russian resources, exemplified by Germany's post-2014 dependency on Russian gas. This dependence reveals a significant gap between perceived security and the harsh reality of geopolitical entanglements. For Ukrainians, the expectation of solidarity means a call for international communities to actively engage, resist complacency, and pursue an understanding that goes beyond superficial peace. Ukrainian social posters and global solidarity campaigns demonstrate a commitment to a more profound form of support, transcending political and cultural divides. This solidarity is not simply a response to Ukraine's needs but a shared effort to build a more resilient, just world for the future.

Key visual strategies in Ukrainian social posters.

1. *Symbolism and color palette*. One of the distinguishing features of Ukrainian social posters is the strategic use of symbolism through color, reflecting both cultural and national identity. The color palette often serves as a visual metaphor, conveying specific meanings tied to historical events, social movements, and national sentiments.

The blue and yellow colors, directly associated with the Ukrainian flag, are frequently used to evoke patriotic feelings. Blue represents the expansive sky and the spirit of freedom, while yellow symbolizes the wheat fields, indicative of Ukraine's agricultural richness. Posters from the series «Ukraine is Europe» effectively use this combination to communicate aspirations of integration with European values and solidarity with the global democratic community.

Red and black color schemes are emblematic of resistance and struggle, particularly in the context of Ukraine's fight for independence. In the poster «Red is Blood, Black is Earth» (2014), red symbolizes the blood of those who sacrificed their lives during the Revolution of Dignity, while black represents the fertile but contested land of Ukraine. This powerful imagery evokes the deep historical and emotional layers of the national struggle for sovereignty.

The use of green, blue, and earthy tones in posters highlights themes of environmental conservation. Green is synonymous with nature, growth, and hope, while blue often represents water, essential for life. In the poster «Clean Rivers, Green Ukraine», the harmonious blend of these colors emphasizes the urgency of protecting the environment, appealing to viewers' sense of responsibility towards future generations. The deliberate use of color in Ukrainian social posters enhances their communicative power, allowing designers to embed layers of meaning that resonate with the audience on both conscious and subconscious levels.

2. *Integration of folk and cultural motifs*. Ukrainian social posters are notable for their incorporation of folk elements, blending traditional cultural symbols with contemporary design to create a unique visual identity that is both modern and deeply rooted in history. Traditional Ukrainian embroidery (vyshyvanka) patterns are frequently used to symbolize cultural heritage and identity. In the poster «Ukraine is Us», the silhouette of a person is decorated with intricate embroidery, highlighting the continuity of folk traditions and their importance in defining national identity. This visual approach creates a bridge between the past and present, reinforcing the message of cultural unity.

The viburnum berry (kalyna), a popular motif in Ukrainian folklore, is often depicted as a symbol of vitality, resilience, and rebirth. In the environmental-themed poster "Save the Viburnum – Save Ukraine", the imagery of the berry is combined with a message of ecological preservation, drawing a parallel between the survival of this native plant and the wellbeing of the nation.

The trident (Tryzub), as Ukraine's national emblem, symbolizes statehood and national sovereignty. It appears in many posters as a unifying symbol, often depicted alongside soldiers or integrated into scenes of national resistance. For example, in the poster «The People and the Army Are One», the trident is stylized as part of a soldier's silhouette, symbolizing the inseparable bond between the Ukrainian people and their armed forces. By weaving cultural motifs into the design, these posters not only convey a sense of tradition and national pride but also strengthen the emotional connection with the viewers.

3. *Minimalism and conciseness*. Contemporary Ukrainian social posters often embrace minimalism, focusing on simplicity and clarity to amplify the impact of their message. This visual approach helps to emphasize the main idea, making the posters easily understandable and memorable.

The trend towards minimalism involves reducing unnecessary elements, relying instead on key visual symbols that convey the core message. In the poster «Stay Human» by N. Titov, a simple depiction of a hand holding a heart effectively symbolizes the call for empathy and humanity during times of conflict. The straightforward composition allows the viewer to immediately grasp the emotional message without distraction.

Posters addressing environmental issues often use minimalist imagery to communicate the message effectively. The poster «Breathe», designed for an environmental campaign, features a silhouette of a tree shaped like human lungs. This clever visual metaphor underscores the essential role of nature in human survival, conveying a powerful message with minimal visual elements.

The use of minimalism enhances the emotional resonance of the poster, making it easier for the viewer to connect with the message. By focusing on a single, strong visual element, designers create a sense of urgency and intimacy, facilitating quick recognition and response from the audience. Minimalist design in Ukrainian social posters is not merely an aesthetic choice but a strategic one, aimed at maximizing communicative efficiency and emotional engagement.

Graphic collage and typography. The use of graphic collage and dynamic typography in Ukrainian social posters adds depth and complexity, reflecting the multifaceted nature of social issues. These techniques enable designers to create rich, layered visuals that offer multiple interpretations.

Collage is used to combine different visual elements, creating a narrative that reflects the complexity of the issue at hand. In the poster "No to Domestic Violence", a photomontage of a face with a bruise is overlaid with torn legal documents, symbolizing the breakdown of family trust and the legal struggle for justice. This multi-layered composition captures the emotional and social implications of domestic violence, engaging the viewer on both an intellectual and emotional level.

Typography in Ukrainian social posters often serves a dual role: providing information and conveying emotion. The poster "Together We Are Strong" features bold, oversized text that dominates the visual field, emphasizing the collective power and unity of the people. The use of dynamic, contrasting fonts creates a sense of urgency, compelling the viewer to take action or reflect on the message.

In the digital realm, kinetic typography is becoming a popular choice for enhancing viewer engagement. Animated text effects are used to highlight key words or phrases, making the message more memorable. For instance, in a digital poster campaign for mental health awareness, the words "You Are Not Alone" slowly appear and then fade, visually mimicking the process of reaching out and finding support.

By integrating collage techniques and innovative typography, Ukrainian social posters effectively capture the viewer's attention and convey complex social messages with clarity and emotional depth. These strategies demonstrate the versatility and creativity of Ukrainian social poster design. Through

the use of symbolism, cultural motifs, minimalist design, and advanced graphic techniques, these posters succeed in delivering impactful messages that resonate with diverse audiences, making them a powerful tool for social advocacy and cultural expression.

The impact of color on poster perception. Colors are a powerful communication tool as they evoke different emotional reactions and influence the viewer's behavior. An analysis of social and advertising posters shows that each color serves a specific function. For instance, red in the «Say NO to Violence!» poster triggers alertness and draws attention to the issue of domestic abuse. Yellow in the «Choose a Clean Future» poster is associated with sunshine and optimism, highlighting the hope for a better environmental future. Meanwhile, blue in the «Peace on Earth» poster creates a sense of calm and stability, reinforcing the message of peace.

Composition Principles and Poster Structure. Ukrainian artists working on social posters actively employ various compositional laws and principles to create cohesive and balanced visual images. For example, in the poster «Don't Stay Silent!», the principle of contrast highlights an image of a sealed mouth with a ribbon labeled "STOP," emphasizing the need to speak out against violence. In the poster «Children Are Our Future», the principle of scale is used, with a large image of a child drawing attention and stressing the importance of protecting children during wartime. The principle of functionality is well-exemplified in the «Get Vaccinated – Protect Others» poster, where every element of the composition works to convey the message about the importance of vaccination.

The integration of modern and digital techniques. Modern Ukrainian social posters have embraced digital design techniques, allowing for greater creativity and innovation in visual storytelling. The use of digital collage, motion graphics, and augmented reality (AR) elements has become more prevalent, especially in online campaigns where engagement is key. The poster «See the Truth», for instance, uses a digital collage that merges photographic elements with illustrated overlays, creating a layered narrative about media misinformation. In another example, the AR-enabled poster «Rebuild Ukraine» allows viewers to scan the poster with their smartphones to see a 3D animation of a city being rebuilt, providing an interactive and immersive experience that deepens the viewer's connection to the message.

The use of motion graphics in digital posters has also become a powerful tool for capturing attention, especially on social media platforms. Short animations, such as those used in the «Act Now for Climate» campaign, combine kinetic typography with moving illustrations, creating a dynamic and engaging visual experience that is more likely to be shared and spread virally. This integration of traditional design principles with cutting-edge digital techniques reflects the evolving nature of Ukrainian social posters as they adapt to new media and changing audience behaviors.

Through these innovations, Ukrainian social posters continue to be a vital and evolving form of visual communication, effectively addressing critical social issues while resonating with audiences both locally and globally. Thus, contemporary Ukrainian social posters represent a multi-layered cultural phenomenon that combines traditional and innovative approaches, integrating national motifs, symbolism, minimalism, and collage techniques to create powerful visual messages that resonate with modern audiences.

Discussion. The analysis reveals several key findings regarding the use of metaphor and symbolism in Ukrainian social posters. Natural metaphors, such as anthropomorphism and zoomorphism, are frequently employed to depict human emotions and societal issues. Cultural-historical metaphors draw upon significant national symbols and historical imagery, reinforcing a sense of cultural identity and unity. Social-domestic metaphors highlight everyday life and resonate deeply with the target audience, making the message more relatable and effective. These findings align with the broader trend observed in international poster art, where metaphor and symbolism play crucial roles in visual storytelling and audience engagement. The study contributes new insights into the understanding of

metaphorical language in Ukrainian visual culture and offers potential applications for enhancing the effectiveness of social and political messaging through poster design.

Conclusions. The analysis identified three main categories of metaphors used in Ukrainian social posters: natural (including anthropomorphism and zoomorphism), social-domestic, and cultural-historical. These metaphor types effectively convey complex ideas and enhance the visual impact of the posters.

The study demonstrates that metaphor and symbolism play a significant role in shaping the cultural narrative and reinforcing social identity in Ukrainian poster art. The use of historical imagery and national symbols helps to construct a shared cultural context, fostering a sense of unity and collective memory.

The metaphorical and symbolic elements of Ukrainian social posters have a strong influence on public perception, evoking emotional responses and increasing message retention. By leveraging visual metaphors, designers can communicate socio-political issues more effectively, making the posters a powerful tool for social influence and cultural expression.

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THEORY AND INNOVATIONS OF SOCIOLOGY

DOI https://doi.org/10.30525/2592-8813-2024-4-19

SOCIOLOGICAL ASPECTS OF THE RESEARCH OF POLITICAL DISCOURSE

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Abstract. Pragmatic aspects of discourse are the most developing basis of the language system of each active language in modern society. The complication of social relations directly affects the linguistic behavior of people, including the nature of the use of discourses. Research shows that the possibilities of political discourse are most often used. Analysis of the political discourse of the collapse of the Soviet Union and the formation of the post-Soviet space shows that people's consciousness was influenced from different positions: from the point of view of the defenders of Soviet ideology, from the point of view of the revival of the Azerbaijani national democratic intelligentsia, new national identity. An analysis of individual samples of the press, reflecting the new mentality of people, showed that the main content of the discourses here is the identification of new facts of distortion of the history of the country and the people, the definition of new cognitive directions for the formation of public opinion, the worldview of people in general. The process of socialization is underway, the formation of a new personality, with its own ideas about history and modernity. When creating and perceiving discourse, it is important to take into account such aspects of the pragmatic factor as national culture with its stereotypes and archetypes. In addition, new associations and connections in consciousness reflect the content of the discourse, and dynamism is determined precisely by the pragmatic aspects that shape the discourse itself. The conditions and circumstances of these aspects in the studied discourse samples are associated with the growing tension in Armenian-Azerbaijani relations, which ended in a long-term conflict, the military component of which ended only in the fall of 2020. As usual, the discourse is built on a certain concept.

Key words: discourse, concept, political stylistics, pragmatic analysis of discourse.

Introduction. The history of defining pragmatics as one of the foundations of discourse shows that "despite the abundance of interpretation options for this concept, all researchers invariably emphasize the role and influence of context on the perception and interpretation of statements by communicants. Context, or pragmatic context, includes both linguistic and extralinguistic components accompanying the communication situation: social, ethnic, biological characteristics of the participants in communication, their relationships, etc. Analysis of these components of the pragmatic context allows us to identify the features of the generation, existence and understanding of the meaning of linguistic units in discourse" (Pragmatic Aspects, 2006: 28).

In linguistics, discourse issues are traditionally considered at three levels: verbal-semantic, cognitive and pragmatic (Personality and Language, 2023: 5). The pragmatic level includes goals, motives, interests, attitudes and intentionality (Personality and Language, 2023: 5-6). From here, a direct connection with sociolinguistics and psycholinguistics can be seen. In general, such a connection should be assessed as natural, since a person, being a biosocial being, implements discourse in the unity of all his possibilities. From here, styles of speech are directly connected with discourse, that is, everything that reflects different spheres of life and aspects of a person's life. This includes academic, educational, political, artistic, religious, everyday styles, various slangs, and so on. In each period in the life of society, special layers of speech are formed on the basis of linguistic development, which form

unique discourses. As a result, they reflect a person's worldview as a whole and attitude to himself and the world. Here, a system of values, ideas about life and directly the tasks facing a person at the moment are involved. Therefore, it is sometimes difficult to understand the text of discourses related to previous eras. However, we see in them not only the person himself, the nature of his social connections, we can also judge the era itself. We should not forget that discourse can be formed under the influence of many factors associated with a specific person and era.

Another factor related to the pragmatic side of discourse is the structure and possibilities of the language itself. We should not forget about the processes occurring within the most modern languages. Most languages in the process of their development were enriched by dialects and adverbs. In turn, adverbs and dialects could develop due to the limited mobility of the population, the relatively autonomous existence and development of this community. Geographical conditions, that is, mountains, large distances, a relatively closed way of life associated with subsistence farming, landscape and climate made it possible to preserve and develop each dialect and adverb, which together formed the basic basis of the leading language. At the same time, the growing interaction of communities from different territories, but belonging to the same region, led to the limited use of dialects and adverbs, which today, for example, function better in Azerbaijan in certain regions (mountainous and other hard-to-reach areas), where such information is mainly kept by representatives of older generations. Samples of their discourses contain the originality of local dialects, reflecting the conditions and way of life of people. Such examples can be elements of oral folklore created by the people over the centuries. However, oral creativity, although it makes it possible to identify discourses, at the same time does not allow us to characterize their features, since they are not preserved in written sources. Thus, language, at the level of local development and originality, made it possible to form certain ideas about the world and about oneself. It is discourse that makes it possible to determine the various qualities of a person and his community of their ethnocultural origins. On the other hand, thanks to language, ethnic identity is formed as a whole. It is no coincidence that at the beginning of the 20th century, the prominent Turkish educator Ziya Gökalp called for taking all values from the West, with the exception of language, spiritual culture, including religion, which, in principle, constitutes the identity and self-awareness of the people (Hüseyin, 2022).

In general, speaking about the pragmatic aspects of modern discourse, we should pay attention to the following aspects that it contains: the psychological aspect, philosophical ideological prerequisites, ethnonational characteristics, social traits and characteristics, historical and cultural heritage.

It is in these areas that we are going to build our research.

The degree of research into the problem. The issues of dividing speech into coherent fragments, including at the level of discourse, were the subject of study by representatives of dialectics, rhetoric (Frans, 1999) logic, as the most ancient areas of the humanities (Aristotle Dionysius of Helicarnassus, etc.). Today it is believed that "linguistic discourse refers to the analysis of how certain linguistic features contribute to the interpretation of texts in various contexts. The main attention is paid to the structure and functions of language, while emphasizing that the meaning depends on the context and is influenced by the methods of transmission" (Linguistic Discourse, 2018). As this section of linguistics developed, discourse issues were closely examined in the sections of stylistics (Saleh Ahmed, 2019), general linguistics, socio- and psycholinguistics. Modern linguists pay close attention to the pragmatic aspects of discourse (Louis de Saussure, 2009), since they are directly related to everyday speech practice and affect the functioning of language as a system (Lichao, 2010). All this is important for the preservation of linguistic traditions, the formation of a speech culture and ethnic self-awareness of each native speaker.

The subject of the study in this article is the pragmatic aspect of the formation and implementation of discourse, in particular, in the Azerbaijani language. The purpose of the study is to determine the modern pragmatic foundations of discourse development, including in the Azerbaijani language.

Research methods – analysis of scientific and theoretical approaches in the study of the pragmatic context of the use of discourses within the framework of general linguistics, as well as consideration of some styles of speech through discourses in order to identify the use of pragmatics in modern linguistic conditions. To achieve the set task, we defined the conceptual basis of the study based on scientific and theoretical literature and then examined various pragmatic aspects of concepts in samples of Azerbaijani speech that form the basis of the discourse. For this, we used printed materials from the 20th – early 21st centuries.

Main content

Features of the development of the language environment as a pragmatic basis for discourse. It is known that the basis of mass communications is information. In the public consciousness, information settles in the form of stereotypes, social norms, values and myths, through the transmission and assimilation of various signs; individuals and groups (interpersonal and group communication) can participate in these processes.

Let us also define the main directions of the development of public consciousness in modern conditions:

– National self-awareness (the concept of ethnogenesis, i.e. awareness of one's origins, which is reflected in the moral health and psychological balance of people);

– Historical consciousness (this is the concept of the need to study socio-historical problems on the basis of the necessary professional training, on the recognition of multivariance in the study of history);

– Mentality, or identity (the formation and development of new views and ideas about one's national identity, about the world around one);

– Economic consciousness (development of enterprise and individualism as the basis of a new economic consciousness);

– Political consciousness (awareness of new political realities and priorities about oneself and the world);

– Moral consciousness (a complex of moral ideas and values, constantly exposed to the influence of the social environment);

– Aesthetic consciousness (artistic exploration of the world in new images, their perception and development).

It should be noted that the civilizational conditions for the formation of these areas of consciousness development were not the most favorable: the information revolution, which stirred up material production, led to a change in political regimes in a number of countries of Central and Eastern Europe, to a softening of the political climate in the world and, at the same time, to the formation of multipolar international relations. Gradually, an increasing number of countries are embarking on the path of development of Western European civilization, i.e. are subject to globalization. Centrifugal tendencies in multinational states are strengthening, national self-consciousness in ethnic groups is receiving a new stimulus for development. Since about the 1960s, the problems of forming a civil society have come to the fore. This is evident from the pronounced need for self-affirmation in each citizen and individual. Flexibility of thinking, the desire to get rid of the rigidity of consciousness, old stereotypes, the increase in the number of contacts in communication – in economics, culture, politics – are characteristic features of modern times. There is a growing awareness of a single human history and culture, the danger of global threats on the one hand, and the desire to assert oneself, isolate oneself, preserve one's identity and uniqueness – on the other.

Now let us briefly dwell on the symbolic nature of mass communications; here we mean the forms of storing and expressing information. The most widespread and effective are the mass media (radio, television, print, Internet), followed by personal communication between people (conversations, meetings, conferences, symposiums, rituals, holidays, etc.). It is also necessary to name such sections

of culture as science, education, religion, literature, art (musical, visual, monumental, etc.). All this, taken together, forms the basis of mass communications; each of them has its own history of development and modern forms of expression, problems and prospects, is a solid basis for research. Over the past decades, each of the indicated symbolic systems, embedded in the general system of mass communications, has undergone significant changes in the direction of openness, tolerance, adaptability to any changes. All this has affected the features of public consciousness. Following the indicators of the active character and effectiveness of the life program, determined by psychologists [2, p. 63–64], which include the desires and aspirations of the individual, the ability to implement them and the sense of duty, we can say the following: fundamental changes in the political regime, forms of ownership, social structure have led to a significant change in the worldview and in it – socio-political, cultural-moral, professional ideas. The generation of people living in Azerbaijan today has faced many trials; they are akin to those that shook the world at the beginning of the twentieth century, when, on the crest of economic and political crises in Europe and throughout the world, leftist forces came to power in Russia, subsequently establishing an authoritarian regime under the auspices of communist ideology. A skillful combination of general state and national interests contributed to the creation of a superpower with a strong centralized government and developed economic structures, although there were not enough conditions for personal initiative and enterprise.

The ecosphere, which for many hundreds of years influenced man through the formation of his self-awareness, determining the leading features here (including the desire to understand the unity and development of the world), was replaced by the techno sphere; the latter narrowed the "area" of self-awareness to schematically designated sign systems of modern culture, weakly connected, but led and united by certain political ideals about the social structure. As a result, the centrifugal forces, the catalyst of which was the decline in the standard of living, the unresolved problems of the sphere of cultural and national development that had been accumulating for years, won: a number of hotbeds of national discord again made themselves known; the country fell apart, the newly emerged states are experiencing a crisis of revival, i.e. a transition period. All this gives rise to different, sometimes inadequate assessments of political events that affected the fates of millions of people. Among them, the most tragic concerns the aggression of Armenia on the territory of Azerbaijan. The occupation of Karabakh and a number of other territories of Azerbaijan, the mass expulsion of the Azerbaijani population from their native lands, the shooting of civilians in Baku (January 20, 1990) and Khojaly (February 26, 1992), gave rise to various moods in the minds of people. A new attitude to life and a reassessment of values were forming before our eyes. The level of self-esteem fluctuated from the lowest to the highest; defeatist sentiments were replaced by the highest patriotism and optimism. The formation of a mass society and its subsequent globalization took place against the background of the mutual influence of Eastern and Western spirituality, including at the philosophical level. The philosophical ideas of the West and the East, which arose independently of each other, having penetrated into the spiritual culture of their regions, determined (along with other spiritual factors) the direction of their development, the consequences of which we observe today. In the recent past, rationality, as the most important characteristic of thinking, could be revealed through various forms of social consciousness, including philosophical worldview, religion, moral ideas, etc.

Main features of the linguistic structure of the Azerbaijani language, influencing linguistic units. The system of the Azerbaijani language has been formed for a long time and today consists of a stable vocabulary, grammatical structure and lexical content. This language is part of the group of Turkic languages and has developed on the rich basis of numerous dialects and dialects in the territory of the country and neighboring countries where our relatives live. The Azerbaijani language was influenced by the languages of the peoples whose state formations have been a single whole with us for centuries. These are Arabic, Persian and Russian. In addition, today the influence of the Turkish language from a single family of Turkic languages, as well as the English language, is great.

Among the socio-political processes that have affected the development of the Azerbaijani language, the assimilation and use of its speakers, it is necessary to name the use of various types of writing. These are the Arabic alphabet, Cyrillic and Latin graphics. The history of the development of the language with the change of alphabets reflected all the complexities of the process. In addition, the general level of development of the population did not allow for the transition to universal literacy. As a result, the possibilities for the formation of a common literary language were significantly narrowed. On the other hand, this gave rise to the preservation of oral traditions in the transmission of linguistic information, including through oral folklore, reflected in customs and traditions and passed down from generation to generation. In order to study the modern pragmatic aspects of discourse in the Azerbaijani language, it is necessary to consider the mental aspects of the linguistic behavior of today's Azerbaijanis. The modern world is one, relations in society between countries, governments and social groups are based on mutual ties, which leads to interdependence, mutual influence and the growth of various social risks. In the history of the Azerbaijani people, there have been many contradictory and complex situations that led to migration, loss of natural habitat, various social advantages and the opportunity to preserve mentality. These are wars between countries, conflicts within the country between various socio-political groups, religious and ethnic clashes. All this had a direct impact on people's linguistic behavior, leading to the loss of vocabulary, and changes in discourse as a result of communication, which has rich possibilities for cognitive and verbal-semantic manifestation.

As a result, the linguistic picture of the world changed, the worldview changed, since the loss of the natural and social environment ended in various linguistic losses (figurativeness and metaphor, impoverishment of local dialects and accents), everything was replaced by new cliches and structures, since people already lived in a relatively alien linguistic environment. Thus, in historical time, there was an evolution of discourse in the Azerbaijani language for a certain part of its speakers. If you look at the changes in linguistic behavior, then, first of all, the changes at the cognitive level are striking, since information and communication technologies provide exceptionally great opportunities for each native speaker to choose means for discourse, and the principle of economy of language, harmony of sounds in language, the process of interference of languages function normally, while the composition of the lexicon, the life position of each person, value orientations, and so on change.

Comparison of discourses in journalism in recent years (late twentieth – first third of the XXI century). We did not take this period by chance. These years are associated with the transitional period of the country's life after the collapse of the USSR, aggravated by the Karabakh conflict and aggression from Armenia. The media (then without the Internet) reflected the feelings and moods of people, the political positions of individual social groups and the official attitudes of the authorities to the problem, both in Baku and in Moscow. As a result, a linguistic picture is formed that reflects the attitude of various social strata, the opposition and the authorities, the orientations, interests and emotional mood of people to the situation in the country. We see the reflection in the language of various features of people, their characteristics (group, individual and generally social). On this basis, we can judge the ideological position of people, their ability to reflect in discourse linguistic meanings, metaphor, their emotional mood and spiritual world. Let us consider the pragmatic aspect of political discourse in the Azerbaijani press in the last years preceding the collapse of the USSR. It should be noted that the discourse samples presented here belong to journalists, personnel of the state administration system, including party personnel, representatives of the foreign Azerbaijani diaspora, and scientists. The texts presented here, as will be seen below, relate to the history of the country and the Azerbaijani ethnic group, regional events, including those related to the territorial claims of Armenian nationalists, both in Armenia and abroad, that is, the Armenian diaspora.

Example 1

Cənubi Azərbaycan 1905–1911-ci illər Səttarxan inqilabının alovlarından keçdiyi bir şəraitdə Şimali Azərbaycan əsil milli intibah dövrünü keçirirdi. Bu intibah son nəticədə 1918-ci ildə Şərqdə ilk respublikanın – Azərbaycan Demokratik Cümhurriyyətinin yaranmasına gətirib çıxardı. İki ildən az ömür sürmüş və tarixi haqqı indi aşkarlıq işığında tanınan bu hökümətdə səkkiz partiya və Azərbaycanda yaşayan bütün xalqlar təmsil olunmuşdu. Az vaxtda bu höküməti dünyanın 16 dövləti tanıdı (Southern Azerbaijan was experiencing the flames of the Sattarkhan Revolution of 1905–1911, while Northern Azerbaijan was experiencing a real national revival. This revival ultimately led to the establishment of the first republic in the East in 1918 – the Azerbaijan Democratic Republic. In this government, which lasted less than two years and whose historical right is now recognized in the light of glasnost, eight parties and all the peoples living in Azerbaijan were represented. In a short time, 16 countries of the world recognized this government) (Abdulayev, 1989).

The intertextual significance of this passage is that the history of Azerbaijan during the Soviet era was hushed up or distorted. On the wave of patriotism and the desire to reveal the truth hidden for centuries, a high interest was formed in the facts and events related to the people's desire for independence. This passage emphasizes two facts – the revolutionary movement for independence in Southern and Northern Azerbaijan. The special semantics of this discourse is that, along with the facts, a special mood is also formed here, expressed in the use of vivid metaphors and expressions.

Example 2

Əlbəttə, Azıx mağarası haqqında çox danışmaq, çox yazmaq olar. Bunun üçün də bizdə kifayət qədər material vardır. Lakin mən elə buradaca bir şeyi qeyd etməklə hələlik öz fikirlərimi yekunlaşdırmağı, öz qeydlərimə nöqtə qoymağı lazım bilirəm. İndi elmlə heç bir əlaqəsi olmayan yanlış yazı-pozularla tarixi saxtalaşdırmaq, torpağımızı özününküləşdirmək istəyənlət çoxdur. Son illər xalqımızın ünvanına yazılan iftiralar, böhtanlar da məhz bununla əlaqədardır. Gəlin acı da olsa bu həqiqəti unutmayaq. Bu günümüz, gələcəyimiz haqqında birlikdə fikirləşək (Of course, there is much to say and write about the Azykh Cave. We have enough material for this. However, I consider it necessary to conclude my thoughts by noting something right here, to put a period in my notes. Now there are many people who want to falsify history and take our land as their own with the help of false writings that have nothing to do with science. The slanders and libels written against our people in recent years are connected with this. Let us not forget this truth, even if it is bitter. Let us think together about our present and future) (Hüseynov, 1989).

In this passage, connected with historical facts, with archaeological finds on the territory of Karabakh, the idea is emphasized that the socio-cultural conditions for the development of history, ethnography, language, and other humanitarian spheres of the people's life were limited by the political regime, which artificially created conditions for the development of each nation in reality. The extraordinary interest in history, in the origin of an ethnic group, in individual facts, most often distorted by Soviet ideology and propaganda, often under pressure from corrupt officials and corrupt power structures, led to an appeal to various historical events and their interpretation. The ideas appropriated by the consumer of information through discourse are precisely determined by the socio-historical conditions of the development of society, the ideas and concepts that live in the consciousness of a person as a member of society. As a result, interactivity of interaction between communicants is achieved, the implementation of the purpose of pronouncing or writing a verbal passage as a discourse. It is important that the nature of the perception of the passage is directly related to its communicative design.

Example 3

Respublika rəhbərlərinin laqeydliyi üzündən 1979-cu ildə Ermənistanda azərbaycanlılar ümumi əhalinin 5,3 faizini, Azərbaycanda isə ermənilər əhalinin 7,9 faizini təşkil ediblər. Beləliklə, Azərbaycandakı ermənilərin sayı Ermənistandakı azərbaycanlıların sayına nisbətdə 2,6 faiz çox

olub. Xəyanətin, hakimiyyət uğrunda mübarizənin, çəkişmələrin, unutqanlığın və biganəliyin nəticəsidir ki, Azərbaycanın 114 min kvadrat kilometri ərazisindən 27,4 min kvadratkilometrini ələ keçirib. 198801992-ci illərdəki hadisələr zamanı isə Dağlıq Qarabağ və onun ətrafındakı 10 rayonun 11,5 min kvadratkilometr sahəsi də işqal olunub. (Due to the indifference of the republic's leadership in 1979, Azerbaijanis in Armenia constituted 5.3 percent of the total population, while Armenians constituted 7.9 percent of the population in Azerbaijan. Thus, the number of Armenians in Azerbaijan exceeded the number of Azerbaijanis in Armenia by 2.6 percent. As a result of betrayal, power struggle, discord, forgetfulness and indifference, they captured 27.4 thousand square kilometers out of 114 thousand square kilometers of Azerbaijan. During the events of 1988–1992, 11.5 thousand square kilometers of Nagorno-Karabakh and 10 districts around it were occupied) (İsmayılov, 2001). From this excerpt, one can judge not only the socio-political situation in the country and the region, but also the stylistic and linguistic features of the development of speech and the possibilities of their application. From the given excerpts, one can judge what actions the government, its individual representatives, and individuals who influenced certain events were. The test is written in such a way that readers have many associations related to the stated fact. This is a school program for teaching children history, where these facts were distorted, public opinion was formed, people's consciousness was influenced in order to create a personality of a conformist, going with the flow, obedient to the authorities. Of course, we cannot judge their pronunciation in oral speech based on these excerpts. In this case, the discourse would be enriched with intonation, gesticulation, and perhaps would be accompanied by visual materials for persuasiveness. But even in this case, one can speak of a negative attitude towards those representatives of power who thought only of their own well-being.

Example 4

Referenduma gəldikdə isə Ermənistan deputatlarına çatdırmaq istərdik ki, referendum hələ 1923-cü ildə və o zaman Dağlıq Qarabağın həm erməni, həm də azərbaycanlı zəhmətkeşləri vilayətin Az.CCR-nin tərkibində saxlanılması lehinə yekdilliklə səs vermişdilər. Bir çox müasir alimlər və ideoloqlardan fərqli olaraq zəhmətkeşlər sadə və müdrik həyat məntiqini, təbii tarixilik hissini rəhbər tutmuşlar. Bu da rəsmi sənəddə öz əksini tapmışdır: "Kəndlilər müxtariyyət təklifini tam yekdilliklə qarşılamışlar... Kəndlilər özlərinin kütləvi qətnamələrində muxtariyyəti və Sovet hakimiyyətini alğışlamışlar". Bu sənədlər AK (b)P MK-ya Dağlıq Qarabağ Vilayət Partiya komitəsinin katibi Sero Manukyansın imzası ilə göndərilən hesabatdan götürülmüşdür. (As for the referendum, I would like to inform the Armenian deputies that the referendum was held back in 1923, and then both the Armenian and Azerbaijani workers of Nagorno-Karabakh unanimously voted to keep the region within the Azerbaijan SSR. Unlike many modern scientists and ideologists, the workers were guided by the simple and wise logic of life, a sense of the natural flow of history. This is reflected in the official document: "The villagers welcomed the proposal for autonomy with complete unanimity... The villagers welcomed autonomy and Soviet power in their mass resolutions." These documents are taken from a report sent to the Central Committee of the AKP(b) signed by the secretary of the Nagorno-Karabakh regional committee of the party Sero Manukyants) (Quliyev, 1989).

Typical situations (frames) related to the history of the issue are used here. These are documents, historical facts and dates. What extralinguistic factors can be identified here? The socio-historical environment, public consciousness, and ideological background are directly related to the content of this discourse. Social conditioning is evident from the author's desire to tell the truth, and with historical justification. This discourse is intended for all social groups, and with different status and role opportunities. That is, it is assumed that this information reflects the aspirations and interests of the entire population of the country. We can consider these text units as discourses, since they are journalistic works, intended for a wide audience and contain the necessary linguistic features that contribute to the actualization of the ideas of these passages in the minds of readers in the necessary direction. The linguistic design here is such that it is acceptable in its full form precisely as a discourse. The

supporting concept here is autonomy, around which the design of the discourse is built. We should not forget about the socio-psychological factor – the mood of people depressed by the tragic events taking place in the territory of the Karabakh region and the areas adjacent to it. In all the cited passages one can see a special mentality and attitude associated with the formation of national self-awareness at a new level.

Example 5

Azərbaycan barəsindəki məlumatlar bununla bitmir. Dünyanın digər ensiklopedik nəşrlərində az da olsa Azərbaycan barədə məlumata rast gəlinir. Belə ki Azərbaycanın coğrafi sərhədi zaman-zaman dəyişdirilsə də Amerika elsiklopediyası (1829) onun sahəsini 106000 kvardat kilometr, Britaniyanın (1768) isə 108000 kvardat kilometr olduğunu yazmışlar. İllər keçdikcə Azərbaycan torpağından "bəxşişlər" vertilmiş və onun sahəsi 86600 kvadrat kilometrə qədər kiçilmişdir. Görünür bu da torpağımıza göz dikənlərə tezə iştah vermişdir. Yəqin ki bu səbəbdən də Mehridən Gorusa (Zəngəzurun qədim mərkəzi) gedəndə Z.Balayan qədim Azərbaycanın bir parçası Zəngəzur torpağında olduğunu unudubmuş, bu ərazilərdə azərbaycanlıların bu ərazidə azərbaycanlıların əsrlərlə məskən salıb yaşadıqları Nüvədi, Əldərə, Maralzəmi, Tuğ, Vərtənəzurun Azərbaycan kəndləri olduğunu görməyib. Zəngəzur, Göyçə kimi doğma torpaqları vaxtı ilə "bəxşiş" etmklə qədim Azərbaycan adları da məhv edilmişdir. Çünki azərbaycanlılar didərgin salınıb qovulublar. (This is not the end of the information about Azerbaijan. There is little information about Azerbaijan in other encyclopedic publications of the world. Thus, although the geographical border of Azerbaijan changed from time to time, the American encyclopedia (1829) wrote that its area is 106,000 square kilometers, and the British (1768) – 108,000 square kilometers. Over the years, "donations" were made from the land of Azerbaijan and its area was reduced to 86.6 thousand square kilometers. Apparently, this awakened a new appetite in those who covet our land. Probably for this reason, heading from Mehri to Gorus (the ancient center of Zangezur), Z. Balayan forgot that part of ancient Azerbaijan is on the land of Zangezur, and did not see that there are Azerbaijani villages there Nuvedi, Aldara, Maralzami, Tug, Vartanezur, where Azerbaijanis lived for centuries. Ancient Azerbaijani names were also destroyed by "sacrifices" of native lands, such as Zangezur and Goycha. From here the Azerbaijanis were displaced and expelled) (Cabbarov, 1990).

This passage also shows the social component of the discourse. When reading this passage, a whole picture of the history of life, full of suffering and sacrifice, unfolds in the mind of the reader. After all, those who were displaced and expelled are precisely the participants in these events. The injustice of the events that are taking place kindles in the soul of each of them and every citizen of the country the desire to achieve truth, to achieve justice. As a result, this discourse can play the role of a guide in the world, in the formation of public opinion, and not only within the country, but also beyond its borders. A kind of identification of a person with the world with which they are introduced by the creator of the discourse occurs. A cognitive process is formed that forms one's own internal speech, understanding and attitude to the problem and to the world as a whole.

Conclusions. From the analysis of the concept of discourse, as well as specific examples of political discourse, we can conclude that discourse stimulates the cognitive process of not only the reproduction of the idea embedded in the discourse: pragmatic analysis of discourse indicates that a person actually perceives each discourse depending on the social environment, the metaphorical content of the text, and the ideological context. The content of the discourse, its stylistic content contributes to the creation of a special connection between each side of communication. As a result, a linguistic personality with special speech behavior is formed.

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DOI https://doi.org/10.30525/2592-8813-2024-4-20

OBSTACLES IN THE EMPLOYMENT OF PEOPLE WITH DISABILITIES: THE PERSPECTIVE OF EMPLOYEES AND EMPLOYERS IN UKRAINE

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Abstract. This study examines the obstacles to employment for people with disabilities in Ukraine, emphasizing spatial, institutional, legislative, and social. The research is based on 16 in-depth interviews with people with disabilities and 8 interviews with employers representing small, medium-sized, and large enterprises. Key findings reveal systemic issues, including inaccessible infrastructure, limited educational and medical support, weak enforcement of employment laws, and persistent societal stigmas. Employers often focus on meeting quota requirements superficially, avoiding genuine inclusion. Stakeholders highlighted unclear legislation, societal stereotypes, and insufficient infrastructure. Successful employment depends on stronger legal enforcement, accessible infrastructure, inclusive workplace policies, and initiatives to challenge stereotypes. The study concludes that addressing these barriers requires comprehensive reforms and enhanced collaboration between the state, businesses, and individuals with disabilities to foster meaningful integration into the labor market.

Key words: people with disabilities, social inequalities, employment, labor market, inclusion, stakeholders.

Introduction. People with disabilities frequently face significant obstacles in the labor market, resulting in economic vulnerability and social isolation. Based on data from the State Statistics Service of Ukraine, there are approximately 2.7 million working-age people with disabilities in the country, yet only 26% are employed. Despite current legislation guaranteeing pensions, benefits, and social protections, many people with disabilities receive pensions that fall below the living wage. This situation is further complicated by the need for medical services, making it almost impossible for them to survive solely on pensions *(which are paid to people with disabilities following Ukrainian law)*. Consequently, public assistance or employment becomes essential.

According to Article 19 of the Law of Ukraine, "On Basics of Social Protection for the Disabled in Ukraine" (2017), employers must meet specific employment quotas for people with disabilities. For companies with more than eight employees, at least one job must be designated for a person with a disability, and in companies with 25 or more employees, 4% of full-time positions should be allocated. However, the effectiveness of this law is questionable, as enforcement remains weak, and compliance is often superficial.

This scenario highlights the urgent need for reforms at both the legislative and enterprise levels. An in-depth understanding of the challenges faced by people with disabilities in the employment and labor market is essential to understanding barriers and protective factors that could improve employ-

ment rates and working conditions for this population. **The study aims** to identify and explore these obstacles and protective factors from the perspective of employees with disabilities and potential employers.

Barriers to employment of people with disabilities

Employment opportunities for people with disabilities remain significantly lower compared to those without disabilities. This disparity is evident in both pre-pandemic and pandemic data. For example, as highlighted by Asli Atay, Lovedeep Vaid, and Naomi Clayton (2021), the employment rate for people with disabilities increased before the pandemic, but the gap remained stubbornly high at 28.1% in 2019. The COVID-19 pandemic exacerbated this issue, widening the gap to 29% between Q4 2019 and Q4 2020. These findings underscore systemic obstacles that disproportionately impact the employability of individuals with disabilities during periods of economic instability.

The situation is not unique to one region or type of disability. Research on financial security for people with complex disabilities in the UK found that 82% of such individuals were unemployed in 2020-21 (National Centre for Social Research, 2022). Employment plays a crucial role beyond financial support. It offers opportunities for self-actualization, satisfaction, and confidence, vital to an individual's sense of identity and fulfillment (Paul & Batinic, 2009). Their exploration of the psychosocial benefits of employment informs the importance of work beyond financial support. This aligns with my research focus on the broader implications of employment opportunities for self-actualization and identity formation among individuals with disabilities.

However, the likelihood of employment varies based on the type and severity of the disability. For example, less than a third of people with epilepsy, autism, severe learning difficulties, or mental illness are employed, while those with fewer health conditions have higher employment rates (Powell, 2024). Despite these variations, the overall support employers provide still needs to be improved. According to the Disability in the Workplace 2023 report, 34% of respondents believe their employer could do more to support them (REBA, 2023). This gap in support is often perpetuated by stereotypes and misconceptions about people with disabilities. Research outcomes show that barriers such as workplace accessibility, harassment, and discrimination are widespread (Ramachandra et al., 2017). These issues contribute to unwelcoming workplace cultures, discouraging individuals with disabilities from seeking or retaining employment (Ameri et al., 2018; Baert, 2018). These studies underscore the disparity between existing support mechanisms and the expectations of employees with disabilities. Drawing on this foundation, our research included business representatives in the sample to explore their perspectives on compliance with legal requirements in Ukraine. By examining their narratives, we aimed to understand how employers interpret and implement inclusive practices in practice, moving beyond mere formal adherence to laws. This approach sought to capture the depth and nuance of their efforts to address the real needs of employees with disabilities and foster genuine workplace inclusion.

Addressing these stereotypes and misconceptions is a complex process requiring legal and cultural changes. As noted by the American Foundation for the Blind, genuine inclusion begins with actively involving people with disabilities in diversity initiatives, treating disability as an integral aspect of diversity rather than an isolated issue (2023).

People with disabilities face significant and ongoing obstacles to employment, including workplace inaccessibility, social stigma, stereotypes, and inadequate employer support. These issues result in a persistent employment gap between people with and without disabilities, limiting opportunities for financial stability, self-actualization, and social inclusion. While legislative frameworks and corporate social responsibility initiatives exist in many contexts, their implementation often remains superficial, failing to address the root causes of exclusion. Key gaps identified in the literature include the insufficient understanding of employers' practices in complying with legal

requirements and their efforts to ensure meaningful workplace inclusion for employees with disabilities. This study builds on these gaps by investigating how these obstacles manifest in specific employment contexts, exploring the depth of employer practices, and analyzing the employment experiences of people with disabilities.

Disability Legislation Ukrainian: Critique Overview

The legislative framework governing accessibility and employment for people with disabilities in Ukraine provides an essential foundation for their inclusion in the labor market. The Cabinet of Ministers of Ukraine (2011) mandates that accommodations for people with disabilities must be integrated during the planning stages of urban and building development. However, despite these requirements, many workplaces remain physically inaccessible, severely limiting employment opportunities for individuals with disabilities. This legislative gap not only undermines the Constitution of Ukraine, which guarantees the right to freely choose a profession (Law of Ukraine on Urban Planning, 2011), but also perpetuates structural inequities within the labor market. Our research will examine how these legal requirements are implemented in practice and whether businesses comply with these standards to create inclusive environments.

A critical issue lies in the insufficient enforcement of reasonable workplace accommodations. The reluctance of both employers and the state to implement necessary adjustments often pushes individuals with disabilities into the shadow economy or forces them to rely on inadequate pensions. This lack of compliance not only diminishes the confidence of job candidates but also leads to hidden disabilities. This can result in further health complications due to the absence of necessary workplace accommodations according to Law of Ukraine on Urban Planning (2011).

In contrast, when employers adhere to the law, positive employment experiences emerge. Compliance with medical guidelines and individual rehabilitation programs creates safer and more inclusive work environments (Law of Ukraine on Urban Planning, 2011). However, such positive cases remain overshadowed by poor enforcement. Article 19 of the Law on Social Protection sets employment quotas for people with disabilities, but its impact is undermined by widespread non-compliance (Law of Ukraine on Social Protection for Disabled Persons, 2017).

Furthermore, the broader issue is compounded by insufficient legislation and the inadequate condition of public infrastructure, which often fails to meet accessibility standards in transport, office, and residential buildings (Law of Ukraine on Regulation of Urban Development Activities, 2011). However, businesses that employ people with disabilities can derive multiple benefits, including enhancing their corporate image and accessing grants or benefits from social insurance programs (Ivanova & Semyhina, 2010).

Additionally, specific bonuses are available for employees with disabilities, such as exemptions from probation periods, the right to part-time work, and priority in layoffs, particularly for war-disabled persons (Labor Code of Ukraine). Despite these legal provisions, Barclay and Markell argue that legislation alone is insufficient to address the employment challenges faced by people with disabilities. Thus, beyond legal reform, training and education programs are necessary to enhance employment opportunities (Barclay & Markell, 2009).

Overall, there are a number of obstacles to the employment of people with disabilities in Ukraine. While a legal framework exists to promote accessibility and inclusion, its implementation remains inconsistent. Key challenges include inaccessibility of workplaces, insufficient enforcement of accommodation requirements, and widespread non-compliance with employment quotas. The gap in understanding how legislative shortcomings intersect with social and institutional obstacles to perpetuate employment inequality remains insufficiently understood. This study aims to fill this gap by examining the lived experiences of people with disabilities and

the perspectives of employers in the Ukrainian labor market. Through this analysis, the study will offer insight into the limitations of existing policies and identify potential ways to promote true inclusion in the workplace.

Benefits for Businesses

Research highlights numerous advantages for businesses that employ people with disabilities, ranging from increased profitability to enhanced competitive advantage. These benefits are driven by improved employee retention, strengthened customer loyalty, and an enhanced corporate image, all of which reflect a company's commitment to diversity (Lindsay et al., 2018). For employees with disabilities, secure employment provides financial stability and opportunities for personal and professional growth. For employers, retaining such employees leverages their accumulated knowledge, reduces turnover costs, and fosters a more stable workforce (OECD, 2021).

Beyond economic advantages, employees with disabilities often contribute valuable skills such as perseverance, innovative thinking, and problem-solving. These qualities are increasingly essential in navigating the complexities of a rapidly evolving global market (World Economic Forum, 2019). Studies consistently show that workplaces employing people with disabilities become more inclusive, collaborative, and productive, benefiting all employees and enhancing overall organizational performance.

The competitive advantage of employing people with disabilities is further underscored by Alemany and Vermeulen (2023), who argue that inclusivity strengthens firms' relationships with customers and stakeholders. This perspective positions disability-inclusive employment as a strategic asset rather than merely a social responsibility. Similarly, Mahasneh (2023) emphasizes the economic value of inclusion, suggesting that businesses that prioritize hiring people with disabilities can gain access to new markets and enhance their overall operational efficiency. These insights provide a framework for examining how Ukrainian businesses perceive and leverage the advantages of disability inclusion.

The global pandemic highlighted the essential contributions of employees with disabilities, as Schur et al. (2020) found that these workers often performed as well as or better than their peers in remote and hybrid settings. This finding challenges stereotypes about the capabilities of people with disabilities and emphasizes the importance of focusing on their actual performance rather than preconceived limitations.

In a broader context, diversity in the workplace is no longer just a human resources issue but a strategic business approach. People with disabilities offer unique perspectives that can shape product development and expand market reach (Shaewitz et al., 2018). Supporting employees through flexible policies and inclusive work environments enhances their workplace experience and contributes to a more innovative and productive company (Shaewitz et al., 2024).

However, the integration of people with disabilities into the workforce is not solely about legal or economic adjustments. Bonaccio et al. (2020) note that employers' attitudes toward workers with disabilities can be influenced by the fear of disrupting established workplace dynamics. Thus, organizational cultural change is crucial to fostering true inclusion and acceptance.

Employing people with disabilities offers both economic and organizational benefits, including improved profitability, innovation, and workplace culture. These findings highlight the potential for disability inclusion to address systemic inequalities while enhancing business outcomes. However, a significant gap exists in understanding how these benefits are realized in specific cultural and institutional contexts, such as Ukraine. This study aims to bridge this gap by examining how Ukrainian businesses perceive and implement inclusive practices. It will also explore the social and structural obstacles that hinder inclusion, especially from the perspective of workers with disabilities, offering insights into how they can be overcome to foster genuine workplace diversity and equity.

Method

Participants and Recruitment

In Study 1, participants were recruited through social thematic groups on Facebook, as well as regional and national non-governmental organizations (NGOs) addressing issues faced by people with disabilities in Ukraine. Potential participants were invited to complete a Google Form, where they provided personal data and completed a screening process to determine eligibility for in-depth interviews. For Study 2 (stakeholders), recruitment followed a snowball sampling technique, whereby individuals already participating in the study identified others who might be interested in contributing. Participants provided informed consent by completing a Google form with their personal data, which allowed the authors to contact them for the study. Before each interview, participants were asked to confirm their consent again. This process ensured that participants were fully aware of the study's purpose, role, and rights, including their responses' confidentiality and ability to withdraw without any consequences. This approach aimed to create a secure and ethical environment for participants to share their experiences. The identities of all participants were anonymized to ensure confidentiality. All interviews were transcribed by the authors of this study.

Study 1 *(Participants with Disabilities)*

Sixteen participants with disabilities were interviewed, including individuals from the first (I), second (II), and third (III) disability groups. The respondents, aged 24–47, comprised 9 women and 7 men. The sample included individuals with both congenital and acquired physical disabilities, representing a diverse range of needs and challenges. Participants were selected from various regions of Ukraine, including Kyiv Oblast (5), Dnipropetrovsk Oblast (4), Kharkiv Oblast (3), Zhytomyr Oblast (1), Odesa Oblast (1), Vinnytsia Oblast (1), and Chernivtsi Oblast (1). Prior employment experience, whether formal or informal, was a key criterion for selection.

Study 2 *(Stakeholders)*

Eight stakeholders from enterprises of varying sizes (large, small, and medium) participated in the interviews. The respondents, aged 29–45, included 3 women and 5 men. The participants were grouped into two categories:

Representatives from large international companies: These stakeholders worked for subsidiaries of prominent foreign brands with well-established frameworks for corporate culture, workflow organization, and technical infrastructure. These companies have demonstrated potential for creating supportive environments for employing individuals with disabilities, benefiting from foreign expertise, training programs, and financial support.

Representatives from small and medium-sized enterprises: These stakeholders had direct influence over organizational structures and were responsible for facilitating the employment of individuals with disabilities. Their companies allocated budgets for equipment and staff training, showing greater flexibility in adapting workflows, including transitioning roles to digital platforms or offering flexible work protocols. However, some employers focused solely on fulfilling government-mandated disability employment quotas, disregarding the professional capabilities of candidates, which negatively impacted their salary levels and career growth opportunities.

Sample Demographics

The final sample consisted of 16 participants with disabilities (Study 1) and 8 stakeholders (Study 2). **Table 1** presents the demographic details of participants with disabilities, and **Table 2** provides the demographic information of the stakeholders interviewed.

Data Collection

Procedure

Study 1 ***(Participants with Disabilities)***

Eleven participants were interviewed using semi-structured formats. These interviews were conducted via Zoom, a video conferencing platform, while five additional participants provided written

Table 1

Demographic characteristics of respondents with disabilities

Name	Age	Region	Gender	Education	Work Status	Disability group	Type of disability
Respondent 1	24	Dnipropetrovsk Oblast	w	Master degree	freelance	1	stroke consequences
Respondent 2	38	Kharkiv Oblast	m	Master degree	employed	3	genetic disorder
Respondent 3	41	Kharkiv Oblast	w	Bachelor degree	employed	3	cerebral palsy (CP)
Respondent 4	30	Dnipropetrovsk Oblast	w	Bachelor degree	freelance	1	spinal cord tumor
Respondent 5	40	Dnipropetrovsk Oblast	w	Master degree	self-employed	3	cerebral palsy (CP)
Respondent 6	34	Chernivtsi Oblast	w	Bachelor degree	self-employed	1	bone fragility
Respondent 7	43	Kyiv Oblast	w	Master degree	employed	2	an acute spinal cord injury
Respondent 8	47	Vinnytsia Oblast	w	Bachelor degree	employed	2	an acute spinal cord injury
Respondent 9	40	Kyiv Oblast	m	Master degree	employed	2	leg amputation
Respondent 10	22	Kyiv Oblast	w	Bachelor degree	employed	2	diabetes mellitus
Respondent 11	40	Kharkiv Oblast	m	Master degree	freelance	1	genetic disorder
Respondent 12	35	Zhytomyr Oblast	m	Bachelor degree	employed	2	skull injury
Respondent 13	43	Kyiv Oblast	m	Master degree	freelance	2	parkinsonism and intrusive encephalopathy
Respondent 14	44	Odesa Oblast	m	Bachelor degree	employed	1	neurology
Respondent 15	41	Dnipropetrovsk Oblast	m	Bachelor degree	unemployed	2	cerebral palsy (CP)
Respondent 16	32	Kyiv Oblast	w	Master degree	employed	1	cerebral palsy (CP)

Table 2

Demographic characteristics of stakeholders

Name	Age	Gender	Business type
Respondent 17	45	m	large, local
Respondent 18	29	w	medium, local
Respondent 19	32	w	large, international
Respondent 20	38	m	medium, local
Respondent 21	37	m	medium, local
Respondent 22	41	w	large, international
Respondent 23	44	m	job centre, local
Respondent 24	30	m	small, local

responses through the Telegram messaging app. The latter method was chosen to accommodate the individual needs and preferences of participants. All Zoom interviews were recorded and transcribed verbatim using the platform's recording function. The two researchers involved in the study were responsible for reviewing and analysing the transcripts, ensuring a thorough engagement with the unique narratives of the respondents. The interviews ranged in duration from 18 to 57 minutes, with an average length of 35 minutes.

Participants were asked questions based on a semi-structured interview guide, which was organized into three key thematic blocks:

Self-Perception: Participants provided personal details, including hobbies, skills, qualifications, past job roles, job search goals, and descriptions of their "dream job."

Employment Experience: This section explored the barriers participants faced in pursuing their "dream job," their concerns related to employment, interview experiences, knowledge of and encounters with disability employment laws, and their experiences with job offers designed to fulfil employment quotas.

Working Conditions: Participants discussed the factors they considered essential for comfortable working conditions. They reflected on their satisfaction with their current work environment, the equality of working conditions for all employees, any challenges related to workplace conditions, team dynamics, company support, and suggestions for improving the work process.

Study 2 ***(Stakeholders)***

The interviews in Study 2 ranged from 28 to 62 minutes in length, with an average duration of 39 minutes.

Using a structured interview guide, participants were asked questions about their corporate culture, working conditions, and the challenges or benefits associated with employing people with disabilities.

Block 1: Corporate Culture

Stakeholders provided insights into their business operations, including team composition, the proportion of employees with disabilities, criteria for employee selection, roles held by employees with disabilities, workplace relationships. They also discussed the influence of legal requirements on the employment of people with disabilities.

Block 2: Working Conditions

This section examined the specific accommodations made for employees with disabilities, including their work schedules, salaries, and interpersonal relationships both within and outside the workplace. It also addressed adaptation measures for new employees, initiatives to enhance team communication, and challenges in providing optimal working conditions.

Block 3: Challenges and Benefits

Participants shared their plans or ideas for increasing the employment of people with disabilities. They also discussed the impact of employing individuals with disabilities on their businesses, the challenges they faced, notable incidents, legislative support, and positive experiences related to disability-inclusive employment.

Semi-structured interviews with people with disabilities and stakeholders were conducted in Ukrainian, with some conducted in Russian. The interviews took place between 26 January and 24 February 2021.

Data Analysis

The six-phase thematic analysis technique by Braun and Clarke (2006) was utilized to analyse the interview transcripts. Initially, two researchers thoroughly read the transcripts of all interviews to familiarize themselves with the content. Following this, the same two researchers independently coded three interviews, identifying preliminary codes associated with key excerpts. Any discrepancies in coding were discussed and resolved. The first author then proceeded to code the remaining interviews.

In the third phase, the first author reviewed the codes, grouping related ones together and organizing them into potential themes. A thorough examination and discussion involving all authors followed to ensure the internal and external consistency, homogeneity, and relevance of these themes. This process led to the refinement of the themes (phase 4).

In the fifth phase, each author contributed to defining the identified themes and constructing the accompanying narrative structure and descriptions. Finally, all authors collaboratively developed the current analysis, which includes vivid excerpts from the participant narratives.

Through multiple team meetings and iterative readings of the transcripts, thematic saturation was confirmed.

Representativeness of the Sample

The study's sample of 24 participants aimed for theoretical rather than statistical representativeness, reflecting a diverse range of experiences. Participants included people with disabilities from various regions of Ukraine, with differences in age, gender, type of disability, and employment status. Employers and stakeholders from small, medium-sized, and large enterprises were also included, offering perspectives from different organizational contexts.

This diversity allowed for an in-depth exploration of the barriers people with disabilities face in employment and the challenges employers encounter in creating inclusive workplaces. Data saturation was achieved as interviews revealed consistent themes, with no new significant topics emerging.

This approach ensured a robust understanding of the key issues surrounding the employment of people with disabilities in Ukraine, capturing both individual and institutional perspectives. It provided a foundation for identifying systemic barriers and potential strategies to promote inclusion.

Results

Five major themes were identified through thematic analysis: 1) Four key obstacles to the employment of individuals with disabilities: spatial, institutional, legislative, and social; 2) Existing regulations concerning the accessibility of buildings and public spaces are often ignored. This leads to the exclusion of individuals with disabilities from certain work areas, regardless of their qualifications, due to spatial barriers; 3) Among the structural barriers, social barriers – characterized by prejudiced attitudes from both team members and employers – persist. These social barriers are not easily addressed by regulatory frameworks and remain a significant challenge; 4) Successful employment outcomes are influenced by factors beyond individual effort. Insufficient state intervention and societal biases regarding the employability of individuals with disabilities contribute to social vulnerability; 5) Ambiguous laws governing the employment of people with disabilities encourage quota-driven hiring practices by large enterprises. This, combined with inadequate state oversight and the reluctance of individual stakeholders, fosters illegal employment practices.

Study 1 (participants with disabilities)

Typology of Obstacles to the Employment of People with Disabilities

During the analysis of the interviews, several key obstacles to the employment of people with disabilities were identified. These obstacles can be categorized as spatial, institutional, legislative, and social. The social category is further subdivided into societal attitudes and issues related to self-perception and how individuals with disabilities perceive their environment.

The Spatial Obstacle

The most prominent of these barriers is **the spatial obstacles**, which refers to the physical inaccessibility of urban environments. This includes the inadequate provision of ramps, workspaces, adapted toilets, and inclusive high-speed transport for people with limited mobility. The availability of these facilities is essential to allow individuals with disabilities, such as those who use wheelchairs, crutches, or canes, to move freely around the city, access schools, and attend workplaces. The importance of addressing accessibility from the earliest stages of building development is emphasized

by existing standards (Cabinet of Ministers of Ukraine, 2011). However, despite these standards, adaptation issues in both urban infrastructure and buildings remain unresolved, posing significant challenges to the employment of people with disabilities. One respondent highlighted the profound impact of these barriers:

"Physical barriers are the biggest obstacle. If you can't leave the house or use public transport alone, you can only dream about employment, visiting the office, and generally about visiting anything at all" (Resp 5).

This observation underscores the foundational role that physical accessibility plays in facilitating employment opportunities for individuals with disabilities.

Further complicating the employment landscape is the lack of basic office accommodations. Some respondents noted that the absence of essential modifications, such as lifts, wide aisles, and accessible toilets, severely limits the availability of job opportunities, particularly in offices located on higher floors. This issue is exacerbated by the limited availability of remote work in certain fields, restricting employment possibilities for individuals with disabilities even when they possess the necessary qualifications. As one respondent mentioned,

"There is no need for special conditions, except for the basic ones so that a person could get to work, use the bathroom, and use the kitchen if there is one, which is often the case in the office. And that's enough" (Resp 4).

This situation not only limits job opportunities but also contradicts the constitutional right of every individual to freely choose their profession (Law of Ukraine on Urban Planning, 2011). In essence, the physical environment continues to impose significant restrictions on the professional choices available to individuals with disabilities, highlighting the urgent need for better implementation of accessibility standards.

Institutional Obstacles

Institutional obstacles to the employment of people with disabilities encompass challenges within the medical and educational systems, as well as within the business and public sectors. A key issue is the limited access to educational institutions, many of which are not adapted to meet the needs of low-mobility individuals and fail to offer online education options. This lack of accessibility in education significantly reduces opportunities for individuals with disabilities to obtain the necessary qualifications for high-paying or prestigious positions. One respondent highlighted a case where they were hired without the management being fully aware, only to have their employment later denied:

"Sometimes people were hired without management even knowing about it. Then a week later the management would deny me the vacancy when I had already been working" (Resp 3).

This incident illustrates the unpredictable and often unjust employment practices faced by people with disabilities.

Another respondent addressed the limitations in educational access, recalling that there was only one institution offering remote learning:

"At the time when I graduated, there was only one university where you could study remotely, it was 'Ukraine' (the title of a private university – author's note) and there was a speciality that more or less suited me" (Resp 4).

This underscores the restrictive nature of the educational system for individuals requiring remote learning or other accommodations, further complicating their path to employment.

In addition to educational barriers, respondents reported negligence in the medical sector, particularly in receiving accurate and prompt diagnosis, appropriate rehabilitation plans, or necessary medical certificates. The bureaucratic process of appealing or re-establishing a diagnosis can be highly resource-intensive, both financially and physically, exacerbating the difficulties people with disabilities face in securing employment.

Employers and the authority often fail to provide reasonable adjustments in accordance with the law (Law of Ukraine on Urban Planning, 2011), which forces many individuals with disabilities into the shadow economy, stripping them of their legal rights to work, independence, and self-sufficiency. Respondents noted that their most successful job searches occurred through networking or freelance work, where they could conceal their disability status, as job centres and interviews proved ineffective due to employers' unwillingness to hire people with disabilities. The lack of promotion of successful employment stories in businesses and public employment centres further discourages potential employers, reinforcing the institutional barriers that hinder full participation in the labour market for people with disabilities.

Legislative Obstacles

Despite the existence of current regulations, the **legal framework** itself poses significant barriers to the employment of people with disabilities. This can be attributed not only to employers' disregard for the law, but also to instances where individuals with disabilities unintentionally contribute to these practices. For example, Article 19 of the Law "On Basics of Social Protection for the Disabled in Ukraine" stipulates that enterprises with eight or more employees must allocate 4% of their full-time positions to people with disabilities (Law of Ukraine on the Basics of Social Protection of Disabled Persons, 2017). However, the experiences of many respondents indicate that some employers exploit loopholes in the law, resorting to salary fraud or informal employment, whereby individuals with disabilities receive only a minimal living wage despite being “formally” employed. This exploitation is reflected in the words of one respondent:

"My daughter and I were left like that. The problem was that we just had to live for something. What is given by the state is so insignificant, and if we account for the subsistence level in our country, which is the lowest for people with disabilities, it is just some kind of mockery" (Resp. 8).

This highlights the financial insecurity faced by people with disabilities, as even state support remains insufficient to meet basic needs. Additionally, another respondent shared a different perspective on the quota system:

"I have a non-working disability group. Because of this law (the quota law – author’s note), I got lucky, I managed to ‘employ’ my labor book (“trudova knyha” (labor book) is an official employment record document used in some post-Soviet countries, including Ukraine, to track an individual’s work history – author’s note), and I got some money from it, but officially? I could work somewhere remotely" (Resp. 11).

This statement underscores how the quota system sometimes leads to superficial compliance, where individuals are recorded as employed, but still, do not engage in meaningful work or professional development.

These legal and employment practices contribute to broader social insecurity among people with disabilities. Many individuals face obstacles due to a lack of understanding of their legal rights and due to employer stereotypes, that result in employment being offered only to meet the state-mandated quota. The distortion of employment statistics, caused by practices like fictitious employment or minimal wage agreements, further obscures the true scale of employment challenges faced by people with disabilities.

Moreover, some individuals with disabilities also contribute to these issues by participating in fictitious employment arrangements, driven by a lack of readiness to engage in the labour market. This reluctance is often rooted in negative experiences or psychological barriers that deter them from pursuing legitimate employment opportunities.

While some respondents view the quota system positively as an opportunity to secure formal employment aligned with their qualifications, others remain unaware of their rights and the legal provisions designed to protect them. This knowledge gap further exacerbates the challenges faced

by people with disabilities in navigating the labour market, perpetuating the cycle of social and economic insecurity.

Social Obstacles

In addition to structural and regulatory challenges, a significant obstacle to the employment of people with disabilities is the **social obstacle**. This obstacle is manifested through biased attitudes from both staff and employers, as well as the internal fears and self-doubt of jobseekers themselves.

One respondent noted the limited opportunities offered by large utility companies, which typically involve either physically demanding tasks or low-wage positions:

"Large utility companies offer jobs that people just can't take on, which include either hard physical work or very low wages, such as a storekeeper, a cleaner, a caretaker, and that is it. It does not even occur to them that a person with a disability can have a good post and professionally perform their work" (Resp. 5).

This statement highlights how deeply rooted stereotypes about the abilities of people with disabilities restrict their access to employment that matches their qualifications and offers fair compensation.

Another respondent highlighted the reluctance of employers to make necessary accommodations, emphasizing that it is often seen as easier to avoid hiring people with disabilities entirely:

"People are afraid to take responsibility. Why should they hire a person with a disability? Why should they build that toilet and that ramp? It is easier for them not to hire such a person at all" (Resp. 7).

This reluctance not only perpetuates exclusion but also creates a significant barrier to workplace diversity and inclusion. Furthermore, respondents pointed out the role of unqualified recruiters who, despite corporate social responsibility policies, may reject a candidate upon learning of their disability. One participant shared their experience:

"HR or another specialist may like everything, they are ready to make an appointment, and they do so, but then I say at the end that I have a disability, and that is it" (Resp. 9).

This kind of rejection, based solely on the disclosure of a disability, undermines candidates' confidence and may encourage them to conceal their disability status. This could lead to health issues due to the lack of accommodations aligned with their individual rehabilitation plans.

Another respondent described their experience of workplace discrimination, where community attitudes led to their job being terminated:

"When I worked in a print shop, it was closed because people started complaining to the city council as to 'why are you forcing a disabled person to work here.' It was bothering them for some reason that a person in a wheelchair was making photocopies" (Resp. 12).

This incident highlights how societal biases can extend beyond employers and affect the wider community's perception of disability in the workplace.

Negative experiences with employers further compound these challenges. Some respondents reported violations of employment agreements, leading to disillusionment with formal employment. One participant recounted:

"Once it happened, they would not comply with the terms of the agreement. We agreed on a 2–3 hour working day and a payment of 500 euros per month. As a result, I had to work all day, and my salary was dependent on the company's profits" (Resp. 13).

Such incidents reinforce negative stereotypes about managers, leading jobseekers to question whether it is worth facing potential discrimination or whether they should remain dependent on social benefits. Self-perception also plays a critical role in determining an individual's willingness to engage in the job market. As one respondent explained:

"I have an inner feeling of how I will be perceived, that is, whether physical problems will influence whether I will be hired or not" (Resp. 16).

This lack of confidence can deter individuals from actively pursuing job opportunities, even when they have the necessary qualifications.

Several additional factors contribute to the challenges of finding employment for people with disabilities. These include narrow specializations with limited demand, especially in smaller towns; high competition in certain industries; and increased candidate requirements, which often exclude people with disabilities from training opportunities. Moreover, factors such as gender, age, and prior education can also influence employment outcomes, with maternity leave limiting opportunities for women and social expectations placing financial pressures on men.

Finally, the respondents' prior employment experiences play a pivotal role in shaping their attitudes toward future job prospects. Those with positive employment histories are more optimistic and willing to participate in interviews, while those with negative experiences are more likely to seek freelance work or engage in the shadow economy. This underscores the importance of fostering positive employment experiences to encourage greater workforce participation among people with disabilities.

Self-Perception of People with Congenital and Acquired Disabilities

Peculiarities of respondents' perception of their disability are essential not only in the context of involvement in the labour market, but also in creating conditions for accessibility in the workplace. They are also critical in identifying possible difficulties in integration into corporate culture and/or adaptation in the workplace.

People with acquired disabilities have a greater context of being in the labour market through the experience of comparing life before and after disability status. Because of this, representatives of this group more often point to the need to create physical conditions, including adaptation programs and learning opportunities (online or by the principles of barrier-free space), creating conditions to facilitate the performance of tasks within a household and routine tasks. Among the problems not related to accessibility and adaptation to new situations, the internal psychological aspects of disability stand out. These include rejection of one's body, feelings of inferiority, changes in health, lack of support, feelings of lost opportunities, distrust, and fear of the necessity to change a lifestyle. For those **people who have a congenital disability**, the focus is on the difficulties of integration into society. It is accompanied by loneliness and fear of "going out" into society. In the context of employment, among the concerns of space adaptation, the team adaptation issue is added due to the psychological aspect of disability.

To sum up, successful employment is influenced by some factors that do not primarily depend on the jobseekers' efforts. This puts them in a position of social insecurity due to the lack of state intervention. These factors include legislation, favourable institutional mechanisms, and the context of society. This generates prejudices about the ability of a person with a disability to work.

Outlining a positive experience of employment of people with disabilities

The positive employment experiences of people with disabilities can be considered to comply with regulations under the law. This includes creating conditions in line with the Medical Expert Commission's guidelines and individual rehabilitation programs for the employment of people with disabilities and the use of additional safety measures for this category of employees by employers (Law of Ukraine on Urban Planning, 2011). In some cases, provided by the law of Ukraine training, the employer must provide the possibility of retraining or employment following medical recommendations.

A key finding of the study is that successful employment for people with disabilities occurs when the **state-business-worker triad** collaborates effectively. The state ensures legal enforcement and accessibility, businesses implement inclusive practices and comply with laws, and workers engage in training and advocate for their rights. This cooperation creates opportunities for employment that align with qualifications and offer fair compensation, overcoming obstacles and fostering inclusion.

"Businesses should be encouraged to hire people with disabilities. Not to oblige but to encourage. There should be bonuses for businesses instead; the employer should be interested. It is very popular and fashionable now to be so socially responsible, so many of those who hold such beliefs act following them" (Resp. 7).

This collaborative model is further strengthened by introducing mechanisms such as online interviews, state- or enterprise-funded training programs for new qualifications, and policies to enhance corporate social responsibility. These measures ensure that businesses are incentivized to invest in inclusive practices, creating a sustainable and supportive ecosystem for employing people with disabilities.

Such a cooperation mechanism will not only improve the employment statistics of people with disabilities but also allow stakeholders to improve internal social responsibility policies and ethical business principles. This will increase the number of qualified staff and loyalty and/or increase the target audience. Thus, jobseekers will increase their motivation to seek employment, strengthen trust in government and business, and promote change in spatial accessibility at the local and city levels, which everyone needs. In addition, at the level of businesses and enterprises, one can highlight some positive aspects, such as improving the image, increasing brand loyalty, and forming a high level of commitment to the company among employees.

A Study 2 was dedicated to the experience of employers or stakeholders to describe more broadly the problem of employment of people with disabilities while considering the position of all parties involved.

Study 2 (Stakeholders)

Obstacles Identified by Stakeholders in Hiring People with Disabilities

This section analyses stakeholders' challenges when hiring people with disabilities, emphasizing issues with unclear legal requirements, societal attitudes, and infrastructure barriers. It highlights how ambiguities in legislation and insufficient incentives discourage employers from the inclusion of workers with disabilities. Societal biases and misconceptions about the abilities of people with disabilities further limit employment opportunities, while inadequate infrastructure, both public and private, exacerbates these difficulties. By addressing these systemic issues, the section provides a foundation for understanding the broader context of employment barriers faced by people with disabilities in Ukraine and the perspective of employers and stockholders.

Unclear Legislation

The most prevalent challenge identified by stakeholders is the lack of a clear understanding of existing legal frameworks related to the employment of individuals with disabilities. Current laws often fail to provide adequate guidance, leaving both employers and employees in difficult situations. For instance, restrictions on hiring individuals with certain disability groups for full-time positions limit their employment options and discourage employers from engaging in meaningful inclusion efforts. Additionally, potential incentives, such as tax breaks or financial benefits, are typically vaguely defined in official documents, making it unclear whether hiring people with disabilities would yield any tangible advantages for employers.

As a result, large enterprises may choose to hire individuals with disabilities simply to meet quotas and avoid sanctions, rather than fostering genuine workplace inclusion. One respondent reflected on this situation:

"In these circumstances, they [stakeholders – author's note] think first of all what they will get in the upcoming days if they rely on the work of a person with a disability...they believe that the income and added value they can get through the work of such a person will be lower than if they hired a person without a disability" (Resp. 19).

This highlights how short-term thinking and stereotypes about productivity hinder the employment of people with disabilities, despite the potential long-term benefits, such as increased loyalty

and improved corporate reputation. Moreover, bureaucratic processes add further complexity to hiring individuals with disabilities. Another respondent noted that businesses often find it easier to invest in physical adjustments, such as adapting toilets and workspaces, rather than navigating complicated legal requirements:

"The main problem is that all the bureaucratic processes from a business standpoint are not worth employing a person with a disability" (Resp. 17).

Stereotypes about the status of being incapable of working are another example of how inconsistencies in current legislation and ignorance of current legislation can harm the employment of people with disabilities. There is a misconception that obtaining disability status is equated with obtaining the status of incapacity to work. According to the Constitution of Ukraine, everyone has the right to work. As of now, total incapacity to work starts at retirement age. Disability implies partial/temporary incapacity to work, which provides for the possibility of employment (Pension Fund of Ukraine, 2021). However, ignorance of the specifics of this distinction on the part of both stakeholders and people with disabilities can become an obstacle to the employment of people with disabilities.

These problems demonstrate the need to reform existing laws on the employment of people with disabilities. In addition, one possible solution may be developing an information campaign to work with employers and potential employees to increase their awareness of both parties' current rights and responsibilities. It can also be helpful to organize mediation between people with disabilities and stakeholders, cooperation between stakeholders, and exchange experiences between Ukrainian and international companies.**Societal Stereotypes**

Societal stereotypes and misconceptions significantly influence stakeholders' willingness to hire people with disabilities. Entrenched biases about the capabilities of individuals with disabilities result in limited opportunities and workplace discrimination. One respondent noted that employers often hesitate to hire people with disabilities. This was not due to financial or organizational challenges, but because workers without disabilities and organizations as a whole lack the knowledge or experience to effectively work with people with disabilities:

"A problem with companies is that not everyone wants to deal with people with disabilities because it is scary. Not everyone can deal with them. When they were still offices, they were not inclusive. That is, if a person has a disability due to diabetes, then no issue. But if this person is in a wheelchair, they cannot be in the office because there is simply no toilet. There are some, but they are simply not accessible for people with disabilities. There were fears on the part of employers about the cost of employment and difficulties with organizing workspaces" (Resp. 18).

Societal stereotypes significantly hinder employment opportunities for people with disabilities by fostering misconceptions about their abilities and productivity. While financial concerns arise in specific cases, biases about integrating people with disabilities into the workplace frequently play a larger role, particularly in organizations lacking experience or inclusive practices. In conclusion, breaking these stereotypes is crucial for an inclusive labor market. Awareness campaigns, employer training, and equitable hiring policies can help ensure people with disabilities are recognized for their skills, not limited by prejudice.

Insufficient Infrastructure

The condition of public infrastructure and office spaces poses a substantial obstacle to hiring people with disabilities. Many buildings, including old and new constructions, fail to meet accessibility standards required by Ukrainian legislation (Law of Ukraine on Regulation of Urban Development Activities, 2011). This includes the absence of ramps, accessible toilets, and appropriate workspace modifications.

Employers often find the cost of renovating existing buildings to meet accessibility requirements prohibitive. One respondent reflected on this financial challenge:

"The high cost of renovating old buildings to meet accessibility standards can be prohibitive for some companies" (Resp. 24).

The inadequacy of city infrastructure further compounds this issue, as some employers expressed concerns about the broader challenges faced by employees in navigating urban environments:

"Speaking of transfers, etc., then, in this case, we have more questions about the city infrastructure. We are ready to consider the option of hiring employees in wheelchairs, and for this purpose, the infrastructure of the city itself should be adjusted" (Resp. 24).

In many cases, the responsibility of creating accessible workspaces falls disproportionately on employers, despite the state's legal obligation to ensure such accommodations. This mismatch of responsibilities complicates the employment landscape and limits opportunities for people with disabilities.

The obstacles faced by stakeholders in hiring people with disabilities arise from a combination of unclear legislation, societal stereotypes, and insufficient infrastructure. Addressing these obstacles requires clearer legal frameworks with explicit guidelines and incentives, government initiatives to support infrastructure upgrades, and public awareness campaigns to challenge societal biases. Additionally, fostering collaboration between businesses and stakeholders, alongside international knowledge exchange, can improve employment conditions and promote the inclusion of people with disabilities in the workforce.

Discussion. This study underscores multiple obstacles to employment for people with disabilities in Ukraine, aligning with findings from previous research.

Physical barriers, such as inaccessible workplaces and public transportation, were prominent among respondents. This aligns with Semigina and Ivanova (2010), who pointed out that inadequate infrastructure limits job opportunities, and Powell (2024), who also emphasized the impact of outdated infrastructure on employability.

Institutional challenges, including limited access to education and healthcare, further restrict employment. Paul and Batinic (2009) and Lindsay et al. (2018) both stressed that these barriers prevent people with disabilities from acquiring the necessary qualifications.

Unclear and poorly enforced legislation also hinders progress, as employers often bypass quotas through superficial compliance. Barclay and Markel (2009) and Mahasneh (2023) noted similar findings regarding the failure of legislation without proper enforcement.

Social stigma and workplace discrimination were major obstacles. These findings are consistent with Ramachandra et al. (2017) and Araten-Bergman (2016), who documented biases against hiring individuals with disabilities, a challenge also observed by Ameri et al. (2018).

Psychological barriers, particularly among individuals with acquired disabilities, were significant. Paul and Batinic (2009) and Baert (2018) highlighted the impact of self-doubt and negative experiences on job-seeking behaviour.

To address these issues, a comprehensive approach is needed. Shaewitz et al. (2018) emphasized the importance of employer education to combat biases, while Bonaccio et al. (2020) advocated for flexible workplace policies that accommodate individuals with disabilities. Moreover, Barclay and Markel (2009) and Ameri et al. (2018) stressed that legislative reforms must be paired with effective public awareness campaigns to reduce stigma and increase understanding of the benefits of hiring people with disabilities.

Addressing the barriers identified in this study – whether spatial, legislative, institutional, or social – requires coordinated efforts across multiple sectors. Improving infrastructure, enforcing laws, educating employers, and combating societal stigma can significantly enhance employment opportunities for people with disabilities in Ukraine.

While the issue of how disabled people are perceived and treated in a society is a universal one and concerns every country and/or community, in Ukraine, the ongoing war currently influ-

ences the situation. This means that the issue of creating proper policies that would ensure the protection of people with disabilities is crucial. Participants indicated that self-perception and personal attitudes significantly impact their integration into corporate culture. Those who felt valued and supported reported higher levels of job satisfaction and engagement. The study found that participants faced various barriers to employment, including misconceptions about their abilities and inadequate workplace accommodations. However, positive examples, including flexible schedules, accessible facilities, and supportive colleagues, were crucial for experiences noted in inclusive environments with supportive policies. Adequate working conditions successfully integrate employees with disabilities. The study highlighted the need for continuous improvement to foster a truly inclusive workplace. Overall, the findings suggest that while progress has been made, there is still a need for enhanced efforts to support the full integration of people with disabilities into corporate culture. This study has some limitations that need to be acknowledged and could potentially be addressed in future research. The findings are based on qualitative data from individuals with disabilities and stakeholders, with a relatively small sample size. Additionally, using snowball sampling for participant recruitment may have introduced selection bias. These factors limit the generalizability of the results and suggest that further research with larger, more diverse samples and different recruitment methods are necessary to validate and expand on these findings.

Conclusion. The study's results suggest fundamental policy changes to improve employment for people with disabilities. At the state level, enforce inclusiveness in architecture and infrastructure, ensure workplace accessibility, mediate between employers and workers, improve and enforce laws, and provide training for employers and employees. At the enterprise level, adopt social responsibility policies, promote diversity, implement adaptive practices, educate management on laws, and develop training and internship programs. Individually, engage in self-development and skill improvement through specialized training. Social projects should include public education, workplace adaptation, and mentoring programs.

Acknowledgements. The authors are grateful to all the participants involved in the research.

Disclosure statement. The authors report there are no competing interests to declare.

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DOI https://doi.org/10.30525/2592-8813-2024-4-21

SUPPORT FOR SURVIVORS OF WAR-RELATED SEXUAL VIOLENCE IN UKRAINE

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Abstract. Sexual violence is one of the weapons against Ukraine and its citizens. Professionals, who work in state services and civil society organizations that care for victims of war-related sexual violence, need additional knowledge about how to provide effective psychosocial and legal support to survivors. A series of expert interviews were conducted with representatives of NGOs and state social centers to understand their needs in working with victims (n=44). The experience of specialists can help identify victims' problems and provide guidance to professionals on how to work more effectively to assist survivors of sexual violence.

The author analyzes the capabilities of the state and public organizations to provide assistance to survivors of sexual violence that occurred during the war against Ukraine.

Key words: psycho-social support; survivors of sexual violence, compensation, social workers, psychologists, law enforcements.

Introduction. War is a shocking and bloody phenomenon in every country. Ukraine never expected that its closest friends, and in many cases even relatives, would become the enemies. Since February, 2022 till May, 2024, the Russians destroyed more than 250,000 residential buildings (27,000 multi-storey buildings), 4,000 schools, 1,000 hospitals and medical centers, and 160 social security facilities (Build Portal, 2024). But the most shocking information was reported by the Office of the United Nations High Commissioner for Human Rights (OHCHR), which confirmed 35,160 civilian casualties during Russia's invasion of Ukraine as of July 31, 2024. Overall, 11,973 civilians have been killed, including 622 children, since the start of the full-scale Russian invasion in February 2022, according to the UN human rights office (UN News, 2024).

Not only shells and bombs that destroy human lives, but also rape and other forms of sexual violence. The most prevalent forms of sexual violence in wartime include rape, forced prostitution, forced pregnancy, threats of sexual violence, forced witnessing of sexual abuse, forced abortion, genital mutilation, sexual slavery and forced nudity. While men or women are fighting at the front-line, their loved ones are being violated while no one can protect them. Sexual violence by soldiers is a weapon of war, as victims suffer serious psychological trauma and physical pain, post-traumatic stress disorders, mental health problems, and very often attempt suicide.

In 2014, Russia began its invasion of Ukraine, and people living in Ukraine have been exposed to evidence of war crimes, including sexual violence, committed by Russian aggressors. Survivors reported sexual violence at checkpoints while trying to enter Ukraine, in places of detention, and in occupied villages and towns. In 2022, Russia launched a full-scale invasion,

characterized by attacks on Ukrainian citizens, including the frequent use of sexual violence and its forms. There is no real number of victims, the Prosecutor General's Office of Ukraine recorded 322 cases (Media Center, 2024), but some experts estimate that this figure could be 10 times higher. The number of affected people who seek help from different organizations is very high, but the official number of registered cases is not that high: 207 women and 115 men, including 14 girls and 1 boy. Victims are often afraid and embarrassed to report their cases. One way to influence people to testify as well to support them financially, is through urgent temporary compensation, which has been recommended by the Global Survival Fund and the Government Commissioner for Gender Equality in Ukraine.

However, for Ukrainian psychologists and social workers, who usually provide effective psychosocial support, working with survivors of sexual violence committed by foreign servicemen is a relatively new area. These professionals, who work in state services and civil society organizations that care for victims of war-related sexual violence, need additional knowledge about how to provide effective psychosocial support to survivors of war-related sexual violence and how to do so.

Analysis of scientific publication. At present time many studies have focused on the problem of wartime related sexual violence and rape. But even in 90-th Ruth Seifert (1993) identified the 5 characteristics of wartime rape. It can be stated that the enemy is convinced that rape and sexual violence are powerful weapons in war. Another researcher, Daria Zavirsek, who analyzed survivors of rape in the war in Bosnia and Herzegovina, wrote that rape and other forms of sexual violence, sometimes committed in front of relatives (husband, children, parents), are an effective tool of war, another weapon to destroy social ties, families, and communities (Zaviršek, 2008). Researchers from Indonesia who have worked with cases of sexual violence, have provided a list of stages of the therapeutic process that aims to facilitate the healing process of sexual violence survivors (Ersa Kireina Kiblati at al., 2024).

In the article Vjollca Krasniqi (2024) described the instruments of transitional justice in Kosovo since 1999, structured as long retributive and restorative mechanisms, namely criminal justice, reparations, and memorialization, and analyzed how transitional justice infrastructure evolved on the ground regarding recognition and reparations of wartime sexual violence. Of the approximately 20,000 women who have been victims of sexual violence in Kosovo, only 1,992 have applied for compensation, and 1,606 have received a reparation of 230 euros per month.

The aim of the work. The problem of providing assistance to survivors is further complicated by the fact that sexual violence still remains a taboo in Ukrainian society. People who have suffered from it are often afraid or ashamed to seek help from specialists. “Inhabitants of the isolated and enclosed rural villages are strongly acquainted with their fellow villagers, making social anonymity and personal privacy difficult to achieve. Simultaneously, senior teachers, community leaders, and other public figures regularly travel between these villages and are strongly connected to and interpersonally influential with large numbers of citizens across this network. These individuals might not have medical training and might lack the non-judgemental professional standards aspired to by the partnering humanitarians; instead, they might harbour locally prevalent prejudice and stigmatizing views. As such, survivors of war-related sexual violence might be deterred from sharing such sensitive information in clinics for fear of confidentiality breaches and social stigmatization” (Armitage, R., 2022).

It is why victims rarely go anywhere and talk about what happened to them. “*She was silent for two years. She was an elderly woman, over 60 years* old,” Olena, a case manager at the Center for Assistance to Survivors who helps victims receive medical, legal and social assistance, recalls one of the appeals. *“The Russians found her in the basement where she was hiding, dragged her into the house, and forced her to cook for them. It was March, it was cold and she was wearing a winter coat, they undressed her and raped her. She doesn't even know how many men raped her, it was more than*

ten people. And a person of respectable age... these horrors continued for several days. She could not do anything. She was crying all the time. She had a feeling of very great shame. A person in a small village, she was afraid that people would point fingers at her," Olena shares the details. "*A man was captured, he was severely abused. There was torture, they burned the letter Z on his buttocks with cigarettes... He suffered a lot. And one day they took him and threw him in a field, they shot his fingers with a machine gun, and he was raped. He was left alone, completely naked, in a field*," Olena tells about one of the recent cases (Sysak Iryna, 2024). As can be seen from the above facts, both women and men are subjected to sexual violence during the Russian-Ukrainian war.

In three regions of Ukraine (Kyiv, Lviv, and Dnipro), we conducted a series of interviews with governmental and non-governmental organizations that provide social services to various categories of people, including women and girls who have experienced sexual violence. The aim of these interviews was to collect information on how social workers and other professionals who work in welfare services identify the problem and what type of psychosocial support is offered to the victims of war-related sexual violence. It was conducted a series of in-depth interviews with social work specialists and psychologists (n=43). The results of the in-depth interviews were transcribed verbatim. Preliminary coding was performed to identify descriptive themes, and then refined and interpreted using the MaxQDA10 program (Shved at al, 2024). Additional interview was conducted with the Project Officer for Ukraine of the Global Survivors Fund.

Employees of state social services and public organizations are faced with the need to provide assistance and counseling of people who have become survivors of sexual violence during the war. Public organizations that provide assistance to victims of sexual violence include the Ukrainian Foundation for Public Health (UFPH), *SafeWomenHUB*, the Aurora online platform (psychotherapeutic assistance to victims), the Information Advisory Center for Women, and La Strada-Ukraine (gender equality, peace building, prevention of gender-based violence). These organizations were interviewed as part of the study.

Survivors seek help because sometimes the unresolved situation leads to severe mental health problems including suicide attempts, psychosocial well-being disorders and other health issues. Help is needed immediately but usually "*they are not ready to speak immediately. For a person to start talking about such things, it takes two or even four meetings. Sometimes a person says: "I don't want to talk, but it happened." And we understand that this is a very traumatic experience for a person, so we work in a "closed-frame" format, when a person does not have to talk about the situation itself*." – explained one of the psychologist.

Some of the findings have already be presented in another research "Psychosocial support for victims of sexual violence during the war in Ukraine: challenges for social work" (Shved O. at al., 2024)

Since the beginning of the war, many specialists have been actively involved in helping those in need among them also survivors of war-time sexual violence. But many of the professionals have not yet worked in supporting women who experienced rape in peace time, therefore, lack of specialized knowledge affected their work: *"I see that the woman is stressed, I try to ask questions, but she cries only. I don't know how to calm her down*" (social worker); *"Sometimes we heard from children that the mother was raped, and we discussed among ourselves what to do*" (social worker). Many social workers gave similar responses of how they *"know about organizations that specialize in this topic and we refer these women to them as they need long-term psychotherapy, but we provide only humanitarian support, housing and employment*".

The Ukrainian Foundation for Public Health (UFPH) at the beginning of the war developed a special platform SafeWomenHUB to provide urgent psychological, humanitarian and social assistance to women and girls affected by the war. Clients can receive consultation face-to-face, by phone, or even via digital communication. During twelve months (from April 2022) the platform's specialists provided psychosocial counselling to 86 clients who had experienced war-re-

lated sexual violence. The clients who came with the war-related sexual violence were of the following age categories: 0–17 years old – 3 people, 18–59 years old – 83 people. It is noteworthy that 51 out of 86 people refused to indicate the region of residence, although the counselling took place on-line. That shows the fear of being identified and exposed, even when they seek help from professional helpers.

The consultants from other organizations also emphasized that women themselves mentioned the importance of maintaining anonymity. They often tell consultants over the phone or online that it is good to be invisible. In order for victims to be able to talk about what happened, trust must be established between them and social workers, psychologists or law enforcement officers. At the same time women have to feel safe and confident that their personal information will not be disclosed or spread. Women from liberated and occupied territories seek advice mainly through the online platform SafeWomenHUB or Aurora, or call to the La Strada Ukraine hotline.

Months or even years may pass before survivors are ready to testify about sexual violence, but the task of specialists is to provide psychosocial support, inform them about the rights of the survivor, and give them the choice of whether to speak about what happened, testify about the crimes immediately, testify later when they are ready, or choose not to testify at all. Among the forms of sexual violence reported by women in Ukraine who were interviewed by different welfare professionals are: 1. Rape (one-time, in the presence of family members, gang). 2. Forced nudity (for example, one expert said that *"clients were horrified when they were not allowed to go out and change clothes during the night arrest, they were forced to undress and dress in the presence of several soldiers*"). 3. Filming/shooting while undressing and in the nude (consultants testified that *"during searches, women were forced to undress naked, explaining that they could hide something on their bodies and filmed*"). 4. Sexual harassment, in the form of unwanted touching, squeezing, and comments *("in the corridor of the prison, a woman was surrounded by 15 soldiers, lifting up her T-shirt, touching her breasts, looking into her pants, threatening her with gang rape*"). 5. Threats of sexual acts *("threatened to rape her and promised to find and rape her daughter*").

Experts told that not only women who were raped seek help but also children and other relatives who witnessed this violence. *"I worked with a child who left the occupied territory with his mother. The child reported what was done to his mother. The mother didn't say anything about the rape. That is, we have two victims. Now psychologists work separately with the mother, separately with the child".* That tells, that social workers and psychologists need to work with victims of violence and those who are secondary victimized as witnesses (Shved at al., 2024).

Psychologists and social workers reported that after admitting what they went through, all women and girls were concerned about the following questions: "How to live on?", "Shall I share what happened with family members (parents) or will the story traumatize them too much?", "How to build relationships?", "Should I tell my husband what happened or it is better to keep silent?", "Will my aversion to men ever go away, will I ever want to have sexual relations?", "How to help a child who has suffered from sexual violence, what to say to her?", "Maybe it is better to go abroad?".

Most women are unwilling to go to the police to report a crime committed against them. Those who have survived do not go to the police because they do not believe that the perpetrator will be found and punished, or they are afraid that it is too late. Some of them do not have evidence of when they left the occupied territories or when the place where the crime was committed was destroyed as a result of hostilities. Women often believe that they behaved in a "wrong" way (were dressed too well, looked into the face of the perpetrator, or walked and drove in the wrong place). These examples show that women and girls internalize that it is their guilt when they are sexually attacked and not the responsibility and the crime done by the violator (Zaviršek, 2020).

It is necessary to share with the survivors that talking is a way to receive help, to restore life in its various aspects, and even to establish justice.

According to the testimony of a social worker of the NGO *Information Advisory Centre for Women*, law enforcement agencies sometimes traumatize women and children even more with the investigative procedure: *"One of the clients agreed to testify about rape during the occupation and went to the investigator. Then she called and said that she had decided to commit suicide after all those questions and humiliations. The social worker barely had time to save her. But there are cases where women, and even children, have committed suicide because of what they have experienced"*.

Another social worker explained: *"When consulting online or in-person, trained social workers and psychologists do not ask about details, "the conversation goes without details", but the investigators demand the confirmation of facts, which provokes tragic memories of trauma"*. Therefore, many social workers accompany victims of sexual violence to law enforcement agencies to ensure that the process does not cause further trauma.

The social workers also should provide emotional support, identify the needs of the affected person, that can include the medical or material assistance, temporary shelter, and talking to relatives before the victim returns to them (Shved, & Myroshnichenko, 2022).

Some social workers and psychologists have already received training and specific guidance on responding to and dealing with cases of sexual violence during wartime, but there are many actors who organize such trainings, and we are not sure about the quality. Moreover, special training should be provided to law enforcement agencies. There should be more informed on where victims should go to seek help, as well as information on what sexual violence is and why one should not be afraid to talk about it.

During the interviews, social workers and psychologists confirmed that it is very important to be able to start a conversation, and to react sensitive: *"It turned out that before you hug a woman or a child, when you want to calm her/him down, you need to ask her/him if it is possible. After being raped, they do not accept any touch"; "Such clients often have a stupor, and they look at one point and are silent – it is necessary to provide time for silence, offer tea, water, or ask to do something"; "The client was scared of the word 'psychiatrist', so I had to explain that she needed medication for good sleep, appetite, and to reduce depression, and social workers could not prescribe, only a psychiatrist. Everyone is still afraid that they will be put in the category of being mentally ill and registered, so they refuse to come"; "It's very difficult when a woman has a tantrum. You don't know how to continue the conversation. She can't hear what I'm telling her"* (Shved, at al., 2024). Specialists were suggested several initial questions to start conversation: "Have you witnessed or participated in a traumatic situation?", "Please, explain what happened?", "When did it happen?", "What emotions did you experience? Did it affect your health, behavior, communication with others?", "Do you have relatives or friends who support you?", "Is there someone you are afraid of?", "What kind of help do you or your loved ones need?".

Currently professionals are looking for fundamental principles for improvement of professional responses when supporting survivors of warfare sexual violence in Ukraine, for ways to improve the procedures for working with victims of sexual violence. Some specialists who work with victims of sexual violence recommend using the Murad Code (Murad Code, 2022), written by Nadia Murad, a 2018 Nobel Peace Prize laureate. She is an Iraqi citizen of Yazidi origin, who survived sexual exploitation and abuse during the capture of Yazidis by Islamists. The Murad Code sets out existing minimum standards for the safe, effective, and ethical collection and use of information about a survivor of conflict-related sexual violence. Ukrainian professionals see the main principles of the Murad Code as fundamental knowledge for training social workers, psychologists, and law enforcement officers, without which it is impossible to start working with a person who has suffered from sexual violence. There are some of these rules which will be useful during work with survivors:

1. Adapt to survivor's individuality (age, gender, resilience, socio-economic situation).
2. Ask survivors (adults and children) about their priorities, concerns and risks.
3. Avoid making assumptions about survivors of sexual violence, their trauma, and their vulnerability.
4. Do not contact the survivors unexpectedly or through intermediaries.
5. Allow survivors to maintain control over their information and maintain confidentiality.
6. Provide support in decision-making.
7. Do not contact family members or legal authority without the authorization of the survivor.
8. Do not offer benefits in exchange for information, but help to solve financial problems. Not providing commercial incentives to people close to victims to pressure victims or force them to talk to you.
9. Set realistic expectations without promises which cannot be keep. If you are unable to adapt your approach to the survivor's wishes, explain why.
10. Honestly and clearly explain limitations in term of what can be done and what not in order to keep your professional boundaries.
11. Inform survivors of the possibility of withdrawing consent at any time during or after the process of providing help.
12. Provide support to survivors with dignity, respect, understanding and respect for their decisions. Explain that it is not the survivor's fault what happened.
13. Avoid stigmatization, overcome your own prejudices and fears. Do not broadcast with your intonation, words, body language what can shame, blame, humiliate, ridicule the victims.
14. You can interview child victims only if you have the appropriate competencies, skills and experience working with children (adapted to their age, gender, needs, etc.). If there are no such specialists in the team, then it is necessary to find the appropriate specialist.
15. With the victim, especially if it is a child, it is necessary to discuss in advance who she/he would like to see next to her/him during the interview. If you are unable to accommodate the victim's choice of a support person (family, guardian or legal representative), the choice must be respected if she/he chooses not to proceed with the interview.
16. Create a supportive and safe environment for a face-to-face or remote meeting; It is necessary to reduce the risk that the victim will be able to be monitored or interrupted by the conversation and its narration.
17. Respect personal space (often victims do not want to be touched).
18. Any questions related to the sexual violence should be asked carefully, the professional has to express gratitude to the victim for the courage to talk about their experience and discuss how the next communication will take place.
19. Questions should be open-ended. Closed-ended questions should only be used in exceptional situations, and the interviewer should refrain from asking questions about graphic details of sexual violence.
20. Specialists have to provide the opportunity to the survivors to choose how they will talk about the experiences with own words and at own pace.
21. Access to justice should be supported (effective remedy, truth about enemies, and reparation).

International humanitarian law recognizes sexual violence in war time as a war crime. Therefore, it is important, when a country uses sexual crimes as a tool of war, that not only those who directly rape or sexually abuse, but also those who send these people to commit such crimes are punished. Specialists now recommend to the survivors of war-related violence to testify their cases. There are several reasons to testify cases of sexual violence related to the war in Ukraine: "Your testimony is a bullet against Putin and Russia", "We have already found several criminals and will look for ways to punish them" or "You can get compensation of 3,000 euros" etc.

The right to an effective remedy for violations of human rights is well established in international human rights law, including under the treaties to which both Russia and Ukraine are parties[1]. Since 2023, the Global Survival Fund (GSF) team has been working with the Ukrainian Office of the Deputy Prime Minister of European and Euro-Atlantic Integration, Ukraine Government Commissioner on Gender Equality Policy, The Dr. Denis Mukwege Foundation, International Organization for Migration (IOM), REDRESS, La Strada Ukraine, and other partners to implement recommendations for urgent interim reparations. GSF recommend to support and fund projects and initiatives aimed at responding to the needs of conflict-related sexual violence (CRSV) victims and survivors while ensuring that all such initiatives and projects are survivor-centered, trauma-informed, and gender-sensitive, in line with key principles set out in the Murad Code, a global code of conduct distilling existing minimum standards to ensure information from survivors of conflict-related sexual violence is collected in a safe, effective, and ethical way; Take concrete action to further survivors' access to a remedy and reparations including through the provision of technical assistance to the Ukrainian Government and exploring means to finance interim and comprehensive reparations, including through the repurposing of sanctioned assets (Reparation, GSF, 2022)

GSF is working with survivors, the Mukwege Foundation, and the International Organization for Migration to support victims through financial compensation. This money called "urgent interim reparation" because cannot cover the loss of health, dignity, and self-confidence of survivors, but with the hope of receiving the real reparation from Russia. For November, 2024, 523 people applied for urgent interim reparation, from which is 292 men and 220 women, 9 girls and 2 boys. 274 people have already received money[2].

Conclusion and recommendation. To conclude, the major findings of this article are that there identified several main problems and challenges: the problems faced by victims of sexual violence: they suffer serious psychological trauma and physical pain, post-traumatic stress disorder and various mental health problems. Survivors are often afraid and embarrassed to seek help from specialists and often keep silent about their experiences. Specialists face different challenges when providing assistance to survivors of war-time violence, as this type of work is relatively new for Ukrainian professionals. Therefore, the article provides some recommendations for specialist working in public services and non-governmental organizations to become more effective in supporting survivors of war-related sexual violence, protecting their rights and providing psychosocial assistance and recovery during and after the war. Specialists should correctly conduct a conversation/interview with the survivor, for which the professionals must have sufficient training and expertise. Professionals should inform and support survivors' ability to testify in cases of sexual violence, explaining the several goals of this activity: to punish perpetrators, to bring this information and cases to international human rights organizations and public, and to get reparation.

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THEORY AND DEVELOPMENT OF POLITOLOGY

DOI https://doi.org/10.30525/2592-8813-2024-4-22

2001 – AS THE BEGINNING OF THE GLOBAL PHASE OF THE FIGHT AGAINST INTERNATIONAL TERRORISM

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Abstract. In the article, issues related to the serious impact of the terrorist events of September 11, 2001 in the United States on the world order were selected as the object of research. Discussions about the causes, goals and geopolitical consequences of these terrorist acts do not subside, on the contrary, September 11 is marked as the beginning of a new era of systematic, purposeful and collective struggle against international terrorism. The article analyzes the international situation after 2001 based on the researches of a number of authors, as well as the materials of the mass media, The description of the hegemonic policy of the United States is given, and the struggle of the UN in the field of creating an anti-terrorist coalition is analyzed from a scientific and practical point of view.

Key words: USA, UN, September 11, 2001, Middle East, Islamic factor, international terrorism, anti-terror, energy interests, world order, geopolitical competition.

Introduction. From the end of the 20th century, the beginning of a new phase of the fight against international terrorism was connected with a number of fateful factors. After the well-known events of the early 1990s, the collapse of the world socialist system, and the dissolution of the USSR, the United States, which had become a global power, began to implement the projects it had gradually prepared over the decades to establish a unipolar world order and assert its hegemony on a global scale. The events of September 11, 2001, provided the groundwork for this. The difficulty of accepting the global hegemony in the world demanded the development of such a strategic concept, the realization of which would enable the unification of states around the United States, which was only achieved for a certain period after the terrorist events of September 11.

According to modern scientific and political views, it cannot be considered a coincidence that the events of September 11 in the United States took place in a country that was the pioneer of globalization against the structures that are also a symbol of globalization as a reaction to the cold war and the globalization it caused. The fact that the September 11 attacks are directed against the World Trade Center, the symbol of the United States, and the Pentagon, a symbol of its military power, has rather subtle strokes. However, there are quite consistent factors to consider September 11 as a turning point in the history of the world order. These attacks were neither an ordinary terrorist act nor any horror show, after the events of September 11, the countries of the anti-terrorist coalition, led by the United States, united to defend against and prevent terrorism (Akgün, 2006).

Discussion. According to political scientists, the beginning of the US fight against terrorism dates back to the early 80s of the last century. So, in April 1980, the president of Libya M.Gaddafi demanded that Libyan political immigrants return home, and for a short time 20 Libyan dissidents were killed in Western Europe and the Middle East. In May 1981, after US President R. Reagan demanded the closure of the Libyan embassy in Washington, Libyan territorial waters were closed to Americans. The US 6th Fleet launched a military operation against Libya in August 1981, in response to which

Libyan radicals committed several terrorist attacks in Western Europe. When U.S. and British aviation bombed M.Gaddafi's command centers in April 1986, his daughter was killed (Mustafayeva, Qurbanova, Cavadova, 2011).

However, until the mid-1990s, terrorism for the US public was seen as a threat to diplomatic or military facilities of the state located abroad. The increased focus on combating terrorism led to the United States beginning to finance states engaged in this fight in order to make the struggle more effective. For this purpose, Argentina, Brazil and Chile accounted for 68 percent of all US aid in that fiscal year in connection with the terrorist attacks in 1976–1977. In 1979, 32.1 million dollars was allocated for military assistance to Latin American countries, in 1980 – 38.7 million dollars (Zafer, 1998).

From Azerbaijani authors E.Galandarova wrote that terrorism is one of the most dangerous, hardly predictable and increasingly diverse forms of the modern era, taking on more threatening scales. Terrorist acts result in human casualties, exert strong psychological pressure on large masses of people, destroy material and spiritual values that are sometimes impossible to restore again, provoke discord between states, lead to wars, the emergence of distrust and hatred among social and national groups (Qələndərova, 2017).

It should be noted that the occurrence of terrorist attacks in the 90s of the 20th century mainly in the countries of the Middle East is also shown by the statistics of this period, which was considered a widespread form of struggle against the colonial policy of world imperialism. In Iraq, Yemen, Syria, Somalia, Tanzania, Kenya, etc. among the numerous terrorists mentioned in the terrorist acts in the countries, Osama bin Laden is also named. Just two days after the attacks on the World Trade Center and the Pentagon in the United States the mention of the name of Osama bin Laden raised numerous questions in scientific and political opinion, which are discussed to this day.

As is known, when the head of the terrorist organization “Al-Qaeda” Osama bin Laden declared war on the West long before the events of September 11, 1998, in response to the US policy against the Islamic world, no one took it seriously. However, the terrible situation caused by the attacks on the skyscrapers of the United States led to the formation of an anti-terrorist declaration by the UN. The terrorist threat, which was previously considered a potential threat to the West, became a reality after September 2001, 11, but a political analysis of what is happening in the world and anti-terrorist compaignes raised doubts about the insidious intentions of the United States with great prospects. Representatives of Turkish, Russian, Arab, and Western political thought began to express different positions regarding the unfolding events.

Turkish authors C.Ozdiker, S.Chaychi, B.Dedeoglu and others noted that the terrorist action of September 11 was planned and carried out by the United States itself. According to these authors, when the report of the 9/11 Commission of the US Congress is examined as a whole, it is clear that the US leadership could have easily prevented these attacks. Considering the magnitude of the consequences of these acts of terrorism, the possibility of such an operation being carried out by a small group of Islamic fighters struggling to settle in the mountains of Afghanistan is not credible. On the other hand, it is also impossible that the September 11 attacks were carried out by the former CIA employees of the United States, who played the role of Islamic revolutionaries in the mountains of Afghanistan. However, immediately after the events, showing Osama bin Laden, not the states that may be the cause of the terrorist incidents in the United States, as a target, is an indication that the terrorist incident was a conspiracy and was seriously planned and carried out (Özdiker, 2003). It is not accidental that very soon we see other authors coming to similar conclusions. After the terrorist incidents, we do not see that the United States started a systematic fight against terrorism by creating an anti-terrorist coalition, or that the Anti-terrorist System was created under the leadership of the UN, but rather, we observe that it is trying to create its own global hegemony under the guise of fighting against terrorism, which is unknown what prospects it will bring.

When an act of terrorism occurs, people first discuss who committed this act and what dangers this act poses. According to Turkish authors such as B.Dadaoglu and E.Chitlioglu, after the September 11 attack by Al-Qaeda terrorists, trained by the Central Intelligence Agency, US leaders began to implement S.Huntington's new strategy, which he put forward under the name "clash of civilizations." They called it the war on terror. It is impossible that the 9/11 attacks, which laid the foundations of this war, could have been carried out without the knowledge of US intelligence agencies. According to the authors, in fact, all information about "Al-Qaeda" was in the hands of US intelligence. However, due to the secret interests of Washington's leading "hawks", this network of connections will probably never be revealed. The attacks on the USA were not carried out by a fanatic who thought that he was acting in the name of religion, but by a group in the state apparatus that was able to direct President G. Bush with the aim of influencing the world order (Çaycı, 2004; Dedeoğlu, 2006).

According to modern political opinion, Osama bin Laden had sufficient economic opportunities to create and develop a terrorist organization. However, according to sources, the main thing that really stands out in the creation of this organization is the role of the United States in its creation. After 1993, the United States did not issue a warrant for the arrest of Osama bin Laden, whom it identified as the organizer of many bloody actions. The first arrest warrant for him was issued by a Libyan court in 1998 after his involvement in the murder of two German secret agents was proven. Turkish researcher E. Soltan noted that a group inside the United States, more than Osama bin Laden, planned and carried out the events of September 11, cooperating at a high level with other groups (Elnur, 2001).

In the West and Western-oriented mass media, as well as in studies, the phenomenon of international terrorism is often subject to a one-sided approach, By presenting the US as a victim of aggression, its further actions are justified, In the United States, however, this event was seen as an opportunity that allowed him to remain the only hegemon in the world. In the information spread long after the terrorist attack, it was stated that there was no one of Jewish origin in the skyscrapers that day. In order to direct the hatred that had emerged in U.S. public opinion towards the East, the United States gained the necessary support in the fight against terrorism through propaganda in the media. Although Western authors such as V.Lagour and G.Timothy targeted Islamic countries, President J.Bush condemned the idea of describing it as a religious war against the Muslim world.However, paying attention to the geography of the middle and Middle East, where there was an abundance of energy resources at that time, we see that the influence of Russia and China is much greater, the Middle Eastern policy of these states was fundamentally different from the policy of the developed imperialist states of the West in general and was based on partnership (George Bruce-Vatson, 2002; Laqueur, 2002).

The fact that mass media, political scientists, diplomats, and researchers have different attitudes to the problem is an indication of how complex and contradictory it is. The approach to the personality of Osama bin Laden is also quite different. According to researchers, Osama bin Laden is the family secret of the United States. So, according to researchers, the multifaceted trade relations between the Bush family and the bin Laden family are much closer than the cooperation between the United States and Saudi Arabia. After Osama bin Laden's brothers graduated from Western universities and established close relations with these countries, bin Laden received an (especially Wahhabi) education and led a corresponding lifestyle. Nevertheless, he had never severed ties with the family that had an important business partnership with the Bush family; on the contrary, he had expanded those connections even further. Therefore, Osama bin Laden and many of those around him, as commanders and fighters of "Al-Qaeda", are not enemies of the United States, but agents of it. (Erol, 2007). So, President G.Bush how to understand that accused his trading partner and agent of terrorism and physically destroyed it?! An analysis of what happened after the September 11 terrorist attacks in the United States suggests that the main political goal of the United States is to gain a foothold in the Middle East.

It should be noted that the Taliban militants, who are preparing the political base of "Al-Qaeda", are an armed force of 2,500 thousand people formed around them by 250 people who have undergone Madrasah training. They were given armed training by the Pakistani army in cooperation with the United States. In addition, the Taliban members were instilled with a Wahhabi mentality that did not consider anyone other than themselves to be Muslims. In this concept, the principle of interpretation and application according to the metaphorical meanings of the verses in the Qur'an prevails. During the war against the USSR in Afghanistan, Saudi Arabian groups calling themselves "Wahhabi" interfered with the work of non-Muslim humanitarian aid organizations. Other groups of Mujahideen also disliked the "Wahhabi" factions, which were intolerant of Islam (Çitlioğlu, 2007). It was in such conditions that Osama bin Laden, at the insistence of the United States, left Sudan in 1996 and moved to Afghanistan, where the Taliban movement was located.

The "Al-Qaeda" terrorist organization, which was created and began to operate at this time, was directly related to foreign support. One of the most important roles that al-Qaeda played in the Middle East was the radicalization of many religious groups and the intensification of terrorism. And the harsh reaction of the United States to terrorist acts led to the fact that angry people joined the ranks of the organization. While the US operations were described by CNN as a holy war of freedom, the images on Al Jazeera television characterized the US as an evil targeting human rights and freedoms. While CNN portrayed Al-Qaeda as the brutal face of terrorism, Al-Jazeera published the organization's statements and portrayed them as right (Dedeoğlu, 2006).

We see the emergence and circulation of the concept of "Islamic fundamentalism" as a clear indication that US political science and mass media used the September 11 terrorist attacks to incite religious fanaticism. In the information space possessed by the West, the expression of concepts and ideas contrary to the rules of the Islamic religion, difficult to understand even for the less knowledgeable, served to link terrorism and Islam. The goal was to form the image that the American authorities presented to the public and that Muslims are fanatics-terrorists. Western centers of ideological propaganda targeted Islam, ignoring religious wars, Inquisition, bloodthirsty attacks on compatriots, "witch hunts", terrorist acts of the "Society of Jesus" in the history of Christianity, however, none of what we celebrate in the history of our religion has ever happened. The meaning of the word Islam is "peace, prosperity, security". Due to the fact that a very high level of civilization and culture reigns in a wide geography, this word has lived up to its meaning for centuries. No religion supports or allows terrorism. Because all religions are against the organization of tyranny and violence. Unless violence is necessary, religious tolerance is a form of reaction.

The process of globalization is rapidly shrinking states, rendering borders meaningless, and revealing relationships of interdependence. The West's continued export of modernism intensified hostility between the West and the East, while international terrorism became the most serious threat to Social Security. With the end of the Cold War, the Middle East began to develop into a fanatical society in a rapidly globalized world. It was from this that the Western political opinion began to circulate that fanatical Muslims became dangerous terrorists. Some countries and communities trying to oppose the "illegal war" waged by the United States in the name of fighting terrorism with the latest technological tools and weapons also developed their own method of "illegal war", which was a hybrid war. As a result, the Islamic mass media began to interpret the global war of terror as a confrontation intertwined with each other, filled with a complex network of connections and fed by untrue interpretations of both religions, which made it impossible to fight against terrorism in a collective way.

Western authors associate the beginning of the US fight against international terrorism with what is being carried out in Sudan. So, in 1998, on August 20, the United States bombed and destroyed the Al-Shifa pharmaceutical factory in Sudan, which had a serious impact on the anger of the Sudanese public and the expansion of terrorist acts against the United States. The anti-terrorist fight that the USA conducted in Islamic countries later did not give the desired results. This meant that those who

organized the September 11 attacks and tried to take advantage of it were mistaken in their expectations. It was no coincidence that even ordinary citizens expressed the opinion that "the United States, under the pretext of terror, decided to achieve its foreign policy goals", noting that Afghanistan and Iraq were not chosen at random.

Immediately after the September 11 attacks, at the call of President J. Bush, the UN Security Council adopted a number of documents supporting the United States and condemning terrorism, including Resolution No. 1368 on September 12. In this regard, paragraph 3 of the same resolution was of great importance, where all the countries of the world community were called to urgently make joint efforts to bring the perpetrators, organizers and sponsors of these terrorist attacks to justice, and it was emphasized that assistance to the perpetrators, organizers and sponsors of these actions Those who do, support or hide them will be responsible before the community (Birləşmiş Millətlər Təşkilatının Təhlükəsizlik Şurasının... 2001). Despite the supremacy of the goals declared by the UN, humanism and actions put forward in the field of protection of human rights, scientific and political analysis showed that not only the differences in the goals and interests of the states, but also the fact that they contradict each other, will not allow the creation of an anti-terrorist system, will even make a systematic and purposeful fight against this threat impossible.

Resolution No. 1368 adopted by the UN Security Council paved the way for further processes. Thus, the United States, having achieved the adoption of this resolution, achieved the beginning of a collective struggle against international terrorism, although up to 30 states joined the coalition under the leadership of the United States, which, with the aim of maintaining confidentiality, G.Bush had named only 15 of these states. Həmin siyahıda Azərbaycan Respublikası da yer almmışdı. It was no coincidence that according to the UN Security Council resolution of September 28, 2001 No. 1373, a Security Council committee was established to purposefully, coherently and systematically fight against all types of international crime, including international terrorism. It was not by chance that researchers and specialists related to foreign policy activities connected the beginning of the systematic and collective struggle against international terrorism with the adoption of Resolution 1373 (Birləşmiş Millətlər Təşkilatının Təhlükəsizlik Şurasının... 2001).

The Anti-Terrorism Committee of the UN Security Council was established in accordance with Resolution 1373, the mechanism and principles of the committee were determined in the resolution and subsequent documents. The committee consists of 15 members, until 2022 it was headed by a representative of Russia, after the outbreak of the Russian-Ukrainian war, Russia refused to chair the committee. In 2004, the Committee's Executive Directorate was established, and on November 18, 2011, its Counter-Terrorism Center was established, under the leadership of the Center, 80 projects were implemented from 2012 to the present, and 40 projects are currently being implemented.

Events such as international terrorism, ethnopolitical conflicts, and local wars were recognized by the UN as threats to international peace and security. However, as we observed after the events of September 11, the idea of a collective security system began to be implemented not by the Security Council, but by the United States. The United States declared that it had the right to self-defense to respond to the September 11 attacks, and carried out a policy of aggression in Afghanistan and Iraq. In this period when terrorism is increasingly globalized, the collective security system proposed by the UN did not work for the well-known reasons we mentioned. The struggle of the UN members was based on real politics, the geopolitical and geoeconomic interests of the states aimed to harm each other. In his international relations, the right to power, not the power of law, began to prevail. According to the Turkish author S. Chaychi, the group that poses terror threats against the USA could consist of very few individuals, but it is known that the initial reactions to these attacks across a wide geography were in the form of sympathy. To rejoice that the terrorist acts caused the loss of life and property in the United States, and to claim that the United States deserved it, is indeed worse than these attacks and their consequences (Çaycı, 2004).

As it turned out, the events of September 11 hit the international reputation of the United States so hard that Washington aimed to restore what it had lost by pursuing a tough and operational strategic line. The US desire for revenge has become values whose principles, such as human rights and freedoms, tolerance for various religions and races, can be sacrificed in the name of the "fight against terrorism". In fact, at that time it was equated with treason to investigate the causes of the September 11 incident or to discuss the weaknesses of the United States in this matter, so that the stereotyped approach to what was happening did not change very soon.

It should be borne in mind that the United States, which during the Cold War was not very interested in the policy of acting on its own in the international arena in accordance with Article 4 of the UN Charter, with the end of the Cold War pushed the importance and attention to the UN into the background, NATO's military and political doctrines were renewed, the eastward expansion of the European Union and NATO, the growth of its geography, targeting the post-Soviet space, and the critical rise of the confrontation with Russia and China meant that a new world order was emerging, in which the United States was not hegemonic.

Over time, researchers began to analyze the fact that the United States is moving away from anti-terrorist activity and that this policy is turning into a policy of aggression based on concrete facts. The transformation of the US anti-terrorist policy in Afghanistan into an invasion policy in Iraq led to the loss of hope for democracy in the countries of the world. During the 20 years of anti-terrorist operations in Afghanistan, more than 1 million Afghans were killed, the invasion of Iraq and the execution of Saddam Hussein, the devastation of Muslim countries in the Middle East as a result of the "Arab Spring" events, under the guise of an anti-terrorist strategy, the United States legalized its aggressive policy. Professor A. Abbasbeyli did not say without reason that terrorism and similar phenomena are often not a means of achieving the goal (Abbasbəyli, 2011).

Conclusion. The terrorist attacks in the United States had a negative impact not only on the world order, but also on its allies from Europe, who have different traditions of democracy and human rights than Washington. Thus, European countries have also begun to practically implement that they will not only emphasize that they will respond to terrorism directly with violence, but also make legal arrangements accordingly. However, if the United States became the center of the anti-terrorist movement and coalition after the terrorist attacks of September 11, 2001, especially after the failure of the "Arab Spring" strategy, the UN began to become the center of the anti-terrorist coalition and fight against this threat in a continuous and systematic manner, In our opinion, only the United Nations is capable of realizing the idea of creating an anti-terrorist system.

It was no coincidence that in February 2017, UN Secretary General A. Guterres proposed the establishment of a new anti-terrorism department at the UN. In general, it is worth noting that during the period of 1963-2017, 19 international agreements against terrorist attacks were developed and implemented by the international community (BMT terrorizmə müharibə... 2017). All types of international criminality, hegemony in the world order, international terrorism, and hybrid wars, which become an obstacle to the formation of a new world order, can be eliminated only with the joint efforts of the world community.

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DOI https://doi.org/10.30525/2592-8813-2024-4-23

THE POLITICAL SITUATION IN AFGHANISTAN WITHIN THE FRAMEWORK OF THE US INTERVENTION AFTER SEPTEMBER 11 (2001–2021)

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Abstract. This article examined the political situation in Afghanistan after the 2001 US intervention. Due to its important geographical position, the study of what has happened in recent decades in Afghanistan, which has always become a collision ground of the current and strategic interests of global and regional powers, is not only from the point of view of the modern history and international relations of that country, but also to clarify one of the key points of global politics, and to have an adequate understanding of the events taking place in the region and the world today. is also important from the point of view. Since the processes are not yet finished in the research work and it is not clear what order will be formed in the region, the events that took place in and around Afghanistan after 2001 were discussed in general, and the main attention was paid to the earlier periods when their roots were hidden.

Key words: USA, Afghanistan, September 11 Attack, Taliban, intervention.

Introduction. After the USSR withdrew from Afghanistan, a civil war began. With the start of this civil war, the Soviets supported some groups. The Taliban took advantage of the weaknesses of the central government in Afghanistan after the Russians withdrew after the Soviet-Afghan War and came to power and controlled most of the country. Afghanistan came to the world's attention after the collapse of the USSR in 1991. The United States helped the Afghan allies to oust the Taliban, which harbored the Al-Qaeda terrorist group. After 20 years, the war resulted in the Taliban regaining power in Afghanistan. The topic is actual because the traces of the annexation that took place in 2001 still linger in Afghanistan's political life.

Discussion. During the Cold War, there was a joint action by the US and Europe against the Soviets' fundamental strategic expansionism. The ideological competition carried out over Afghanistan during the Cold War brought about ethnic groupings in which the countries of the region intervened and fierce conflicts between these groups. Thus, Afghanistan became the center of the war. Contrary to popular belief, the ongoing conflict in Afghanistan goes back well beyond the last 30 years that began with the Soviet invasion in 1979. (Ahmetbeyoglu, 2002:78) As some researchers have pointed out, it is a situation that should be considered that a decentralized administration is necessary to ensure security and good governance in Afghanistan, but that it has historically been governed by strictly centralized state structures.

The Bonn Agreement decided to establish the International Security Assistance Force (ISAF) to provide security and assistance in Afghanistan. When addressing the issue of security in Afghanistan, the necessity of ensuring state security has been the fundamental starting point of the international community. However, the current situation brings to the agenda the necessity of first ensuring stability and then establishing security at every stage of the state-building process determined by the Bonn Agreement. (Kaldor, 2021:27) While stability is a prerequisite for both the development of political processes and security, it is necessary to allow groups and elements that are considered to pose a threat to security to be included in processes that may mean compromising security in order to ensure stability. In this sense, solving the security-stability dilemma is possible by ensuring human and social security, which seem to be distant targets in the conflict environment in Afghanistan, and ultimately by ensuring state security.

The Afghan people living under this intertwined and multiple security problem determine their preferences over various thresholds. The first critical threshold and the most problematic situation in terms of security is the Taliban's continued existence. Rumors have spread that the people are resorting to courts run by Taliban members in Kandahar to solve their problems. The Taliban's brutal practices against government 'collaborators' continue, especially in the south and southwestern parts of the country. (Azami, 2012) NATO and coalition forces have not achieved any success beyond encouraging the people to support the government. The second critical threshold is the preferences of the masses who do not want the Taliban, but find the current government unsuccessful and are hopeless that the situation will worsen. This mass has lost its trust in the government; moreover, they think that the government will not be effective in solving the pending problems. This group also has negative thoughts about coalition forces and NATO not contributing to the construction of the country and does not trust foreigners.

The solution to the problem encountered in the security-stability dilemma lies in the fact that the vast majority of the country does not want the Taliban regime. In the case of Afghanistan, if the management of the security and stability dilemma will be carried out through human, social and state security, security problems may need to be postponed for a short time in order to ensure stability. For this reason, it is a positive step for the mentioned projects to allow militia forces and warlords to take part in the new army. First, ensuring stability and the formation of the security structure, and then ensuring that security institutions act in accordance with their primary duties are the processes that will follow each other in order to establish security.

The Afghanistan experience has also shown that a referendum or a constitutional referendum concerning the whole country cannot be held by ensuring security only in a narrow area of the capital. All groups, ethnicities and segments that will vote must be given the opportunity to vote. An example of the security-stability dilemma in Afghanistan being maintained with critical thresholds and partial success is; granting the right to vote to elements that threaten security or making partial concessions to elements that create insecurity in terms of security during the vitalization of a political institution such as elections. In Afghanistan, the management of the security-stability dilemma will be possible by restructuring the state and government structures as well as developing policies that will integrate the broad masses into the political system as much as possible. After some of the irreconcilable groups within the Al-Qaeda and Hekmatyar groups are eliminated and excluded, the remaining groups or individuals can be brought into the political system and harmonized. In this way, the legitimacy base of the political system can be expanded by increasing participation and a more dynamic and comprehensive structure can be created. In this context, some problematic groups, such as warlords, economic entrepreneurs associated with them and some militia elements, can be considered political actors and take their place in the army.

Since the ultimate goal in Afghanistan is to establish permanent administrative institutions, ensure security, and replace opium trade with legal economic activities, the way to achieve this goal is to manage the security-stability tension well. What is needed most is for political authority to gain depth within the masses. The best strategy to create this depth is to compromise on security to some extent and include groups that seem irreconcilable but have a small spark of compromise as legitimate actors in the political and economic system, and to transform and domesticate them over time.

Developments After September 11. The terrorist attacks on the Trade Center and the Pentagon, perhaps the greatest act of terrorism in human history, have had a profound impact on the United States as well as the entire international community. The concept of security and the right of self-defense have begun to be questioned. The collective security system and the right of self-defense serve different purposes. While the right of self-defense aims to eliminate attacks against states, the collective security system serves a broader purpose of preventing a large-scale war. In his speech on July 1, 2002, US President Bush stated that the concept of security is now different from the Cold War period

and that it is not possible to expect all threats to fully emerge. Similarly, in his speech on November 2, 2002, Wolfowitz, who was the US Deputy Secretary of Defense, stated that it is not possible to foresee imminent threats and stated that the imminent threat regarding the September 11 attacks emerged on September 10, but that it is not possible to know this. In the speeches made by official officials regarding the new national security strategy, it is seen that the concepts of preventive intervention and preemptive intervention are used interchangeably.

According to the American theory, Al-Qaeda leader Osama Bin Laden was the real planner of the incident where four passenger planes were hijacked and crashed into the Twin Towers and the Pentagon building. Therefore, after the events of September 11, Islam, not the Al-Qaeda organization, began to be introduced as the real source of extremism and radicalism in the world. (Mashal, 2019) So much so that the American term president Bush even talked about the start of the Crusades in creating this mentality in the world public opinion. The widespread reaction of the Muslims of the world to this statement of Bush forced the American President to back down. Al-Qaeda, on the other hand, claimed responsibility for the events of September 11. However, another theory has been put forward regarding this. According to this, it was impossible for the plan for the events of September 11 to be carried out without the cooperation of someone from the flight security, air defense and security systems in America.

According to some, when the policy followed by the US after September 11 is examined, it is possible to say that it acted in line with the strategic plan roughly outlined by Brzezinski. (Susannah, 2021:37) Indeed, the US operation in Afghanistan had a special and important meaning in terms of the world political scene due to Afghanistan's geostrategic location. Because Afghanistan is right in the middle of three countries (Russia, China, Iran) that use openly anti-American rhetoric in the world geography and is in a position to influence all three. Interestingly, these three countries supported the US operation in Afghanistan.

The military intervention in Afghanistan after September 11 and the relations that the US initiated with the Central Asian republics in the field of military-security within the scope of the fight against terrorism and the US's beginning to settle in the region began to significantly affect the size of the threat perceptions and security structures of the countries in the region. The September 11 attacks were balanced together with the war in Afghanistan, the Iraq war and the "war on terror". These conflicts demonstrate the continuing importance of military force in settling disputes both between and within states, as well as the use of violence as a significant weapon by terrorist groups to change the status quo. Iran, which has a traditional sense of distrust towards Afghans, generally establishes relations with Shia communities in the region. Tehran's goal is to strengthen its control over Shia minorities and use them as pawns in its regional expansion policies.

In a world shaken by the September 11 attacks, the European Union's first response to the attacks was to give full political support to the US. The EU, which announced its thoughts with a declaration on September 12 immediately after the September 11 attacks, condemned the terrorist attacks and expressed its solidarity with the US government and people. The EU, which accepted that the attacks were against all humanity, stated that it would cooperate closely with the US in the fight against international terrorism and emphasized that all necessary measures regarding the fight against terrorism by the UN and other international organizations would be implemented.

The US administration defined the September 11 attacks as an "armed attack" and President Bush claimed that the US was "at war". Again, within this framework, the US announced that it would exercise its right of legitimate defense recognized by Article 51 of the UN Charter. (Karasaculu, 2011:18) Thus, the US has attempted to create a legitimate basis for the War on Terror. Because, for the first time in terms of international law and international relations, the concept of state and the scope of the law of war have been taken outside, and international terrorist organizations, those who individually engage in terrorist activities and countries that support terrorism have been accepted as enemies.

The September 11 attacks and the subsequent use of force by the US and the UK in Afghanistan have also brought about discussions about whether these states acted in accordance with international law. With the coming to power of US President Barack Obama, Afghanistan-US relations have entered a new era. The US-Afghanistan Strategic Partnership Agreement, which is of great importance for the future of Afghanistan, was signed between the two countries in the capital Kabul on May 2, 2012 (Dogan, 2012). This agreement has provided assurance regarding the commitment and responsibility of the United States to the Afghanistan problem in the 10-year period between 2014–2024.

The strategic cooperation agreement was a clear sign that the U.S. and its NATO allies were still determined to fight al-Qaeda and its extremist supporters. It sent a clear message to the militants and their supporters: "The game is not over in Afghanistan." The agreement also left the door open for dialogue and political compromise with the insurgents. Both Obama and Afghan leader Karzai were aware that the timing of the agreement was symbolically significant. It was also probably no coincidence that the agreement was signed on the anniversary of the killing of Osama bin Laden (Shadi, 2021).

Afghan President Hamid Karzai had cut off negotiations on the agreement between the US and Afghanistan on June 17, 2013, in response to the Taliban opening an office in Qatar. The mission of NATO forces in Afghanistan under the leadership of the US was to end in 2014. This new agreement envisaged that US soldiers would remain in Afghanistan after 2014. (Mashal, 2019) The new agreement would allow US paramilitary forces to remain in Afghanistan after this date. The mission of these soldiers would be to combat Al Qaeda in the country and continue the training of Afghan soldiers.

Shortly after September 11, the US-led war against the Taliban and Al Qaeda in Afghanistan was widely supported at the time. NATO continues to play a leading role in the stabilization and reconstruction of that country. At the same time, the war on terror has breathed new life into the ongoing securitization of nuclear weapons. The withdrawal of US troops will continue until the end of 2014, and by the end of 2014, US military operations in Afghanistan will have ended. Following this, Afghan security forces will be expected to take full responsibility for all security-related matters in Afghanistan. The increase in the economic, political and human resource costs of the kinetic and non-kinetic operations conducted in the country after 2010 forced the coalition countries, especially the USA, to seek an exit strategy. (Halatchi, 2016:85) Accordingly, as of 2014, the administrative and security responsibilities of the country were handed over to the reorganized ministries and the trained and equipped security forces, and the units conducting kinetic operations were withdrawn from Afghanistan. From this date on, the military units that remained only for consultancy and training purposes within the NATO Resolute Support Operation also left the country as of 2021, based on the USA's decision to withdraw. Having effectively lost coalition support, the Afghan administration and security forces quickly failed against the Taliban and were forced to hand over the administration of the country to the Taliban at the end of August 2021 (Kaldor, 2021).

Approbation of research results. The main provisions of the article are reflected in the author's theses submitted to scientific conferences in Azerbaijan and abroad, as well as in scientific articles published in various journals in Azerbaijan and abroad.

Conclucions. It is known that the security issue in Afghanistan is still problematic. The remnants of the Taliban regime and elements of al-Qaeda continue to try to derail progress throughout the country. However, when we look back twenty years, it is possible to see that the rule of law has been partially formalized in the country. We see that there is a weak respected national army or national police force. The country was devastated by almost 30 years of war and was ostracized from the international community. Only three countries in the world recognized the Afghan government. Moreover, there was no security in Afghanistan. The Taliban was harboring al-Qaeda, one of the most dangerous and deadly terrorist organizations in the world. Today, Afghanistan has ceased

to be a haven for al-Qaeda. Although security has been provided, there is an authoritarian gap in the implementation of the laws. Companies need to be very careful about the agreements they make with local companies and personnel, and they need to take every written document into consideration. Even having company letterheads, stamps and seals in the open can cause incidents that may cause problems for the company in the future. Afghanistan is a weak country surrounded by powerful states. Before September 11, Pakistan, India, Russia, Iran and the USA tried to protect their own interests by continuing the civil war in Afghanistan. Today, the possibility of multilateral peace talks to solve the security problems in Afghanistan is being questioned. In other words, the facts show that the problems cannot be solved only militarily.

After the September 11 terrorist attacks on the USA in 2001, the developments in Afghanistan and its surroundings are closely followed both regionally and globally. Interest in the Taliban, Al Qaeda, other terrorist activities and security problems in Afghanistan and its surroundings has increased. Today, news of attacks carried out by the Taliban in Afghanistan and Pakistan is heard almost every week. The conflicts and terrorist attacks in Afghanistan and on the Afghanistan-Pakistan border are part of the regional problems. There are also problems such as drug trafficking, lack of education, internal instability and economic inadequacy. Afghanistan is one of the poorest countries in the world. Despite 10 years of reconstruction efforts, a stable regime has not been established. The government relies on foreign aid and is unable to cope with economic/social crises and criminal organizations. Therefore, the security relations to be addressed cover very interrelated issues. It remains unclear how security and stability will be achieved in the future.

However, the general situation in Afghanistan, strategic and political mistakes have made the Taliban, which was seen as the country's biggest threat after 20 years, a security and stability factor in Afghanistan. The personnel inadequacies of gendarmerie-type military units, the national restrictions of the countries, the weaknesses and general problems of the Afghan society have been the most important obstacles to the success of these activities. However, from a positive perspective, it can be interpreted as evidence that gendarmerie-type military units will play a critical role in interventions and crisis management efforts to be made in post-conflict areas as a result of strategically accurate planning and decision-making processes within a more limited mission definition.

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DOI https://doi.org/10.30525/2592-8813-2024-4-24

INTERNATIONAL LAW'S INFLUENCE ON RESOLUTION OF CONFLICTS: IN THE CASE OF ERITREA-ETHIOPIA BOUNDARY COMMISSION

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Abstract. This article provides a comprehensive analysis of the Eritrea-Ethiopia Boundary Commission (EEBC) as a case study to explore the role of international law in resolving territorial disputes. Established under the Algiers Agreement following the Eritrean-Ethiopian War (1998–2000), the EEBC was tasked with delimiting and demarcating the contested border between the two states, relying on colonial treaties and international legal principles such as uti possidetis juris. The research highlights both the strengths and limitations of international legal frameworks, illustrating how the EEBC provided a clear legal resolution to the border conflict by awarding the disputed town of Badme to Eritrea. However, Ethiopia's refusal to comply with the EEBC's ruling reveals the broader challenges of enforcement in international law. Despite the ruling being final and binding, the lack of an effective enforcement mechanism delayed the resolution of the dispute until political developments, particularly Ethiopian Prime Minister Abiy Ahmed's peace initiative in 2018, finally led to normalization between the two countries. This study emphasizes the importance of complementing legal mechanisms with diplomatic and political engagement to ensure compliance and sustainable peace. By situating the EEBC case within the context of post-colonial legacies and regional geopolitics, the article offers new insights into the intersection of law, politics, and history in conflict resolution, contributing to broader debates on the efficacy of international legal institutions.

Key words: Eritrea-Ethiopia Boundary Commission, International Law, Territorial Disputes, Uti Possidetis Juris, Conflict Resolution, Algiers Agreement, Post-Colonial Legacies, Enforcement of International Law.

Introduction. The role of international law in conflict resolution remains a critical subject of inquiry in both legal and political scholarship, as it addresses the fundamental issues of state sovereignty, peacebuilding, and justice in global governance. With the rise of territorial disputes, internal conflicts, and protracted "frozen" conflicts, the mechanisms provided by international law for peaceful conflict resolution have been tested on numerous occasions. One of the key cases illustrating both the potential and limitations of international law in resolving such disputes is the Eritrea-Ethiopia Boundary Commission (EEBC). The EEBC, created as part of the Algiers Agreement following the Eritrea-Ethiopia War (1998–2000), serves as an important example of how legal bodies operate in resolving border conflicts, applying treaty interpretation and customary international law to find peaceful solutions. However, the enforcement of these legal rulings and the broader political challenges faced by such commissions highlight the complex interplay between law and politics in international conflict resolution.

Relevance of the Topic

The study of the Eritrea-Ethiopia Boundary Commission is highly relevant in today's international legal context due to its exploration of territorial conflicts, which remain a pressing issue in various parts of the world. Border disputes often lead to violent confrontations, and international law plays a critical role in providing frameworks to prevent and resolve such conflicts peacefully. The EEBC case, which involves legal principles, political will, and enforcement challenges, is particularly instructive for understanding the efficacy of international legal mechanisms in similar contexts, such as conflicts in the South Caucasus or other post-colonial regions where historical treaties continue to influence modern state boundaries.

Purpose of the Research

The purpose of this research is to critically examine the legal, political, and historical dimensions of the Eritrea-Ethiopia Boundary Commission's efforts to resolve the border conflict between the two states. By analyzing the EEBC's legal framework, its decision-making process, and the subsequent challenges of enforcement and compliance, this study aims to provide insights into the broader functioning of international law in territorial disputes. It seeks to assess the role that legal mechanisms, such as the EEBC, play in promoting peaceful solutions and to evaluate the limitations they face when legal decisions are met with political resistance.

Research Methods

This study employs a combination of legal analysis and case study methodologies. By examining primary legal documents, such as the Algiers Agreement, the colonial treaties underpinning the EEBC's decision, and relevant rulings by international legal bodies, the research focuses on the legal principles and frameworks that governed the boundary commission's work. In addition, the study draws on historical analysis to explore the colonial legacies and political contexts influencing the conflict. Finally, through a critical review of secondary literature on international law, conflict resolution, and enforcement challenges, the research integrates interdisciplinary perspectives to understand the complex dynamics at play.

Scientific Novelty and Contribution to the Literature

This research contributes to the existing body of literature by providing a comprehensive legal and political analysis of the Eritrea-Ethiopia Boundary Commission, with a focus on its broader implications for international law and conflict resolution. While much has been written about the historical context and political ramifications of the Eritrea-Ethiopia conflict, this study offers a novel perspective by examining the enforcement challenges that arise when international legal rulings are not implemented. Additionally, the study situates the EEBC within the wider debate on the efficacy of international law in addressing territorial disputes, particularly in post-colonial regions, thus contributing to ongoing discussions about the limits of legal frameworks in promoting global peace and security.

Literature Review. The literature on international law's role in conflict resolution explores diverse mechanisms through which legal frameworks impact peacebuilding. These works emphasize flexible, interdisciplinary approaches responsive to local and global dynamics. Mostert (1998) highlights practical methods for transboundary resource management, stressing contextual factors, while Krivenko (2015) critiques traditional legal language, advocating for broader interdisciplinary perspectives. Davidson and Wood (2004) focus on communication-based models, promoting inclusive, win-win solutions, whereas Chuma and Ojielo (2012) underline the importance of institutional capacity and collaboration for intra-state conflict prevention. Anghie (2006) examines colonialism's lasting influence on international law, arguing that its doctrines, like sovereignty, continue to affect conflict resolution. Vlasova et al. (2021) emphasize postmodern conflict theories, advocating adaptive methodologies for addressing asymmetrical threats. Chestnut (1989) applies systems engineering to conflict resolution, focusing on cooperative frameworks and data-sharing for non-military solutions, while Drenth (2001) highlights the role of scientific cooperation in fostering dialogue and bridging divides. Collectively, the research underscores the need for international law to be adaptable, interdisciplinary, and equitable, balancing historical legacies with modern complexities to promote sustainable peace.

International Law's Role in the Resolution of Conflicts

Conflicts, whether domestic or international, have long posed significant human, economic, and political challenges. Over time, international law has become a key mechanism for peaceful conflict resolution, providing a framework for negotiation, accountability, and justice. Rooted in treaties, customs, and precedents, its effectiveness often varies due to the complexity of conflicts and divergent interests. Initially focused on state sovereignty and war regulation (jus ad bellum, jus in bello),

international law evolved with milestones like the Peace of Westphalia (1648), which emphasized sovereignty and non-intervention. The 20th century saw the development of more robust frameworks, including the League of Nations and the United Nations. The UN Charter emphasized peaceful dispute resolution (Article 2(3)) and the prohibition of force (Article 2(4)), complemented by treaties like the Geneva Conventions and institutions such as the International Court of Justice (ICJ). These advancements marked critical steps in addressing modern conflicts.

Legal Frameworks for Conflict Resolution

International law encompasses various mechanisms for conflict resolution, ranging from diplomacy to adjudication. These frameworks provide a structured approach to resolving conflicts, which can include negotiation, mediation, arbitration, and judicial settlement.

Diplomacy and Negotiations

Diplomacy remains one of the most commonly used tools in conflict resolution, with international law providing guidelines for how states should conduct diplomatic negotiations. Treaties such as the Vienna Convention on Diplomatic Relations (1961) outline the privileges and immunities of diplomatic agents, ensuring that states can engage in dialogue without fear of reprisals. Moreover, international law often serves as a basis for the negotiation of peace agreements, with legal principles guiding discussions on territorial integrity, sovereignty, and human rights.

Mediation and Arbitration

International law also provides for mediation and arbitration as conflict resolution mechanisms. Mediation involves a neutral third party helping conflicting parties reach a settlement, while arbitration refers to a binding decision made by an impartial arbitrator based on legal principles. The Permanent Court of Arbitration, established in 1899, has played a key role in resolving disputes between states, particularly in cases involving territorial claims and resource allocation.

Judicial Settlement

The ICJ and other international courts and tribunals, such as the International Criminal Court (ICC) and the European Court of Human Rights (ECHR), provide judicial forums for the resolution of conflicts. These courts have jurisdiction over various issues, including border disputes, human rights violations, and war crimes. For example, the ICJ has adjudicated cases involving territorial disputes, such as the Nicaragua v. Colombia (2012) case over maritime boundaries.

Influence of International Law in Contemporary Conflicts

International law has proven to be both influential and constrained in its ability to resolve conflicts. Several factors determine its effectiveness, including the nature of the conflict, the willingness of parties to abide by legal norms, and the enforcement mechanisms in place. This section will analyze the impact of international law on different types of conflicts.

Inter-State Conflicts

Inter-state conflicts, involving disputes between sovereign states, remain a key focus of international law. Principles such as the prohibition of force, border inviolability, and self-determination have been applied in various cases. For instance, the ICJ ruled in *Nicaragua v. United States* (1986) that the U.S. violated non-intervention principles by supporting Contra rebels. Similarly, the peaceful resolution of the Burkina Faso-Mali border dispute in 1986 showcased international law's role in de-escalating tensions. However, enforcement remains challenging, particularly with powerful states. The Russia-Ukraine conflict and the 2014 annexation of Crimea highlight these limitations. Despite condemnation and sanctions, Russia has disregarded ICJ and ICC rulings, illustrating how geopolitical interests can undermine international legal mechanisms (Mahmutoviç, 2023).

Civil Wars and Internal Conflicts

International law plays a crucial role in addressing civil wars and internal conflicts through humanitarian and human rights law. The Geneva Conventions and Additional Protocols protect civilians and combatants in non-international armed conflicts, while instruments like the ICCPR set standards

for individual treatment during conflict. Notable examples include the ICTY, which prosecuted war crimes during the Yugoslav Wars, bringing justice to victims and reinforcing international legal standards. Similarly, the ICC has pursued accountability for atrocities in conflicts such as those in Sudan and the Central African Republic. However, challenges persist. States often resist external legal intervention, citing sovereignty, and enforcement efforts are limited by resource constraints, political will, and the complex nature of internal conflicts.

Frozen Conflicts in Post-Soviet Regions

Frozen conflicts, which remain unresolved for extended periods despite the cessation of active hostilities, present unique challenges for international law. In regions such as the South Caucasus (Nagorno-Karabakh), Transnistria, and Abkhazia, international legal efforts to resolve conflicts have been largely ineffective. These conflicts often involve complex issues of self-determination, territorial integrity, and ethnic identity, making legal solutions difficult to achieve. In the case of Nagorno-Karabakh, international law has provided a framework for negotiations, but it has been unable to produce a lasting resolution. Despite multiple UN Security Council resolutions calling for the withdrawal of Armenian forces from Azerbaijani territory, the conflict remained frozen for decades until renewed fighting broke out in 2020. While international law continues to play a role in post-conflict peacebuilding, such as through ceasefire agreements and negotiations mediated by the OSCE Minsk Group, the challenges of enforcement and competing national interests remain significant obstacles.

Limitations of International Law in Conflict Resolution

While international law has contributed significantly to the resolution of many conflicts, it faces several limitations that hinder its effectiveness. One of the primary challenges is the issue of enforcement. International legal institutions, such as the ICJ and ICC, lack the coercive power to enforce their rulings, relying instead on state compliance. This is particularly problematic when major powers or non-state actors are involved, as they may refuse to recognize the authority of international courts or comply with legal obligations. Additionally, the politicization of international law can undermine its effectiveness. Powerful states often use international legal mechanisms selectively, supporting their application when it aligns with their interests and ignoring them when it does not. This undermines the credibility of international law and diminishes its ability to serve as a neutral arbiter in conflicts.

Case Study: The Eritrea-Ethiopia Boundary Commission and Its Role in International Law

The Eritrea-Ethiopia Boundary Commission (EEBC) serves as a prominent example of how international law and legal mechanisms attempt to resolve territorial disputes between states. Formed in the aftermath of the Eritrean-Ethiopian War (1998–2000), the EEBC was tasked with resolving the complex and highly contentious border dispute between the two countries. As part of the Algiers Agreement, which was brokered by the international community in 2000, both parties agreed to abide by the final and binding decision of the EEBC, which was to be based on colonial-era treaties and customary international law.

Background: The Eritrea-Ethiopia Conflict

The Eritrea-Ethiopia conflict erupted in 1998 over a long-standing border dispute, particularly surrounding the town of Badme. While the border had been loosely defined during Italian colonial rule over Eritrea and successive Ethiopian administrations, tensions escalated when Eritrean forces captured Badme, leading to a two-year war that claimed tens of thousands of lives. The fighting ended in June 2000 after a ceasefire was brokered by the Organization of African Unity (OAU), leading to the signing of the Algiers Agreement in December 2000.

The Algiers Agreement was a turning point in the resolution of the conflict, as it provided a legal framework for addressing the underlying territorial issues. The key provision of the agreement was the establishment of the Eritrea-Ethiopia Boundary Commission, an independent body tasked with determining the precise border between the two countries. Both parties agreed that the commission's

decision would be "final and binding," signaling a strong commitment to resolving the dispute through legal means rather than continued military confrontation (Permanent Court of Arbitration, 2024).

Establishment and Legal Framework of the EEBC

The EEBC was established in 2001 under the auspices of the Permanent Court of Arbitration (PCA) in The Hague. The legal basis for the commission's work was grounded in international law, including the 1900, 1902, and 1908 colonial treaties between Italy (then Eritrea's colonial ruler) and Ethiopia, as well as applicable customary international law. The commission was composed of five members: two appointed by each party and one neutral chairperson, Sir Elihu Lauterpacht, a distinguished international jurist. The EEBC was mandated to:

1. Delimit the boundary between Eritrea and Ethiopia based on the colonial treaties.
2. Demarcate the boundary on the ground to reflect the delimited line.

The Algiers Agreement outlined that both parties were obligated to fully cooperate with the EEBC and to respect its decision, which was to be issued without the possibility of appeal or modification. This created a strong legal commitment from both Eritrea and Ethiopia to resolve their territorial dispute through an international legal framework.

Procedural Approach of the EEBC

The EEBC approached the delimitation of the border by analyzing the relevant colonial treaties and maps, alongside extensive documentary evidence provided by both parties. The commission held hearings in The Hague, during which Eritrea and Ethiopia presented their respective arguments regarding the location of the border, particularly around disputed areas such as Badme.

The colonial treaties, which had defined the borders between Italian Eritrea and Ethiopia, were central to the EEBC's work. However, the interpretation of these treaties was complicated by inconsistencies in historical records and maps. For instance, the 1902 Treaty between Italy and Ethiopia referred to geographical features that were not always easily identifiable on the ground, leading to differing interpretations by Eritrea and Ethiopia.

The EEBC's legal methodology was grounded in principles of international law, including *uti possidetis juris*, which holds that newly independent states should inherit the borders of their predecessor states. This principle was particularly relevant in the context of decolonization, as it provided a legal basis for maintaining the borders established by colonial treaties. The commission also applied rules of treaty interpretation as outlined in *the Vienna Convention on the Law of Treaties* (1969), ensuring that its decision was consistent with established norms of international law.

The EEBC's Decision and the Badme Dispute

In April 2002, the EEBC ruled that the disputed town of Badme and other contested areas belonged to Eritrea, based on colonial treaties. While this was a legal victory for Eritrea, Ethiopia rejected the decision, claiming it disregarded local realities and the population's wishes. Despite agreeing to abide by the ruling under the Algiers Agreement, Ethiopia refused to comply with the award of Badme. This refusal led to a prolonged stalemate, with both countries maintaining military forces along the border. The UN Mission in Ethiopia and Eritrea (UNMEE) could not fulfill its mandate due to Ethiopia's non-compliance, and Eritrea criticized the international community's failure to enforce the ruling, resulting in heightened tensions and occasional clashes (Lyons, 2009).

Challenges of Implementation and Enforcement

The Eritrea-Ethiopia Boundary Commission (EEBC) case illustrates the challenges of enforcing international legal rulings without political will. Despite the legally binding nature of the EEBC's decision, Ethiopia's refusal to accept the ruling on Badme, in violation of the Algiers Agreement, exposed the limits of international law's enforcement. Lacking a centralized mechanism, international law relies on state cooperation, and the UN Security Council did not take decisive action, likely due to political complexities and regional interests. The unresolved dispute fueled tensions, militarization, and economic stagnation for nearly two decades. A breakthrough came in 2018 when Ethiopian Prime

Minister Abiy Ahmed initiated a peace process, leading to both countries' acceptance of the EEBC ruling and normalization of relations. This delayed resolution highlighted the limitations of legal mechanisms in addressing such conflicts (Stauffer, 2018).

Implications for International Law and Conflict Resolution

The Eritrea-Ethiopia Boundary Commission (EEBC) case highlights key lessons for international law in conflict resolution. It demonstrates the ability of legal mechanisms to offer impartial solutions, as the EEBC's decision was grounded in treaty interpretation and customary law, providing a clear resolution to the dispute. However, it also reveals the enforcement challenges of international law. Despite agreements to abide by binding rulings, political and domestic pressures often hinder compliance, particularly given the absence of a centralized enforcement mechanism. The case further emphasizes the critical role of political will. While the EEBC delivered a legal resolution, it was Ethiopia's political shift under a reformist leader that ultimately resolved the conflict, showing that legal frameworks must be paired with diplomatic efforts for lasting peace.

Research Findings

The findings of this study on the Eritrea-Ethiopia Boundary Commission (EEBC) provide several key insights into the role and influence of international law in conflict resolution, particularly in territorial disputes. The research highlights both the potential strengths and significant limitations of international legal mechanisms in facilitating peace between conflicting states.

The Strengths and Challenges of International Legal Frameworks in Conflict Resolution

The EEBC demonstrated the ability of international law to deliver clear and impartial resolutions to territorial disputes. By applying colonial treaties and customary international law, grounded in *uti possidetis juris* and the Vienna Convention on the Law of Treaties, the commission provided a definitive legal outcome to the Eritrea-Ethiopia border conflict. This reaffirmed the legitimacy and authority of international legal frameworks in addressing complex disputes. However, the case also highlighted the critical challenge of enforcing legal rulings. Ethiopia's refusal to comply with the EEBC's binding decision on Badme, despite prior agreement under the Algiers Agreement, exposed the limitations of international law in ensuring compliance. Without centralized enforcement mechanisms, legal rulings depend on the political will of states, leaving international legal bodies like the ICJ and ICC vulnerable to non-compliance, especially from powerful states. This weakness undermines the effectiveness of international legal mechanisms in resolving disputes.

The Importance of Political Will and Strengthening International Institutions in Conflict Resolution

The Eritrea-Ethiopia border dispute resolution underscores the critical role of political will and the need to strengthen international institutions for effective conflict resolution. Although the EEBC provided a clear legal ruling, the dispute was resolved only in 2018 when Ethiopian Prime Minister Abiy Ahmed initiated a peace process, highlighting the necessity of diplomatic engagement alongside legal mechanisms.

The case also reveals the limitations of international institutions, such as the UN Security Council, in enforcing legal decisions. Ethiopia's prolonged non-compliance reflected inadequate international enforcement mechanisms. To enhance the effectiveness of international law, organizations like the UN and African Union must adopt stronger strategies, including diplomatic pressure and sanctions, to ensure the implementation of legal rulings.

Historical and Colonial Legacies Complicate Legal Disputes

The reliance on colonial treaties in the EEBC's decision-making process brings attention to the ongoing influence of historical and colonial legacies in modern international law. While these treaties provided a legal basis for the delimitation of the border, they were also a source of tension, as they often failed to account for the realities of local populations and the historical ties between communities. This finding emphasizes that while international law seeks to resolve conflicts based

on established legal principles, these principles may be complicated by the historical and political context in which they were developed. In cases where colonial-era treaties are invoked, there may be lingering issues of fairness and legitimacy that challenge the applicability of these legal frameworks. Addressing these complexities requires a nuanced approach that balances legal principles with the need for equity and justice in post-colonial contexts.

Conclusion. International law provides essential frameworks for conflict resolution, promoting peaceful negotiations, justice, and accountability through mechanisms like diplomacy, mediation, and judicial settlement. However, enforcement challenges, state sovereignty, and political interests often limit its effectiveness. Strengthening legal institutions and addressing modern conflict complexities, including frozen conflicts and disputes involving powerful states, remain critical priorities. The Eritrea-Ethiopia Boundary Commission (EEBC) illustrates both the strengths and limitations of international legal mechanisms. While the EEBC delivered a clear, legally sound ruling, the lack of enforcement delayed resolution, highlighting the importance of political will and diplomatic efforts in achieving lasting peace. The reliance on colonial treaties in its decision underscores the need to critically assess the historical roots of disputes and their impact on modern conflict resolution.

The EEBC case underscores the limitations of international law's authority, emphasizing the critical role of political will and diplomatic engagement in implementing legal resolutions. It highlights the need to strengthen international institutions' enforcement capacity to enhance law's effectiveness in peacebuilding. The case also illustrates the interplay between law and politics in conflict resolution. While legal mechanisms offer clarity and impartiality, their success depends on the surrounding political realities. A holistic approach, integrating law with diplomacy and addressing historical and political dynamics, is essential for sustainable conflict resolution. In conclusion, the research shows that international law is most effective when backed by political will, enforcement mechanisms, and an understanding of historical contexts. The EEBC case demonstrates that achieving lasting peace requires comprehensive international engagement and political cooperation beyond legal rulings.

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DOI https://doi.org/10.30525/2592-8813-2024-4-25

AZERBAIJAN'S ENERGY SECURITY POLICY IN THE CONTEXT OF RELATIONS WITH THE EUROPEAN UNION

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Abstract. After regaining its state independence in 1991, the Republic of Azerbaijan began to realize its sovereign rights in the economic field and conduct an independent policy. The main directions of this policy were the economic system created on the basis of different forms of ownership, the transition to the market economy and integration into the world economy. In the first years of independence, energy policy was one of the most important directions of Azerbaijan's foreign policy. There are several directions of Azerbaijan's energy policy, of which two more important ones can be specially mentioned. The first one was about ensuring Azerbaijan's own internal energy security, and the second one was about the contribution that other countries can make to ensuring energy security. From this point of view, it is of great importance to investigate the issue of creating new opportunities related to both the production of Azerbaijan's energy resources and the ways to export these resources to international markets. The scientific novelty of the research is in the deep investigation and evaluation of the energy security policy within the framework of relations with the EU, in putting forward serious proposals for the achievement of real goals of this policy, and in presenting the results based on rich facts. Azerbaijan is a reliable partner for Europe. Our approach to the issue of energy security is that energy resources should unite countries and peoples, not divide them. Energy resources should serve regional and international cooperation, not competition or conflict. The interests of suppliers, transit countries and consumers should align and lead to greater predictability and mutual benefit. This is the energy philosophy of our country.

Key words: Azerbaijan, Energy diplomacy, energy security policy, EU.

Introduction. Azerbaijan has undergone a significant economic transformation since its independence in 1991, with its large oil and gas reserves propelling strong growth in the 1990s and 2000s. However, heavy reliance on extractive industries has left Azerbaijan vulnerable to the adverse effects of oil price volatility. Gross domestic product (GDP) growth averaged 1.4% per year between 2013 and 2017, down from 5.5% in 2008 and 2012. (IEA, 2023, p. 4) The country's hydrocarbon sector was responsible for much of the decline, as it contributes roughly one-third of GDP and more than 90% of total exports. The decline in global oil prices in 2014 and the subsequent decline in oil production fueled this contraction. In addition, the decline in oil prices has led to a decline in payments from Azerbaijan's hydrocarbon-rich trading partners. These revenues, which largely support the country's rural population, have fallen by one-third. In 2017, Azerbaijan's GDP showed almost no growth, but in 2018 it increased by 1.4 percent (USA, 2023).

According to the statement made by the State Statistics Committee of Azerbaijan in 2022, Azerbaijan's GDP data covering the January-September period of 2022 increased by 5.6% compared to the same period of the previous year and amounted to 98.1 billion manat (57.7 billion dollars). GDP per capita was 9,748.9 manat (5,734.6 dollars). Oil and gas account for more than 90% of Azerbaijan's exports. Following the discovery of the Shah Deniz natural gas field in the 2000s, oil and gas production increased significantly, reaching record levels in 2010, and the rehabilitation and modernization of gas and electricity networks increased the reliability and security of supply (IEA, 2023, p. 5). Azerbaijan has a strong potential for renewable energy development. The

country has excellent solar and wind resources and significant prospects for biomass, geothermal and hydropower. However, practical deployment remains limited when compared to the scale of the country's existing resources and long-term ambitions. Renewables also offer the most obvious low-carbon solution to meet Azerbaijan's climate goals. The country has committed to reducing its greenhouse gas (GHG) emissions by 35% by 2030, as measured by the 1990 base year of its nationally determined contribution (NDC) under the Paris Agreement, which emphasizes the use of alternative and renewable energy sources. Despite the widespread privatization of the economy since the country gained independence, the energy sector in Azerbaijan remains predominantly state-owned, with a few small hydropower plants privately owned, accounting for less than 1% of electricity production (IEA, 2023, p. 6).

The purpose of the research. There are several directions of Azerbaijan's energy policy, of which two more important ones can be specially mentioned.

Analysis of the latest relevant research and publications. This study is based on sources written by various authors, such as "European Energy Policy and The EU- Azerbaıjan Energy Cooperatıon" by Azimov A., "The Relationship Between Energy Supply Security and National Security" by Ediger V., "Second Strategic energy Review: An EU Energy Security and Solidarity Action Plan", "EU steps up renewable energy cooperation with Azerbaijan", "Energy Strategy of Azerbaijan" by Almammadov V., "Azerbaijan is now a major contributor to Europe's energy security" by Huseynov V., "Azerbaijan Energy Profile Report", "Relations between Azerbaijan and European Union", "The European Union and the South Caucasus in the New Global System: On the Axis of Enlargement and Neighborhood Policy" by Shahbazov, R. and others have been studied.

Results of the research. When we examine Azerbaijan-European Union relations, we see that the energy factor has a very important place. So much so that, while creating the Action Plan between Azerbaijan and the European Union, one of the most important strategic goals of the cooperation was to strengthen regional cooperation in the field of energy and transportation. The first step towards developing relations in the field of energy was taken by signing the Memorandum of Agreement on Strategic Partnership in the Field of Energy between the European Union and Azerbaijan in 2006. The Memorandum signed between the parties determined some goals for the development of cooperation in the field of energy. These goals can be listed as follows:

– To create a program for the harmonization of existing Azerbaijani laws in the field of energy with the EU acquis.

– To strengthen the export of energy resources from Azerbaijan and the Caspian basin to the EU and the security and safety of transportation routes.

– To create an energy demand management policy in Azerbaijan based on the Kyoto Protocol, including energy saving, renewable energy and climate change measures.

– To develop cooperation in the field of technology and to create expert exchange programs for the recruitment of specialized staff in that field to the country.

These goals continue to be achieved today within the framework of Azerbaijan-European Union cooperation in the field of energy (Azimov, 2021, p. 72).

When we make a historical review, we see that the issue of energy security is not new for the EU. This issue first emerged for the EU (then the European Community) with the oil crises in the 1970s. When we evaluate energy security from the perspective of the European Union, the free and uninterrupted delivery of energy to European and international markets, in the required quantities, from reliable and diverse suppliers and at affordable prices, as well as access to clean energy sources, ensuring high efficiency in energy use, diversifying resources in energy use, researching domestic energy production opportunities and, in connection with all these, protecting the environment are of great strategic importance for the EU in terms of energy security. Today, the EU is the world's largest energy importer (EU, 2023).

The EU meets its need for these energy resources from North Africa, the Middle East, the Caspian Basin, Russia and the North Sea. The EU transports the energy resources it imports to its continent via oil and natural gas pipelines and tankers from overseas countries. The security and stability of both these energy reserves and energy transfer routes are of great importance in terms of ensuring energy supply security. An important source country for meeting the EU's oil and natural gas needs is Norway via the North Sea. The EU imports 28.2% of its natural gas and approximately 15% of its oil from Norway. Although there is no problem with oil and natural gas imports from Norway, which is a part of the European continental system but not a member of the union, experts' estimates that the North Sea energy resources will start to run out in the 2030s further increase the interest of EU member states in alternative energy resources (Ediger, 2017, p. 171).

The EU has also turned to the Caspian Basin to meet its energy needs. One of the countries located in the Caspian Basin that has the most important strategic position in meeting the EU's energy needs and ensuring energy security is Azerbaijan. It would be correct to say that Azerbaijan is a key state with geopolitical importance for the EU in terms of the production of oil and natural gas resources in the Caspian Sea and their transportation to Europe. For many years, Azerbaijan has played an important role in ensuring the EU's energy security, and the foundation of this was laid with the "Treaty of the Century" signed on September 20, 1994 (Shahbazov, 2015, p. 123). Thus, Azerbaijan began to transport the oil and natural gas it produced within the scope of the international oil and natural gas agreements it signed to Europe via the BTC oil pipeline and the BTE natural gas pipeline, thus assuming an important strategic role in ensuring Europe's energy security. When we examine EU-Azerbaijan relations, we see that the most important dimension of mutual cooperation is energy. In fact, in all documents signed by the EU with Azerbaijan and in all programs in which Azerbaijan participated, the energy issue was addressed under a separate heading. On the other hand, between 2006 and 2007, Azerbaijan participated in three important events related to Europe's energy security, and the fourth one was organized by Azerbaijan and started in Baku in November 2008. As a result of these events, Azerbaijan's participation in the "Southern Corridor" energy project, which was put forward to ensure Europe's energy security, was envisaged (Huseynov, 2024).

In the document titled Europe’s Energy Security Strategy published by the EU on May 28, 2014, the objectives of developing relations with existing suppliers and finding new resources were particularly stated. In this context, the implementation of the TANAP natural gas pipeline within the framework of the “Southern Corridor” energy project is an important factor in ensuring Europe’s energy security. The TANAP natural gas pipeline aims to transport natural gas extracted from the Shah Deniz-2 line to Europe via Turkey via Georgia. The first natural gas flow from the pipeline, which is planned to be completed in 2018, is planned to be 16 billion m^3 in 2020. At the same time, it is aimed to realize 23 billion m^3 natural gas flow in 2023 and 31 billion m^3 natural gas flow in 2026. With the implementation of the TANAP project, Azerbaijan’s role in terms of Europe’s energy security will increase even more (Almammadov, 2023, p. 37). Azerbaijan has improved its electricity supply security over the last decade with major investments aimed at modernizing production and strengthening the east-west transmission system. The construction of gas-fired generation capacity has reduced the previously widespread power outages. Security of electricity supply depends on using the country’s abundant natural gas as the default energy source and building sufficient national generation capacity. In 2019, Azerbaijan had 7.6 GW of capacity, 6.4 GW of which was gas-fired, while peak demand was around 4 GW (Statistical Committee, 2020). At the same time, more network infrastructure needs to be modernized, and governance and operational security protocols and measures for electricity security in the country continue to be lacking. Outdated technologies and equipment reduce the reliability and efficiency of power system operations, while the lack of electricity supply reliability has been one of the government’s main energy security concerns. The nationwide power outage

in July 2018 particularly highlighted the urgent need to improve the power system's ability to maintain reliability and respond to emergencies (EU steps up, 2024).

After this power outage, the President of the Republic of Azerbaijan set new priorities for Azerenergy to restore the power system's generating capacity, modernize transformer substations, and increase the load capacity of the transmission system. In 2018, the Ministry of Energy and the German company VPC launched a broad program to achieve these goals, and by the end of 2019, 485 MW of lost power had been restored through power plant rehabilitation. and Azerenergy, which is implementing the program (finished in 2021), aims to restore 1000 MW of lost power capacity. Pending electricity market reforms also aim to increase supply security by improving the financial viability and investment capacity of the energy sector. Globally, the concept of electricity security is being expanded to address three emerging challenges: the transition to clean energy, cybersecurity, and climate change (Huseynov, 2024). Technological advances and climate change mitigation efforts are driving the electricity supply transition from centralized, vertically integrated systems of relatively few large, distributed thermal power plants to more diversified capacity types and sizes, particularly including variable solar and wind power. While cybersecurity concerns are linked to the increasing digitalization of electricity supply systems, the need for demand-side measures is also increasing as connected devices, electric vehicles, and behind-the-meter distributed energy resources become more common. Finally, increasing evidence suggests that electricity system infrastructure needs to be better adapted to climate change impacts, such as heat waves and droughts, and the associated reductions in water availability. These emerging electricity security concerns are likely to become increasingly important for Azerbaijan (IEA, 2023, pp. 82–83).

Suggestions. The Azerbaijani government should:

– Prepare for potential large fluctuations in fossil fuel revenues and long-term declines in oil and gas revenues by actively pursuing efforts to diversify the economy and the range of goods and services exported.

– Manage the costs of new developments to keep the sector internationally competitive, focusing on developing local talent, particularly in digital technologies, as well as collaborative access to resources and contracting strategies.

– Work closely with world-leading companies operating in Azerbaijan's oil and gas sector to reduce sectoral emissions to help Azerbaijan meet its 2030 climate goals.

– Consider a gradual transition to liberalized local markets for oil and gas, which would help encourage new gas development investments.

– Ensure the independence of the regulator in terms of transparency and empower it to issue gas market rules and network codes.

– Gradually shift the burden of social support and subsidies away from SOCAR, allowing it to focus on its corporate role, and instead provide state support directly to low-income and vulnerable consumers.

– Accelerate the replacement of aging oil and gas pipelines to reduce losses and improve their performance to international standards.

– Accelerate the Montenegro integrated OGPC project to ensure the closure of existing facilities near urban centers.

– Promote effective unbundling and develop competitive electricity wholesale and retail markets to ensure non-discriminatory third-party access to the grid, supervised by an independent regulatory body with clear mandates and appropriate powers, and to help attract private sector investment.

– Assess the privatization of elements of the country's generation capacity and the development of public-private partnerships to promote competition and operational efficiency.

– Develop a transparent electricity tariff setting methodology to encourage efficient electricity sector development and investment in R&D.

– Differentiate tariffs according to voltage level and duration of use.

– Develop and implement a framework for short- and long-term generation, transmission, distribution and supply security, supported by targets and indicators to measure progress.

– Prepare a plan to develop ancillary services, including storage and demand-side response, to maintain network stability and security.

– Accelerate the adoption of a network code for the electricity system, including rules and standards for variable renewable energy integration.

Conclusions. Today, strategic energy resources have become one of the factors affecting the global geopolitical situation. As a natural result, countries with rich energy resources are in a key position in terms of economy and geopolitics. With its wealth of natural energy resources, the Republic of Azerbaijan effectively uses this factor to preserve and strengthen its independence and develop its national interests. The world's developed power centers (USA, European Union countries, etc.) have begun to develop reliable export routes in order to access energy resources and ensure their own energy security. In such an environment, one of the main goals for Azerbaijan, which has newly gained independence, has been to exploit energy resources and deliver hydrocarbon reserves to the world market in accordance with the interests of the country.

If we make a general assessment, we see that energy is a significant factor in Azerbaijan-EU relations. Because one of the most important factors affecting Azerbaijan's foreign policy after independence is the economic dimension. In this context, Azerbaijan is trying to use the energy sector effectively to protect its independence, eliminate security threats and ensure the development of the country's economy. As a result, if we make a general assessment, Azerbaijan's strategic role in the energy security system of the EU and the countries in the region is increasing day by day. The realization of the Southern Gas Corridor and the fact that Azerbaijan will assume the role of a transit country in the transportation of Turkmenistan and Iranian natural gas to Europe in the coming period have once again proven this country's geostrategic key country position in ensuring European energy security.

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DOI https://doi.org/10.30525/2592-8813-2024-4-26

ENHANCING THE GEOPOLITICAL STANDING OF THE REPUBLIC OF AZERBAIJAN: INSIGHTS FROM CONTEMPORARY GEOPOLITICAL THEORIES

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Abstract. The study examines the strategic initiatives and geopolitical positioning of Azerbaijan in the post-2020 era, focusing on its policies towards French colonies and broader international relations. The study first touches upon the most contemporary geopolitical theories in general, and then evaluates Azerbaijan's geopolitical steps in these directions. The research aims to analyze Azerbaijan's geopolitical strengthening using contemporary geopolitical theories through a qualitative methodological approach. Key findings demonstrate that Azerbaijan leverages its strategic location and energy resources to enhance its influence, aligning with Realist theories focused on state power and national interests. The country's commitment to multilateralism and regional stability is analyzed through a Liberalist lens, highlighting its engagement with international organizations like the EU, NATO, and the UN. Additionally, Neorealism explains Azerbaijan's balanced relations with global powers, maintaining strategic autonomy in a multipolar world. The study contributes to a deeper understanding of Azerbaijan's evolving geopolitical role, demonstrating how it navigates complex global dynamics to secure national interests and promote regional stability.

Key words: Azerbaijan Geopolitics, Decolonization, Energy Diplomacy, International Relations, Postcolonialism, Neorealism, Liberalism, Power Balance.

Introduction. In recent years, significant shifts in international relations, especially in the post-2020 period, have reshaped geopolitical dynamics in the South Caucasus. These changes have necessitated Azerbaijan to adapt its foreign policy to align with the new global and regional realities. **The relevance of this topic** is underscored by Azerbaijan's increasing geopolitical significance, driven by its strategic location, rich energy resources, and active diplomatic engagements. **The primary purpose of this research** is to explore how Azerbaijan's foreign policy and geopolitical strategies have evolved in response to contemporary global developments. Specifically, this study seeks to achieve several objectives: first, to provide a theoretical analysis of Azerbaijan's policy towards French colonies, and second, to examine Azerbaijan's foreign policy through the lens of modern geopolitical theories.

In this regard, **the scientific novelty of this research** lies in two main areas. Firstly, it is the first scholarly work to theoretically analyze Azerbaijan's policy towards French colonies, highlighting the country's stance on decolonization and support for independence movements. Secondly, this research is pioneering in discussing Azerbaijan's foreign policy and geopolitics using contemporary geopolitical theories, offering a fresh perspective on how these theories can be applied to understand Azerbaijan's international actions.

Methodologically, the study employs **a qualitative approach**, utilizing theoretical analysis to examine Azerbaijan's foreign policy within the frameworks of some theories. This method allows for a comprehensive understanding of the factors influencing Azerbaijan's geopolitical strategies and their implications for the broader international system.

The research contributes to the academic discourse by providing new insights into the role of small but strategically important states like Azerbaijan in the global geopolitical arena. It enriches the

understanding of how emerging geopolitical players navigate complex international environments and challenge existing power structures. By situating Azerbaijan's foreign policy within modern geopolitical theories, this study offers theoretical perspectives on the evolving nature of international relations and the significance of non-Western actors in shaping global dynamics.

Geopolitical Theories as a Framework for Understanding the Modern International Relations System with a Focus on Contemporary Theories

Geopolitics examines the relationship between geography, power, and politics, exploring how geographical features like land, water, and resources shape political decisions and international relations. The field integrates insights from geography, political science, history, and economics to analyze topics such as borders, national security, and the impact of technology and globalization (Kaplan, 2012). Geopolitical analysis is applied to diverse areas, including regional conflicts, global economic trends, and environmental challenges. Traditional theories, like those of Halford Mackinder and Alfred Mahan, emphasized the strategic importance of land, sea power, and natural resources, offering structured frameworks for understanding state power and security (Vinay, 2014). While these theories were instrumental in shaping historical strategies, they often overemphasized geography and overlooked economic, technological, and cultural factors (Bacevich, 2010). In the modern interconnected world, where globalization and technology reduce the significance of physical borders, these frameworks struggle to explain complex international dynamics. Contemporary geopolitical studies now seek more nuanced approaches, integrating socio-political and economic dimensions to address the multifaceted nature of power.

Critical and Postcolonial Approaches

Critical and postcolonial approaches have gained prominence in contemporary geopolitical studies, offering alternative frameworks to traditional theories. Critical geopolitics, advanced by scholars like Gerard Toal and Simon Dalby, deconstructs dominant geopolitical discourses, analyzing how language, imagery, and symbols legitimize power and global hierarchies. It examines concepts like "territory" as socially constructed and critiques the role of academic and political institutions in shaping geopolitical knowledge, emphasizing that knowledge production is not neutral but often serves specific interests (Yukaruç, 2017; Dijink, 2016).

Postcolonial geopolitics extends this critique by focusing on the enduring effects of colonial histories. Scholars like Edward Said and Dipesh Chakrabarty highlight how Eurocentric ideologies marginalize non-Western perspectives and perpetuate "the Other" narrative, portraying non-Western states as inferior or threatening. This perspective critiques orientalist tropes, colonial legacies, and the impact of colonial borders on contemporary conflicts, arguing that decolonization remains an ongoing process essential for global justice (Yukaruç, 2017; Ashcroft, Griffiths, & Tiffin, 2008).

Postcolonial theory also challenges dominant Western narratives in international relations, emphasizing the perspectives of formerly colonized states and their struggles with economic, cultural, and political inequalities stemming from colonialism (Said, 1979). Critics argue that postcolonialism overemphasizes identity politics and overlooks broader power relations and the experiences of other marginalized groups, but it remains influential in promoting a more inclusive analysis of global power dynamics (Spivak & Sarah, 1999).

Neorealism and Neoliberalism

The evolving nature of international relations necessitates periodic revisions of traditional theories, leading to the development of "neo-theories." Neorealism, introduced by Kenneth Waltz in the 1970s, focuses on the structure of the international system rather than individual states' characteristics (Waltz, 1979). It argues that the anarchic system, lacking central authority, compels states to prioritize power for survival, resulting in a self-help system. Neorealism highlights the importance of power distribution and "power transitions," identifying these as periods of heightened competition

and instability. Despite criticisms for neglecting domestic politics, ideology, and non-state actors, neorealism remains influential, shaping discussions on global power dynamics, including the rise of China and shifts in the international order (Bhagwati, 1997).

Neoliberalism, a late 20th-century counterpart to neorealism, emphasizes economic factors in shaping international relations. It advocates free trade, globalization, and economic interdependence as pathways to peace and stability (Jahangirli, 2021; Harvey, 2005). Neoliberalism underscores the role of international institutions like the WTO and IMF and non-state actors, such as corporations and NGOs, in fostering cooperation. Critics argue it underestimates state power and strategic interests, overemphasizing economic factors (Stiglitz, 2002). Nonetheless, neoliberalism has significantly impacted geopolitical research, influencing foreign policies, economic globalization, and free trade initiatives worldwide.

Hybrid Warfare Theory

Hybrid warfare blurs the lines between conventional and unconventional warfare, using coordinated tools and tactics across multiple domains to achieve strategic objectives beyond military goals, such as political, economic, and informational aims. Developed through collective analysis by scholars, military strategists, and policymakers, it reflects modern security challenges rather than a single theorist's work (Williamson & Mansoor, 2012).

Key characteristics of hybrid warfare include a multi-faceted approach involving land, sea, air, cyberspace, and the information environment, the use of proxy forces for covert activities, and information warfare tactics like disinformation and cyberattacks. Economic pressure, such as sanctions, and political manipulation to exploit divisions within target states are also central strategies (Najžer, 2020). Hybrid warfare employs blended tactics, ambiguity for deniability, and asymmetric advantages to exploit vulnerabilities (Najžer, 2020).

Hybrid warfare impacts international relations by challenging state sovereignty, often operating below the threshold of armed conflict, complicating effective responses. It poses global threats by integrating tactics beyond traditional warfare, utilizing economic and political institutions, NGOs, and other networks. This aligns with network theory, which offers insights into the interconnected dynamics of international politics through perspectives from mathematics, social sciences, and computer sciences.

Theoretical Foundations of Azerbaijan's Geopolitical Strengthening in the Post-2020 Contemporary Era

Azerbaijan's geographical position, connecting Europe and Asia, enhances its role in international relations. Its energy resources and location along major transportation corridors amplify its strategic importance, influencing its foreign policy and strengthening ties with neighboring countries and international organizations. The year 2020 marked significant shifts in Azerbaijan's geopolitical landscape due to events such as the COVID-19 pandemic and the Second Karabakh War, prompting new strategies to adapt to evolving global and regional dynamics. This study examines Azerbaijan's geopolitical strengthening through Realist and Liberal theoretical lenses.

Realist theory emphasizes state power and interests. Azerbaijan's energy resources, including oil and gas, are pivotal to its economic and political influence. Infrastructure projects like the Baku-Tbilisi-Ceyhan (BTC) and Baku-Tbilisi-Erzurum (BTE) pipelines, as well as TANAP and TAP, facilitate the export of energy to global markets, bolstering Azerbaijan's economic independence and geopolitical clout (İsmayilov, 2022).

Liberal theory highlights the role of international cooperation and institutions. Azerbaijan's partnerships with organizations such as the EU, NATO, and the UN demonstrate its commitment to global stability and development. Cooperation with the EU focuses on energy security and economic collaboration, while NATO partnerships enhance defense capabilities through programs like "Partnership for Peace" (Abdullayev, 2023). Participation in organizations like the OIC, Non-Aligned

Movement, and international financial institutions promotes Azerbaijan's economic diversification and global influence.

Strategic ties with neighboring countries, particularly Turkey, are crucial for energy exports and regional stability. Azerbaijan also collaborates with Russia and Iran to strengthen its regional security and political influence. Azerbaijan's foreign policy, rooted in both power-based and cooperative approaches, underscores its emergence as a key regional and global actor.

Therefore, within the framework of Liberal theory, Azerbaijan's cooperation with international organizations and neighboring countries strengthens its position in the international arena and enhances its geopolitical power. This cooperation not only secures Azerbaijan's political and economic interests but also contributes to global and regional stability and prosperity. Consequently, Azerbaijan's strategies for international cooperation and integration are key foundations for the strengthening of its geopolitical position.

At the same time, Azerbaijan's recent steps towards strengthening the independence of island states can be deeply analyzed within the framework of postcolonialism theory. Postcolonialism theory examines the legacy of colonialism and its impact on the social, political, and economic issues faced by states and peoples in the modern era. This theory studies how national identities and independent states have formed and developed after the colonial period. During its independence, Azerbaijan aimed to strengthen its national identity and sovereignty, seeking to play an active role in the postcolonial world order. In recent years, Azerbaijan's efforts to support the sovereignty and decolonization of French colonies, particularly French Polynesia and New Caledonia, demonstrate its commitment to justice and independence on the international stage. The France Colonies Conference held in Baku on July 17–18, 2024, is a clear example of Azerbaijan's efforts in this area (Sarıyeva, 2024).

The growing dissatisfaction with Paris's colonial policies in New Caledonia and the demands of the local population for rights and autonomy reflect one of the fundamental principles of postcolonial theory – the desire to break free from cultural and political colonialism. Azerbaijan's support for this process and its encouragement of anti-colonial struggles in places like New Caledonia show that it acts as a defender of the rights of oppressed peoples on the international stage (REPORT, 2024). Azerbaijan's policy within the framework of postcolonialism is rooted in its own historical experiences. As a state that has suffered under colonial rule for many years and fought for independence, Azerbaijan supports other nations in their pursuit of a similar path. By organizing such initiatives, Azerbaijan draws international attention to the ongoing impacts of colonialism and promotes new independence movements.

France's colonial policy in territories like New Caledonia is central to postcolonial criticism. The protests and demands for independence in New Caledonia reflect the struggle of indigenous peoples to defend their cultural and political rights (Reeves, 2024). This is a significant issue for Azerbaijan, as it has faced similar struggles for independence and sovereignty in its own history. Azerbaijan's active participation in such processes demonstrates its application of postcolonialism theory principles and their integration into its international policy. Azerbaijan's policy within the postcolonialism framework strengthens its role as an actor supporting justice and the struggle for independence on the international stage. This approach solidifies Azerbaijan's position in the international community and allows it to act as a leader in defending the rights of oppressed peoples. Lastly, within the framework of neorealism theory, Azerbaijan's foreign policy is shaped by the anarchic nature of the international system and the balance of power. The Russia-Ukraine war, economic crises, and the establishment of a multipolar world order necessitate Azerbaijan's strategic actions, taking into account regional and global power balances. The disruption of military-political stability in various parts of the world, including the Middle East, Far East, Europe, and Africa, makes it essential for Azerbaijan to cooperate with international organizations to ensure its security and protect its national interests. In this anarchic environment, Azerbaijan strengthens its position by forming strategic partnerships with neighboring countries and playing an active role

on the international stage. Thus, Azerbaijan's foreign policy is shaped by the anarchic structure of the international system and the changing dynamics of regional power balance.

Research Findings

Summarizing the main findings of the research, it can be stated that the strengthening of Azerbaijan's geopolitical position can be analyzed within the framework of various theories. From the perspective of Realism, the strategic use of energy resources to increase state power and protect national interests enhances Azerbaijan's influence on the international stage. Liberalism, on the other hand, highlights Azerbaijan's cooperation with international organizations and neighboring countries, emphasizing its role in interdependence and global stability. Constructivism underscores the importance of national identity and values in international politics, explaining how Azerbaijan's national identity and historical experience influence its foreign policy strategies (Jabarov, 2023). Postcolonialism theory strengthens Azerbaijan's role in the struggle for justice and independence by supporting decolonization movements. In the framework of Neorealism, Azerbaijan's strategic actions must consider the anarchic nature of the international system and the balance of power. All these theoretical approaches help better understand Azerbaijan's position in international relations and its geopolitical strategies.

When analyzing Azerbaijan's relations with global powers from a theoretical perspective, it becomes evident that the United States' interests in the South Caucasus region are related to energy security, democratic development, and regional stability. Due to its rich energy resources and contribution to Europe's energy security, Azerbaijan holds strategic importance for the United States. Energy projects carried out with U.S. support have made Azerbaijan a vital energy supplier for Western energy markets. The U.S. interest in Azerbaijan aims not only to ensure energy security but also to reduce Russia's influence in the region. Issues of democratic development and human rights also play a significant role in U.S.-Azerbaijan relations. However, pressures related to these topics occasionally lead to tensions between the two countries. This approach of the U.S. aligns with the main principles of Liberalism, which emphasize the importance of international cooperation, the spread of democracy, and the protection of human rights.

Russia, on the other hand, traditionally holds strong influence in the South Caucasus region. Azerbaijan's energy policy and cooperation with the West undermine Russia's hegemony in the region. Nevertheless, Azerbaijan's acceptance of Russia's mediating role in resolving the former Nagorno-Karabakh conflict ensures the continuity of bilateral relations (Pekçetin, 2023). Russia's influence in security and military matters should be considered in Azerbaijan's balanced foreign policy strategy. Russia's motivation in its relations with Azerbaijan can be explained within the framework of Neorealism. Neorealism focuses on the anarchic nature of the international system and the struggle of states to maintain the balance of power. Russia's close relations with Azerbaijan serve its aim to maintain its power in the region and limit Western influence.

Simultaneously, China is seeking to increase its influence in the South Caucasus region through the "Belt and Road" initiative. Azerbaijan's strategic geopolitical position is crucial for China as a transportation and logistics corridor connecting Central Asia and Europe. Azerbaijan's interest in China is related to economic cooperation and investment opportunities. Chinese companies are investing in Azerbaijan's energy and infrastructure projects, strengthening relations between the two countries. Additionally, China places great importance on ensuring stability and security in the region. Relations with China can be explained within the principles of Liberalism, focusing on economic interdependence and mutual benefit. China values economic development and the expansion of trade relations, which contributes to Azerbaijan's economic growth. Simultaneously, China's focus on regional stability and security aims to increase its influence in the South Caucasus region.

Azerbaijan's foreign policy is directed towards maintaining balanced relations among global powers. This policy aims to ensure the state's national interests and security, based on the principles of Realism and Neorealism theories. According to Realism, international relations constitute an anarchic

system where states primarily strive to increase their power and ensure their security. Realists argue that the main objective of states is to maintain the balance of power and secure their national interests. Azerbaijan's balanced foreign policy is also based on these principles. Neorealism emphasizes the structure of the international system and the balance of power. Azerbaijan's efforts to maintain balance in its relations with global powers are aimed at securing its national interests and security in line with the anarchic nature of the international system.

Azerbaijan's balanced foreign policy is aimed at ensuring stability and security both regionally and globally. Maintaining balance among global powers strengthens Azerbaijan's independence and sovereignty, consolidating its position in the international arena. This policy allows Azerbaijan to emerge as a stronger and more reliable actor at both the regional and global levels. Azerbaijan's balanced relations with global powers ensure access to international markets for its energy resources and support its economic development.

Within the framework of Realism and Neorealism theories, Azerbaijan's foreign policy is directed towards establishing balanced relations with global powers to increase state power and secure national interests. Liberalism emphasizes Azerbaijan's contribution to global stability through international cooperation and economic interdependence. These approaches help to understand Azerbaijan's foreign policy strategies in a broader and more comprehensive manner, strengthening its position in the international arena.

Conclusion. The research reveals a complex interplay of strategies that go beyond mere power dynamics, highlighting how the country has effectively adapted to the changing international landscape. By systematizing the findings, several overarching themes emerge that explain Azerbaijan's rising influence in the post-2020 era:

1. *Strategic Utilization of Energy Resources*: Azerbaijan's energy wealth serves as a cornerstone of its geopolitical strategy, not just as a source of economic power but as a tool for international influence. This aligns with Realist theories that emphasize state power and interest. However, Azerbaijan's approach is not merely about leveraging resources for immediate gains; it's about integrating these resources into a broader network of diplomatic and economic ties, enhancing its role in global energy security, particularly for Europe. This dual focus on energy and diplomacy signifies a nuanced understanding of power beyond military might.

2. *Commitment to Multilateralism and Regional Stability*: Azerbaijan's foreign policy emphasizes collaboration with international organizations such as the EU, NATO, and the United Nations. This strategy highlights a Liberalist perspective, focusing on interdependence, cooperation, and shared security goals. By engaging in multilateral frameworks, Azerbaijan strengthens its international legitimacy and secures alliances that provide a buffer against regional uncertainties. This approach demonstrates a pragmatic use of soft power, where diplomatic engagement and economic cooperation are tools for securing national interests.

3. *Promotion of National Identity and Historical Narrative*: Azerbaijan has effectively utilized Constructivist principles by framing its foreign policy around national identity and historical narratives. The country's support for decolonization movements and advocacy for the rights of marginalized communities align with its own experiences of overcoming colonial legacies. This stance not only bolsters Azerbaijan's moral standing on the international stage but also deepens its ties with other nations that have faced similar struggles, thus expanding its influence in non-Western political spheres.

4. *Balancing Global Power Relations*: Neorealism's emphasis on the anarchic nature of the international system and the necessity for balancing power relations is evident in Azerbaijan's strategic partnerships. By maintaining a balanced relationship with major global powers such as the United States, Russia, and China, Azerbaijan ensures its security and sovereignty. This balanced diplomacy is crucial for navigating the multipolar world order, reducing dependency on any single power bloc, and maintaining strategic autonomy.

5. *Adoption of Hybrid Strategies*: Azerbaijan's geopolitical actions demonstrate an understanding of hybrid warfare dynamics, blending conventional diplomacy with strategic use of information, economic pressure, and cultural diplomacy. This hybrid approach allows Azerbaijan to adapt to the complexities of modern geopolitical conflicts, where the lines between peace and conflict are increasingly blurred. It also reflects an innovative application of both traditional and contemporary geopolitical theories, showing an adaptable and forward-looking foreign policy.

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DOI https://doi.org/10.30525/2592-8813-2024-4-27

WAR AND INFORMATION WARFARE: ANALYSIS ON THE EXAMPLE OF THE SECOND KARABAKH WAR

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Abstract. One of the means leading to victory in war is skillfully using the power of information. One of the most successful actions that led Azerbaijan to victory in the second Karabakh War was skillfully countering Armenia's disinformation activities. Unlike previous times, during this war, the Azerbaijani leadership, fully aware of the great importance of modern weaponry, military technology, and combat readiness, was better prepared to counter the strong Armenian lobby's attempts to steer international opinion toward Armenia's objectives, gain military-political support from states interested in prolonging the conflict, isolate Azerbaijan, and increase political-diplomatic pressure on its leadership to avert a potential defeat. That is why Armenia's attempts to spread disinformation, which it has been using for many years, did not give the desired result this time. All this justifies the relevance of the article and increases interest in a close study of the struggle of the two states in this area.

In the article, the disinformation spread by the Armenian state with the support of its patrons and the Armenian lobby and the activities carried out by the Azerbaijani state to prevent this process were studied with the help of methods of political science such as analogy, comparative analysis, system analysis. To achieve the set objective, statements by government officials on the topic, newspapers and journals from various countries, electronic resources, and scientific works were extensively used, and a fact-based analysis was conducted.

The main scientific novelty of the research lies in the analysis of the activities of two states conducting information warfare against each other, based on specific examples. The main scientific result of the article is that the mentioned state, contrary to expectations, was separated from the information war by defeat. This shows that Azerbaijan was also prepared for information warfare.

Key words: Second Karabakh War, information warfare, spreading disinformation, international community, political interests.

Introduction. One of the tools leading to victory in war is the skillful use of the power of information. In the 20th century, in addition to newspapers and magazines, mass media such as radio and television emerged, and by the end of the century, the internet appeared, playing a significant role in the rapid dissemination of information to any part of the world. The rapid development of the internet and its transformation of the world into a "global village" has led to the emergence of new mass media such as "social networks" and "virtual spaces", which the warring parties have begun to utilize extensively. The importance of information in our age is an indisputable fact, and it is among the important factors for the effective use of the power of information not only in war, but also in all spheres of human activity, to achieve a successful result. Among the foreign policy tools of the states, the mass media is in the spotlight as the most effective tool along with diplomacy and armed forces. And in wartime, states that manage to skillfully use this tool acquire a greater psychological advantage over their enemy, and also become the side closer to victory, pulling the international community to their side and increasing foreign support.

During the second Karabakh War, when the Republic of Azerbaijan liberated Karabakh and seven adjacent regions under the actual occupation of Armenia for about thirty years, skillfully using mass media, prevented attempts to win the world community over with disinformation spread by the enemy, and made great efforts for public opinion to get the right information. In this article, the information

struggle of the two states and the means used by them and the consequences of this struggle are extensively studied with concrete facts.

Disinformation activities of Armenia during the war. In the second Karabakh War, which began on September 27, 2020 and lasted until November 10, 2020, the Armenian army, after several days of resistance, began to rapidly approach the day when it would face defeat. The Armenian army, shrouded in the myth of invincibility and having relied on Russian support for 30 years, was forced to surrender in the face of the Azerbaijani army, which attacked with new-generation weapons and military strategies in a brief period of just 44 days. Clearly seeing that defeat was fast approaching, Armenia had two main means of preventing it. One of them was to fire powerful missiles and artillery at cities far from the war zone, and especially the civilian population, and the second was to use the power of Armenian lobbying organizations to launch an information warfare and spread disinformation, increasing international pressure on Azerbaijan and achieving a ceasefire. (Altunalan, 2022, pp. 156–157) The military-political leadership of Armenia, which committed a number of crimes that would be recognized as war crimes in the first instance, issued orders that led to the deaths of hundreds of Azerbaijani civilians and the destruction of residential areas. In this regard, the Azerbaijani side has utilized all available resources to ensure that these truths are conveyed to the international community.

On the other hand, Starting from the first days of the war, the Armenian side started an information warfare in order to eliminate such myths as the "invincible Armenian army" and the "impenetrable Ohanyan wall" and turn international pressure in favor of preventing the attacks of the Azerbaijani army, which successively suffered heavy defeats, and hoped for misinformation. In those days, the Prime Minister of the Republic of Armenia, Nikol Pashinyan, regularly called capitals such as Moscow, Paris, Washington, Tehran, and requested the support of these countries to put pressure on the official Baku to stop the rapidly advancing Azerbaijani army. Armenia's attempts to exert pressure on Azerbaijan through diplomatic channels continued consistently throughout the war in almost all countries, including African states. It has been observed that Armenia continued its diplomatic efforts to escape the rapidly approaching defeat in almost all organizations, including the UN, the European Union, the CIS, and the Eurasian Cooperation Organization.

In order to gain the attention and support of Christian states and communities, the Armenian authorities and the mass media, despite the fact that the cause of the war, the conflict and the problem had nothing to do with religious differences, began to spread disinformation, putting the religious factor at the forefront. The image of Armenians as a victim of aggression was created by the media supporting Armenians during the reporting period. The counteroffensives launched by Azerbaijan to liberate its occupied territories have been portrayed as unilateral attacks by Muslim Turks against Christian Armenians. In such black propaganda and information, the aim was to create the image of "angelic and oppressed Christian Armenian" and "tyrannical, demonic Muslim Turk" in the international community. Describing the war that began as a war on religious grounds, they demanded that Christian states and people support the Armenians. The Italian newspaper La Stampa, one day after the start of the Second Karabakh War, published an article titled "Military advisors, mercenaries, and weapons: Erdogan and Putin's proxy exchange", stating that "Türkiye is assisting Baku with drones and soldiers, while Moscow is sending air defense systems and weapons to the Armenians... The scenario is similar to what is happening in Syria and Libya, but here attacks along the entire front line are risky for both sides." (Consiglieri, mercenari e armi: la nuova guerra per procura combattuta da Erdogan e Putin)

The pro-Armenian French newspaper "Le Monde", in its October 16 issue, published an article titled "Nagorno-Karabakh: Turkey stokes the conflict between Azerbaijan and Armenia," stating that "The control of the disputed Nagorno-Karabakh region intensified the previous day when Yerevan announced that a Turkish F-16 fighter jet shot down an Armenian "Su-25" aircraft in Armenian airspace". (FOG – Ces Arméniens qui veulent mourir debout) The two above-mentioned examples

are aimed at showing Azerbaijan, the rightful side of the war and wanting to liberate its lands from Armenian occupation, in the eyes of the world community as an aggressor and an attacker against the civilian population. To prevent such news and accurately inform the international community about the situation on the front, official Baku has mobilized all its resources. For this purpose, official Baku has repeatedly organized meetings in a live, question-and-answer format with the participation of all well-known media organizations of the world, and the President of Azerbaijan Ilham Aliyev himself has answered the questions many times in such meetings.

The American Wall Street Journal, in a report published on October 5, 2020, included the statement, "A victory in the Caucasus would be a personal victory for Erdogan. His support for ethnic Turks in Azerbaijan, who are mostly Shia, against Christian Armenians will further boost his popularity among religious and nationalist Turks..." (Mead, 2020)

As can be seen in the above examples, in Armenia's information warfare, its most reliable weapons have undoubtedly been the Armenian communities spread almost worldwide and the media organizations influenced by the lobby groups they have established. In powerful countries around the world, including the USA, France, Russia, and Canada, Armenians who own various media outlets, political factions, and NGOs have utilized their resources to send financial and material aid to Armenia. Additionally, they have sought to obtain political-diplomatic support by employing lobbying activities that have become customary in their respective countries. To achieve this, they have made use of nearly all traditional and new mass media outlets. Even the footage of several attacks on the cities of Ganja, Tartar and Barda, where hundreds of civilians were killed as a result of their attacks, was described as an attack by the Azerbaijani army on the Armenian civilian population and showed their ugly faces one more time.

Activities carried out by Azerbaijan. The Azerbaijani side has demonstrated great attention and vigilance to prevent another attempt by the Armenians to deceive the international community by mobilizing their domestic and foreign resources. Acting very carefully on the front, the Azerbaijani army, as far as possible, tried not to endanger the security of the civilian Armenian population. Because the military-political leadership of Azerbaijan understood perfectly well that every wrong action that could lead to the death of the Armenian civilian population would strengthen the hand of official Yerevan and take advantage of this to take a step forward in the information warfare, so that international support would turn in favour of the Armenians. In addition, despite the fact that the Armenian army was the first to start the war, Armenia occupied 30 percent of the Azerbaijani territory for 20 years, one million Azerbaijanis became refugees, and Azerbaijan was the only one to make a compromise on the peaceful settlement of the conflict, the political and military leadership of Azerbaijan, led by the Supreme Commander of the Armed Forces, Ilham Aliyev, has made significant efforts to accurately inform the international community about several issues. These include Armenia's unwillingness to vacate the occupied territories, the presence of foreign mercenaries among the Armenian ranks during the war, the use of child soldiers, and the Armenian army`s attacks on the civilian Azerbaijani population with powerful ballistic missiles and artillery, causing extensive destruction. Their aim has been to counter Armenia`s attempts to disseminate disinformation. President of the Republic of Azerbaijan Ilham Aliyev held almost daily live meetings with local and foreign media outlets, sometimes lasting 4–5 hours, answering their questions with all sincerity, declared to the world the truth of Karabakh, the right position of Azerbaijan in the war, Armenia`s occupation, the Armenian army committed a war crime by attacking with heavy weapons against civilian Azerbaijanis. The same struggle was given by other Azerbaijani officials, the country's military leadership and diplomatic representations. It is precisely the result of this information warfare that the global community has obtained accurate information about the ballistic missile attacks and heavy artillery assaults by Armenian armed forces on cities like Ganja, Tartar, Beylagan, Barda, and Mingachevir while the war was ongoing, and has recognized Azerbaijan's just position. These attacks were met with concern by the European Union (Azerbaijan: Statement by the Spokesperson on the strikes on the city of Ganja) and UN Secretary-General

António Guterres (Both sides obliged to ‘spare and protect civilians’ over Nagorno-Karabakh fighting declares UN`s Guterres), who condemned the targeting of the civilian population. (Rehimov, 2020)

The Azerbaijani army has gained an unparalleled advantage in psychological warfare by disseminating strike and destruction footage obtained from drones and kamikaze drones to boost the morale of its population while simultaneously undermining the enemy's psychological state. These posts, which contributed to gaining psychological superiority, also cast doubt on the credibility of the statements and information disseminated by Armenia, leading to a shift in psychological advantage to the Azerbaijani side in the war.

On the other hand, the increased instances of mass desertion in the Armenian army and the fact that children are being used as combatants for military purposes have further undermined the image of the Armenian side in the eyes of the international community. So, on October 25, 2020, a video clip appeared on the internet, in which a civilian-born Armenian boy helped the Armenian military in firing artillery rounds against the positions of the Azerbaijani army. Azerbaijan rightly accused Armenia of using children for military purposes in the war. (Armenia uses child soldiers in occupied Nagorno-Karabakh, commits war crimes: Azerbaijan) One day later, the ombudsman of the separatist regime in Karabakh claimed that the child featured in the video was there not for military purposes, but to help his father. Although this footage can be seen as a move aimed primarily at shaping domestic public opinion, the use of children for this purpose has faced sharp criticism from the international community. (About some speculated photos of children)

On October 28, when the war continued, the Armenian Armed Forces launched a large-scale attack on the Azerbaijani city of Barda using rockets and artillery devices. In this attack on the city of Barda, which was not located in the combat zone, the target once again was the civilian population. This attack resulted in the death of 21 civilians, including one Red Cross volunteer, and caused various injuries to over 70 individuals. (Gall, 2020) Amnesty International confirmed that the Armenian army used banned bombs and Smerch rockets. The organization’s regional director, Marie Struthers, stated that the use of such weapons against civilians was “cruel and irresponsible”, leading to “numerous deaths and injuries among the population”. The Azerbaijani leadership and the country’s chief human rights ombudsman described this attack as an “act of terror against the civilian population”. (Armenia continues to commit war crimes, terrorist acts – Azerbaijani ombudsman) The use of cluster munitions was also confirmed by The New York Times. (Gall, 2020) Armenia, however, denied responsibility for this war crime and placed the blame on the separatist regime in Karabakh. (Staff, 2020) The separatist regime accepted responsibility, claiming that their objective was to target military bases. (Artsakh denies use of cluster munition in Azerbaijan`s Barda direction)

On October 30, Human Rights Watch (HRW) announced that Armenian and Karabakh separatist forces had used cluster munitions and called for an immediate halt to the use of this weapon. (Armenia: Cluster Munitions Kill Civilians in Azerbaijan)

Another issue that both states involved in the war sought to leverage in their information warfare was the presence of foreign mercenaries. The arguments put forward on this issue could really give a great impetus to the weakening of the position of the opposing side under the world community and strong states. However, in this matter as well, the Azerbaijani state, using all its resources, succeeded in properly informing the international community. On September 28, a day after the war began, the Ministry of Defense of the Republic of Azerbaijan released information presenting evidence that Armenian forces included mercenaries of Armenian descent from several Middle Eastern countries, notably Syria and France. (Dargahli, 2020) On the same day, the Ministry of Defense of Türkiye issued a statement demanding that Armenia hand over mercenaries and terrorists to Türkiye. (Erdoğan urges Armenia to 'end occupation in Upper Karabakh') Two days later, Azerbaijani officials demanded a fair response from the international community regarding Armenia's use of terrorist forces. (Hajiyev, 2020) On September 30, 2020, the Syrian Observatory for Human Rights also released

information confirming that Syrian fighters of Armenian descent were sent to Armenia to fight in the Karabakh war. (Armenia-Azerbaijan conflict. First Syrian fighter of Ankara-backed factions killed in Azerbaijan) One day later, the Azerbaijani state, through various official government agencies, announced evidence showing that Armenian-origin terrorists and other mercenaries had come to Armenia from Middle Eastern countries–particularly Syria and Lebanon – as well as several other states, including Greece and the United Arab Emirates, to fight against Azerbaijan. (Azerbaijani MFA: Foreign terrorist and mercenaries being used by Armenia against Azerbaijan) The Greek City Times news agency also noted that approximately 500 to 800 Armenian-descended Greek citizens and some Greeks voluntarily came to Karabakh to join the Armenian side. (Former non-commissioned officer: I`m going to Artsakh with 500–800 Greeks to crush the Turks)

The Azerbaijani state regularly brought all these facts to the attention of the world community, both through official news agencies and the internet, in order to see the world, and tried to expose the true face of Armenians. The Azerbaijani military-political leadership, along with its diplomatic resources, diaspora organizations, and media outlets, successfully countered the enemy's attempts to spread disinformation throughout the war, bringing the real situation on the front lines to the attention of the world. For instance, just one day after the start of the war, In its statement, the Azerbaijani Ministry of Defense noted that based on intelligence gathered on the first day of military operations, the Armenian army had suffered significant losses. It reported the destruction of 22 tanks and other armored vehicles, 15 "OSA" surface-to-air missile systems, 18 drones, and 8 artillery pieces, as well as more than 550 personnel casualties, including both dead and wounded. During the first 4 days of the war, Azerbaijan announced the destruction of approximately 200 tanks and armored vehicles, 228 cannons and artillery systems, 30 air defense systems, 5 ammunition bases, 110 military trucks and 1 S-300 rocket system. (Erbay, 2020) The rapid movement of the Azerbaijani army in the subsequent days of the war and the liberation of the occupied lands shows that the information provided by the Azerbaijani side on the course of the war reflects the truth.

Conclusions. All this shows that from the first day of the war, both sides used information tools to spread disinformation, as well as to attract international public opinion and the support of foreign states to their side in order to gain psychological superiority over the enemy.

This article, which examines Armenia's activities in spreading disinformation, concludes that the aforementioned state, contrary to its expectations, emerged defeated from the information war, indicating that Azerbaijan was well-prepared for the information warfare. Another conclusion of the article is that the Azerbaijani state had been preparing for this war for many years, thoroughly studying the enemy's military-political and military-strategic capabilities, while also effectively organizing its efforts to balance the enemy's information and disinformation capabilities.

As a result, the 2020 Nagorno-Karabakh War provides numerous data and insights regarding the changing nature of warfare, serving as a significant case that illustrates the important effects and implications of military techniques and technologies not only on the battlefield and tactical level but also in diplomatic and geopolitical layers.

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DOI https://doi.org/10.30525/2592-8813-2024-4-28

URBAN DYNAMICS BETWEEN CHALLENGES AND OPPORTUNITIES: THE CASE OF EL KHROUB, ALGERIA

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Abstract. Since the mid-1970s, demographic concentration in Algeria has significantly influenced urban policies in major cities, prompting the transfer of surplus populations to peripheral areas. The socio-spatial dynamics of El Khroub, the second-largest city in the vicinity of Constantine, exemplify this developmental trend. The demographic alleviation of Constantine, the «mother city», toward El Khroub resulted in a remarkable transformation, rapidly elevating it from a village to a medium-sized city. This study aims to provide a retrospective analysis of El Khroub's evolution, focusing on the scale and circumstances of its spatial and social transformation. Utilizing both historical and analytical approaches, the research offers a comprehensive understanding of the city's development and the challenges that accompanied its rapid growth. While El Khroub gained opportunities from this policy, its rapid expansion also brought significant challenges. The findings highlight the complex relationship between development policies and urban dynamics, revealing both the benefits and drawbacks of rapid urban transformation.

Key words: new urban housing zones, urban growth, demographic dynamic, urban sprawl, population transfer policy, socio-spatial fragmentation.

Introduction. Urban growth is a complex phenomenon that manifests through demographic dynamics (such as migration and natural population growth) and geographical transformations (like urban sprawl and changes in land use). It is strongly influenced by the ongoing global economic integration in many regions worldwide (Cohen, 2004). Fuelled by natural growth and migration (Almatar & Alhajri, 2024), urban growth significantly contributes to the development and promotion of cities (Lucas, 1997).

However, urbanization becomes a concerning phenomenon when it is rapid and poorly managed, as it leads to numerous multidimensional issues. Excessive urban sprawl impacts various environmental, economic, social, and legal aspects (Debbabi & Bouteche, 2023). Li & Li (2019) emphasize that demographic pressure is a key driver of urban sprawl, particularly in large cities. They also observe a significant positive correlation between economic growth and urban sprawl, indicating that economic development inevitably leads to increased urban land use. Furthermore, Qu et al. (2020) state that rapid urban growth necessitates greater spatial resources to support socio-economic development.

Managing urban growth has become a complex global issue, representing one of the major challenges of the 21st century (Cohen, 2004). Thus, the management of urban expansion has garnered increasing interest among policymakers and researchers (Qu et al., 2020).

Population growth and migratory flows deeply influence urban and social morphology (Germain, 2014). Amorevieta-Gentil et al., (2015) highlight that migration significantly shapes population composition. Population increases necessitate the expansion of residential, commercial, and industrial areas, leading to transformations of urban landscapes. Migration, whether internal or international, brings cultural and socio-economic diversity, reflected in architecture, neighbourhood organization, and urban services. These demographic and migratory dynamics are crucial to understanding the evolution and reconfiguration of urban spaces over time. Migration, therefore, shapes urban morphology and social composition in complex and ambivalent ways. On one hand, it enriches the urban fabric with cultural and economic diversity; on the other, it poses considerable challenges related to integration and social cohesion. Public authorities must develop and implement effective policies to transform this diversity into a true asset, fostering harmonious coexistence and greater social inclusion.

To understand the transformations of urban morphology, researchers frequently adopt a historical evolutionary approach. This method allows for the analysis of the evolution and transformation of cities and villages over time (Thinh & Kamalipour, 2024).

According to Marois & Bélanger (2014), in the 20th century, North America experienced significant demographic growth in residential suburbs, which now concentrate most of the population expansion, while central cities stagnate or decline. The migratory movements of White populations from central areas to the suburbs, particularly in the United States, have exacerbated this trend by causing racial and economic segregation, resulting in significant disparities in access to public services and a transformation of the socio-demographic landscape. The consequences of suburban growth include the loss of agricultural land, reduced biodiversity, and increased traffic congestion.

Bouteche & Bougdah (2024) point out that in Europe, particularly in France, after World War II, the influx of migrant workers, mainly foreigners, reshaped urban landscapes with the formation of slums on the outskirts of major cities. Additionally, the rehousing of immigrant populations in large suburban housing estates, marked by inadequate infrastructure and services, exacerbated segregation, social disparities, and tensions within these communities. Unlike developed countries, where urbanization followed industrialization, in developing countries, urbanization is profoundly demographic and often lacks economic development (Boukhemis et al., 1990; Dureau, 2004; Lucas, 1997; Véron, 2007). In Algeria, for instance, cities in the east, along with villages and hamlets, became significant recipients of migration flows after independence in 1962, despite exceedingly limited capacities for housing, employment, and infrastructure. These movements transformed some villages into small towns, elevated by public authorities to the status of commune, district (daïra), or even province (wilaya), without these localities being adequately prepared for such rapid transformations, leading to unbalanced urban network development (Boukhemis et al., 1990).

Rahmani (1982) notes that this demographic evolution had a major impact on economic policy and shaped the state's planning and development strategies. Among the consequences of these demographic concentrations in major cities such as Algiers, Oran, Constantine, and Annaba were the relocation of surplus populations to the peripheries starting in the late 1970s.

During this period, significant progress was made in developing the most underprivileged territories, along with a re-evaluation of small and medium-sized urban centres within the framework of rebalancing the urban network at the national level, notably through the 1974 administrative division. This spatial restructuring led to the emergence of small urban centres, thereby accelerating urbanization (Raham, 2005).

This period also marked the launch of new housing projects and programs under the form of new urban housing zones (ZHUN), introduced within the four-year plan (1974–1977). The design of these zones, defined by ministerial circulars No. 0335 (February 19, 1975), No. 2015 (February 21, 1975), and No. 519 (March 8, 1976) (Rouag-Djenidi, 2005), initially focused on large cities and later extended to neighbouring villages. This resulted in uncontrolled expansion of major cities and the

transformation of village cores into satellite towns. However, the urban planning policies of the time exhibited numerous shortcomings and dysfunctions, creating a gap between policy and urban reality (Bouchemal, 2010).

The socio-spatial dynamics of El Khroub, the second-largest city in the periphery of Constantine, follow this development logic. With Constantine, the mother city, reaching saturation, demographic transfer to El Khroub occurred, transforming its status from a village to a medium-sized city. This evolution transformed El Khroub from a colonial village core with an area of 12 hectares in 1962 into a medium-sized city spanning 511.1 hectares by 2008 (URBACO, 2008).

In recent decades, the city's spatial development has seen considerable growth, benefiting from its relatively flat terrain and extensive communication networks. Today, El Khroub is regarded as the second urban center in Constantine Province and its most significant satellite. Located about 20 kilometres southeast of Constantine (Fig. 1), El Khroub serves as a transition zone between the north, the «Tell region», and the south, the «High Plains».

From this context, several questions arise: How has this colonial-origin village developed over time to achieve medium-sized city status within a few decades? What are the impacts of this transformation on space and society?

Materials and methods. The primary objective of this study is to conduct a retrospective analysis of the evolution of El Khroub, focusing on the extent and circumstances of its transformation from both spatial and social perspectives. Once a small rural village, El Khroub rapidly developed into a medium-sized city due to a policy of population transfer from its parent city, Constantine. This policy led to a dramatic transformation of its spatial and social structure.

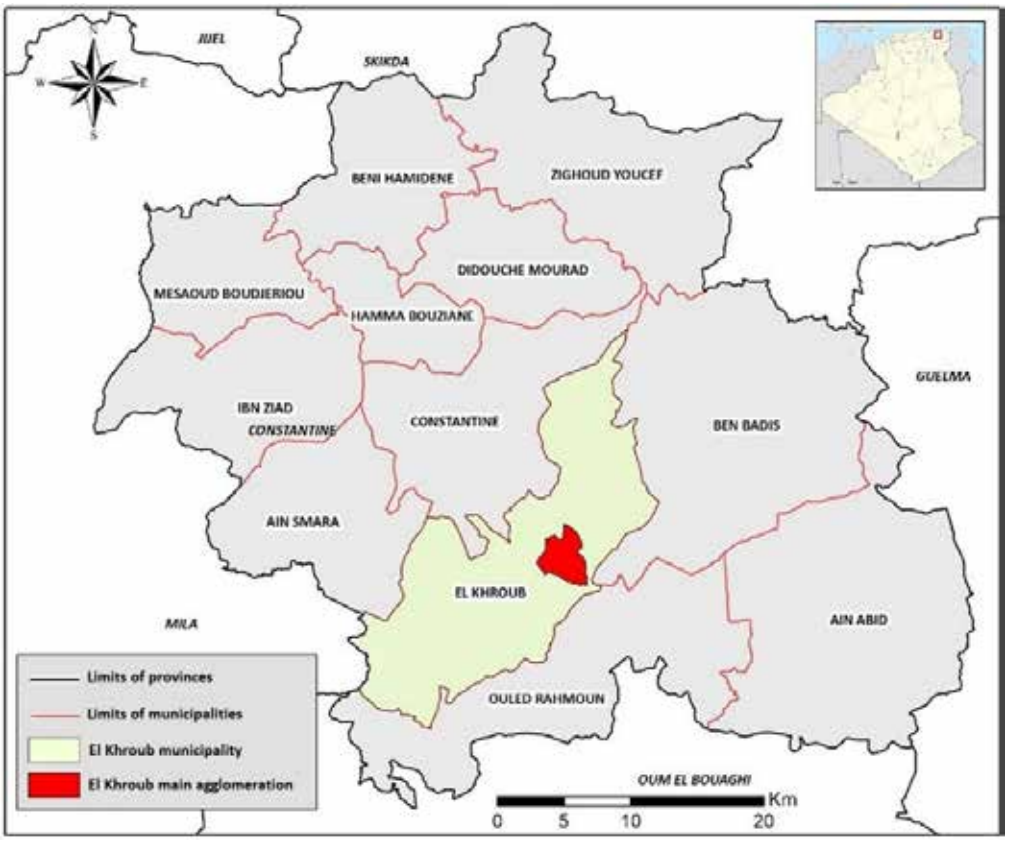

Fig. 1. Location of the city of El Khroub in the Constantine Wilaya

Source: Authors (2023)

Secondly, the study aims to examine the dual nature of this transfer policy, exploring both the dysfunctions caused by this upheaval and the opportunities it created for the formerly rural settlement.

Two complementary approaches were adopted for this research. The first is a historical approach, which helps contextualize the city's emergence and development, as well as the underlying logics of its growth and transformation in urban morphology. The second is an analytical approach, which enables the study of the city's urban morphology, i.e., the spatial evolution of its urban form over time, and assesses the socio-spatial (its social morphology) and economic consequences of the population transfer policy.

To achieve these objectives, two investigative techniques were employed:

– Literature review to establish a theoretical foundation and gather existing knowledge on the subject.

– Fieldwork in the form of direct observation to examine on-the-ground realities and supplement the findings.

Results and discussion

1.1. The context of El Khroub's emergence (the transfer policy)

The development of Constantine has been shaped over time by its physical, geographical, and historical conditions, as well as by local and regional planning and development policies. Since the French occupation, the city has undergone several phases of urbanization influenced by the political and economic circumstances of the country.

Due to the rapid and significant population growth in Constantine, the saturation of buildable land, uncontrolled urban sprawl, and the need to preserve arable land, local authorities shifted their focus to the three surrounding colonial villages–El Khroub, Ain Smara, and Didouche Mourad. This shift was part of the 1975 Master Urban Plan (Benidir, 2003). These villages were identified as suitable locations for large-scale housing programs (ZHUN) to meet Constantine's growing housing needs. Consequently, these small urban centres transformed into satellite towns, contributing to the creation of Greater Constantine.

To address the high demand for housing, the state adopted a functionalist urban planning approach characterized by the importation of industrialized building techniques, such as standardization and prefabrication. This approach aimed to accelerate construction (Naceur & Farhi, 2003) and reduce costs.

In this context, El Khroub became a focal point for housing development, with about twenty ZHUN projects initiated since the mid-1970s. The first project, comprising 450 housing units in the northern part of the town, was launched in 1976 (Marouk, 2008). The city heavily invested in these housing programs, first to address the needs of its own population and then to accommodate residents from Constantine.

1.2. El Khroub: Consequences and impacts of an extensive housing programme

As part of the transfer policy, the ZHUN procedure became mandatory for all projects exceeding 1000 housing units or, in exceptional cases, for clusters of 400 units or more (Mebirouk, 2011). These operations were guided by objectives to:

– Expand the hosting capacity of cities by identifying land suitable for urbanization, typically on the outskirts of major cities.

– Integrate newly urbanized areas into their surroundings by effectively utilizing planned infrastructure and facilities, which could serve as important tools for rebalancing and integrating existing and future socio-physical spaces (Zucchelli, 1983).

According to these directives, the establishment of new residential zones required comprehensive studies for integration, organization, and structuring. These studies were to determine the number and types of housing, as well as the facilities and activities to be included, while simultaneously planning road layouts and utility networks (V.R.D).

However, the reality on the ground revealed a different scenario. Most ZHUN projects across Algeria were developed on the peripheries of existing urban areas (Rouag-Djenidi, 2005), adopting a piecemeal approach where housing clusters were added without fully integrating them into the urban fabric. This approach led to severe repercussions for agricultural land and land use in general, causing significant and often irreversible impacts.

El Khroub exemplifies this situation: its first ZHUN developments were established on the outskirts of the old village core, driven primarily by land availability. This pattern of development has resulted in several socio-spatial consequences.

1.2.1. Irrational land consumption

El Khroub's urban expansion proceeded on land without adequate consideration of its nature, particularly its agricultural value. Most of the residential areas to the north and west of the city were built on high-quality agricultural land due to its relative flatness, which reduced construction costs.

As a result, the city experienced significant growth following housing programs, expanding over 175 hectares between 1977 and 1988 (Fig. 2). Collective housing, primarily in the form of ZHUN, dominated this expansion, occupying 60% of the extended area and reaching relative saturation between 1987 and 1997 (Marouk, 2008). By 1998, the urbanized area reached 460.32 hectares (URBACO, 2008), easing the housing pressures faced by Constantine (Fig. 2).

However, rapid urban land consumption left El Khroub unable to meet its residents' housing demands. This shortage pushed the city to identify a new site for its growing population, leading to the creation of the new town of Massinissa to the east starting in the 2000s.

1.2.2. Unregulated urban sprawl, disorder, and fragmentation

According to Hafiane (2007), discussing an Algerian city is more about quantifying a population and an area than describing a structured urban system. This observation aligns with the impact of the establishment of ZHUNs, which fostered a fragmented model of urban growth. Residential areas and infrastructure were developed without prior integration studies, and the availability of land often dictated the location of these projects, leading to an imbalanced and chaotic urban sprawl that reflects the lack of a cohesive urban system.

This fragmented urban development is evident on multiple scales:

– Spatial fragmentation between urban areas: Residential neighbourhoods lacked synergy with each other and existing urban fabric, creating visible incoherence, particularly between the northern ZHUNs, the old centre, eastern and western subdivisions, and southern ZHUNs (Fig. 3).

– Fragmentation due to national road no. 3: The road, along with the site's topography, created a spatial divide between the upper area (centred around Massinissa) and the lower area (the old core and its urban sprawl). This duality disrupted the unified functioning of the city.

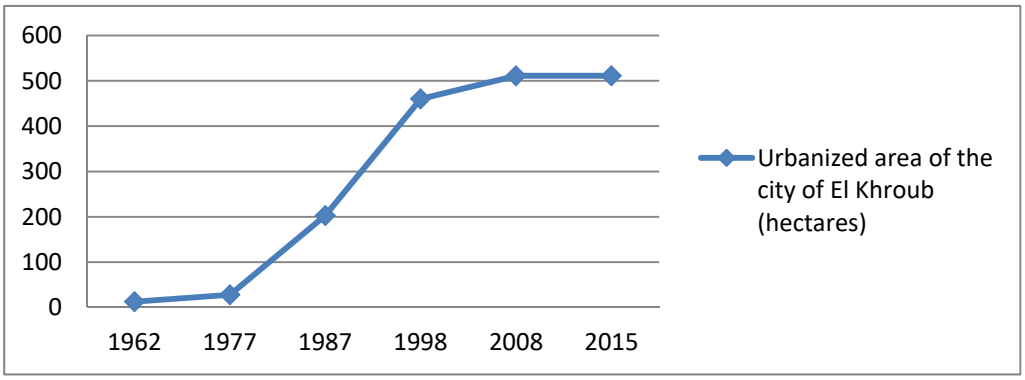

Fig. 2. The evolution of the urbanized area of the city of El Khroub

Source: URBACO (2008)

– Micro-level fragmentation: Excessive ZHUN procedures left 70% of some residential areas as unused or undefined spaces, with minimal adherence to urban planning principles or regulatory frameworks. During this period, urban concerns were primarily focused on housing, with minimal attention given to the development of vacant spaces within neighbourhoods. Consequently, these areas frequently remained in an undefined status, characterized by superficial studies, misuse, and poor management and maintenance. This situation was exacerbated by the involvement of multiple actors in the implementation process, leading to inefficiencies.

– Socio-spatial Fragmentation: Differences between the centre and the ZHUNs emerged due to the varying social and cultural backgrounds of their inhabitants. While the old centre housed a rural-

Fig. 3. Location of the main ZHUNs and public facilities in the city of El Khroub

Source: Authors (2024)

origin population, ZHUNs were predominantly occupied by urbanites from Constantine. This divide reflects differences in historical, cultural, and social dynamics, further contributing to the fragmentation of the urban landscape.

The city's urban planning was predominantly sectoral, a fragmented approach that significantly contributed to disorder and incoherence in its development. Projects were distributed among various agencies based on the type of work, often without proper integration or oversight.

In this context, the Ministry of Housing, Urban Planning, and Construction – now known as the Ministry of Housing, Urban Planning, and the City – took charge of these initiatives, delegating responsibilities to multiple stakeholders. Key actors included the Office of Promotion and Real Estate Management (OPGI) for housing construction, the Communal People's Assemblies (APC) for neighbourhood-level public facilities, and the Ministry of Health for healthcare infrastructure, among others (Touati, 2006). However, the involvement of more than eight state agencies from various sectors, coupled with a lack of effective coordination, resulted in widespread urban disorder and inconsistencies.

1.2.3. Neglected outdoor spaces

The studies for ZHUNs were comprehensive in terms of programming, addressing a wide range of basic needs. These included educational facilities, playgrounds, green spaces, parking areas, and road infrastructure. Particular attention was given to spatial hierarchy and sunlight analysis in the overall development plan. However, in practice, implementation was limited to a few educational and cultural facilities. Notably, the development of outdoor spaces was largely overlooked (Fig. 4). This neglect resulted in the emergence of a new urban feature, the undeveloped space, which now accounts for over 34% of the city's total area (Guechiri, 2023).

1.2.4. Dormitory towns without urban identity

In the 1970s and 1980s, ZHUNs emerged as a pragmatic and rapid solution to the housing crisis facing Algerian cities. Urban production during this period was heavily influenced by economic circumstances. The ZHUN model, along with large housing complexes, introduced a modernist urban grid system and a new way of life that clashed with the traditional lifestyle of Algerian society. This model radically altered the urban landscape, creating a visual and spatial environment unlike anything previously built. The imposed transformation not only reshaped residents' living environments but also profoundly impacted their way of life.

Within these residential zones, any reference to urban identity or neighbourhood life – an essential unit of urban vitality – was effectively erased. Unlike Constantine, the city of origin for most of

Fig. 4. Overview of the ZHUN of the 900 housing units

Source: Authors (2023)

these families, where neighbourhoods served as spaces of sociability and community, ZHUNs lacked such dynamics entirely. Constantine's urban fabric features a dual identity: the traditional Medina, compact and human-scaled, organically developed without a predetermined plan and perched on the Rocher, and the colonial fabric, characterized by rigid alignments, repetitive structures, and monumental designs alien to indigenous forms.

The design of the initial ZHUN projects was entrusted to design offices affiliated with the Algerian Territorial Development Fund (CADAT), the National Centre for Applied Urban Studies and Research (CNERU), and Urban Planning Study and Implementation Offices (URBA). These study centres were supervised by European architects and specialists from countries like Czechoslovakia, Bulgaria, and Poland. This international composition contributed to the misalignment between ZHUN designs and the Algerian context, as they often disregarded the cultural, religious, and societal specificities of the population (Bendada, 2019).

In addition to this profound shift in urban identity, outdoor spaces within ZHUNs were left undeveloped, remaining barren and underutilized. When the first ZHUNs were handed over, only the housing units had been completed, leaving residents to face numerous challenges. Among these were inaccessible buildings, a lack of essential facilities, no play areas for children, no communal meeting spaces, and severe isolation due to limited transportation options. These deficiencies transformed ZHUNs into «dormitory towns» – mere sleeping quarters devoid of vibrant community life (Benlakhlef & Bergel, 2019; Kateb, 2003).

This critical situation hindered the development of healthy social relationships necessary for collective living. Instead, it reinforced residents' sense of alienation, detachment from their new neighbourhoods, and dependence on their native cities. It also contributed to the neglect of outdoor spaces, many of which remain unfinished to this day, perpetuating their incomplete and barren state.

1.3. El Khroub: An economic growth engine for the wilaya of Constantine

The rapid urbanization of El Khroub has brought profound changes to its spatial and social structure. Over several decades, an extensive housing programme was implemented alongside the establishment of numerous public services and facilities, significantly contributing to the city's economic development. Key facilities include (Fig. 3):

– The Souk (the market): A hub of national trade located at the city's centre. Despite its economic significance, its location posed logistical challenges. Although a relocation plan was outlined in the 1983 Master Urban Plan (PUD), it was never executed.

– Mohamed Boudiaf Public Hospital: Serving a supra-communal area.

– The New Daïra Headquarters: Inaugurated on April 16, 2016.

– The bus station: Playing a vital role in the southern crown of Constantine.

– Educational institutions: Including the Institute of Veterinary Sciences, a vocational training centre, and a university residence, all located in the southern ZHUNs.

– Cultural and Recreational Facilities: Such as the municipal library and the Mohamed El-Yazid Cultural Centre in the southern ZHUNs, and the Snober Land leisure centre situated in the historic core.

– Colonial-Era Infrastructure: Including the railway station, which has historically reinforced El Khroub's position as a strategic exchange hub.

Together, these facilities have established El Khroub as a new urban and economic centre within the wilaya of Constantine.

The city has also witnessed significant commercial growth, further solidifying its role as an economic hub for the Constantine metropolitan area. This commercial expansion stems from demographic growth, urban spillover policies, and various phenomena that emerged between the 1980s and 1990s:

– Economic system logic: An adjustment of supply and demand to meet the needs of a growing population in El Khroub.

– Mass production of commercial spaces: Built on the ground floors of newly constructed buildings.

– Market liberalization: Beginning in the 2000s, ending state monopolies on foreign trade and facilitating the importation of goods (Bergel & Benlakhlef, 2011).

According to the first economic census of Constantine (ONS – Constantine, 2012) (Table 1), El Khroub ranks second in the province and the Constantine Group for economic activity, contributing 11.70% and 15.90% of total activities, respectively. Commerce and services dominate its economy, with a balanced structure reflected in a commerce-to-services ratio where commerce (50.53%) slightly outweighs services (30%). This balance highlights a robust commercial foundation complemented by a steadily growing service sector.

In comparison, smaller agglomerations such as Hamma Bouziane, Didouche Mourad, and Ain Smara contribute far less in both absolute numbers and percentages, positioning El Khroub as the most significant secondary city in the region.

El Khroub's substantial contributions to commerce and services underline its strategic role in the province's economy. Its proximity to Constantine city, combined with expanding infrastructure and a growing population, has enabled it to emerge as a vital economic hub. This role not only eases the economic burden on the provincial capital but also supports balanced regional development across the Constantine province.

Conclusion. The implementation of the ZHUN programme in Algeria from the mid-1970s followed a standardized approach characterized by several recurring issues:

– Urgency and lack of foresight: Most ZHUN developments were executed under urgent circumstances, with limited consideration for long-term urban planning or the future development of cities.

– Reliance on imported methods and techniques: Housing production heavily depended on imported methods and technologies, neglecting the development of local expertise.

– Uniformity at the expense of specificity: The ZHUN programme was applied uniformly across Algeria, disregarding the unique socio-spatial and cultural characteristics of individual regions.

An analysis of urban growth in El Khroub highlights the complex dynamics and challenges associated with rapid, poorly managed urbanization. In a matter of decades, El Khroub transitioned from a small colonial village to a significant urban hub in the wilaya of Constantine, emerging as its most dynamic satellite after the mother city. However, the policy of redistributing Constantine's excess population to El Khroub had notable consequences:

Table 1

Economic contribution of main agglomerations in the province of Constantine: Distribution of commercial and service activities

		Main Agglomerations of Constantine Group						Constantine Province
		Constantine	El Khroub	Hamma Bouziane	Didouche Moura	Ain Smara	Total	
Activity Sectors	Commerce	6631	1522	642	634	420	9849	13 207
	Services	4215	903	316	16	360	5810	9512
Total		10 846	2425	958	650	780	15 659	22719
Total of all activity sectors		12 383	3012	1418	1164	961	18 938	25 729

Source : ONS – Constantine (2012)

– Rapid urban transformation under pressure: The swift urban expansion resulted in a disjointed and poorly coordinated urban growth.

– Uncontrolled land consumption: Rapid development consumed much of the available land, restricting future urban expansion opportunities.

– Urban fragmentation: Housing programs produced a patchwork urban fabric with little cohesion, deepening the divide between the historic colonial core and new residential areas.

These issues have culminated in a city marked by unregulated urban sprawl and socio-spatial fragmentation, underpinned by a lack of integrated strategy and insufficient coordination between various urban planning elements. While collective housing projects under the ZHUN programme addressed immediate housing needs, they often overlooked local cultural and identity considerations, leading to the proliferation of dormitory-style settlements devoid of urban identity.

Managing this urban growth presents significant challenges. Local authorities and urban planners must balance the need for rapid development with the imperative to preserve residents' quality of life. Future urban strategies must adopt a more holistic approach, addressing not only housing needs but also the provision of amenities, infrastructure, and green spaces to foster cohesive and liveable urban environments. This underscores the necessity of rethinking urban development strategies to embrace more contextual and integrated approaches, avoiding past mistakes and paving the way for coherent and sustainable cities in the future.

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DOI https://doi.org/10.30525/2592-8813-2024-4-29

MEMORY OF THE HOLOCAUST AS A DISTINCTION OF MODERN POLISH SOCIETY

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Abstract. The Holocaust is one of the most tragic page in human history. The memory of this crime is not limited to one nation or region. The Holocaust left a bitter mark on societies around the world. In 2005, the United Nations declared the 27th of January as the International Holocaust Remembrance Day. On this day, various national communities, representatives of states, national and international organizations honor the memory of the victims of the Holocaust. This day is an important warning that should guide our decisions today, in light of the powerful slogan "Never Again". This slogan is associated with the Holocaust and other genocides. The European Model of Remembrance under the slogan "Never Again" commemorates everyone who fought against Nazism and Fashyzm. The victory is not attributed to any particular nation or state. It is primarily about memory and commemoration, not festive parades, because it is a War for Mankind. War is primarily human suffering and sacrifice. The European concept of memory emphasizes the human component of history, not just geopolitics and the military machine. The Day of Remembrance and Reconciliation and the Day of Victory over Nazism in the Second World War do not symbolize the triumph of the victors over the vanquished, but should be a reminder of a terrible catastrophe and an important warning. Our memory is a safeguard against such disasters ever happening again. We – the ukrainean society well knows the price of war, so we cherish Peace.

The Holocaust – "catastrophe,השואה" – is not only a historical phenomenon. In light of the recent tragic events of Russia's brutal war against Ukraine, the denazification of the Ukrainian people by the Russian authorities in the center of Europe, the Holocaust is still today, unfortunately, is acute. This tragic past reminds us how terrible fascism is, which does not recognize humanity and cynically rejects the human right to life.

How relevant is the topic of the Holocaust in modern European society, in particular, in Poland? What is the attitude of Polish society to the events of the Holocaust? The author talks about this in the submitted article.

Key words: Holocaust, memory, stratification of society, relevance.

Introduction. There has been a significant increase in awareness of the history of the Holocaust in the mordern History. This is due to the threatening situation in the world, the particular cruelty of this historical event and the need to find a moral basis for confronting this phenomenon today, since societies on all continents feel a lack of ideological narratives. Today, the Holocaust is associated with a moral conviction in the need for confrontation, which today goes beyond national borders and unites Europe and the rest of the world. At the same time, attitudes and assessments of the Holocaust may differ in different countries. Polish scientist of History Professor Jan Grabowski is the first analitiks who studed the sociological issue of polish society at the 2War time. His famous book «The Next Night» tells evrybody about difficult situation in Poland under Germany occupation.

The special importance of the Holocaust lies in the fact that it reminds us of the danger of dehumanization. During the Holocaust, the Nazis committed mass murders and violence against Jews and other peoples. Dehumanization is the destruction of human dignity, rights, and humanity, which occurs in acts of genocide and hatred.

Today, there are evidenced by the Nuremberg and Berlin fascist laws adopted during the Holocaust, under which acts of legalized discrimination were committed. The Nuremberg Race Laws are two

racist, primarily anti-Jewish, legislative acts: the Reich Citizen Law (German: Reichsbürgergesetz) and the Law for the Protection of German Blood and German Honor (German: Gesetz zum Schutze des deutschen Blutes und der deutschen Ehre), proclaimed on the initiative of Adolf Hitler on September 15, 1935, at the National Socialist Party Congress in Nuremberg. According to the secret program of 1920, they were unanimously adopted by a session of the Reichstag, specially convened in Nuremberg on the occasion of the party congress. Initially, the Nuremberg Race Laws applied only to Jews. Later, the German National Socialists extended the Nuremberg Race Laws to include Gypsies, blacks, Slavs, and representatives of certain other peoples (Fritz, Stephen G., 2011: 23-24).

Russian troops in Ukraine, on the orders of their leader, are today implementing the denazification of the Ukrainian people, which coincides with the crimes of the fascists during the Second World War. The invaders are committing numerous war crimes, deliberately attacking the civilian population, killing innocent people, using torture and sexual violence against women and children, while showing complete disregard for human life. All this reminds us that dehumanization, a component of acts of genocide and violence, is far from eradicated even in the 21st century.

The main text. It should be recognized that the Holocaust is not only about the history of the Jewish people during World War II, but also reflects the impact of dehumanization on humanity as a whole. It is a reminder that we must be vigilant when faced with prejudice or hatred, so that the painful past does not become someone's future. This means recognizing and confronting hatred, discrimination and violence against people.

The aim of this study is to identify the attitude of the European population, in particular the Polish society, towards the shameful phenomenon of the Holocaust. This will be facilitated by the use of comparative approaches to the analysis of the attitudes of different social groups, the disclosure of the broader context of relationships in outlining the specifics of the Polish experience during the Nazi occupation, a multifaceted analysis of the Holocaust experience in the narrative of its importance for modern Polish society. The categories of witnesses – criminals – victims, adopted in the literature on this topic, do not reveal the complexities of the situation in occupied Poland and hinder the understanding of the dynamics of events and relations not only between Poles and Jews, but also within individual groups. Hence the need for in-depth and interdisciplinary research that seeks answers to a number of key questions and analyzes the perception of the Holocaust, attitudes towards it and the actions of people, institutions and social groups in occupied Poland.

The source base used by the author consists of artifacts, research, archival documents, etc. The analyzed materials are subjected to source analysis and criticism. To describe the phenomena of interest to us, a broad methodology of the humanities was used: not only historical categories, but also anthropological, ethnological, sociological and psychological.

Many scientific studies have been devoted to the issues of the Holocaust both in Ukraine and abroad. The vast majority of them are descriptive, narrative in nature, and among the published literature *we did not find an analysis of the psychological and emotional attitude of Poles towards the issues of the Holocaust and the Jewish ethnic group in particular.* There are also no sociological surveys analyzing the attitude of Polish society to the issues raised. We also find it surprising that the corresponding sociological surveys were not conducted at all, either in post-war Poland or at the present time. There is an interesting fact: sociological surveys on the attitude of Poles towards representatives of the Jewish ethnic group have not been conducted, although the attitude of Poles towards Ukrainians is constantly covered in the Polish press and sociological surveys (*Ostafiński, Witold. 2014)*.

The Polish Institute of National Remembrance has initiated in the Parlament new version of the Law on the Establishment and Functions of the Institute. The amendments introduced provisions to expand the Institute's powers: its allowed the identification and initiation of criminal cases against persons who criticize Poles and «transfer» responsibility for crimes against Jews committed during World War II to Poles (*Grabowski, Jan.* 2021).

When you observe the events in Poland through the prism of historical memory, many questions arise. And the most pressing of them boil down to what happened? Why was it necessary to strengthen the Institute of National Memory today? Why is it necessary to openly condemn the «anti-patriots» of Poland?

This situation was caused by the publication of the book: «The Next Night», which published denunciations by Poles against Jews who were hiding from death during the Holocaust at the time of World War II. The well-known Polish historian Professor Jan Grabowski, who has devoted many years to studying the Holocaust,has harshly criticized the working methods of the Polish Institute of National Remembrance (IPN). He noted that the Institute of National Remembrance has become a «toxic organization» that sets itself the task of searching for hackers and destroying its reputation. In his opinion, Poles are considered anti-Semites who approach their history uncritically. «Warsaw claims that the law protects (...) from illegal claims that Poles participated in the functioning of Nazi death camps such as Auschwitz», writes the American edition «Newsweek». During a scientific meeting about Holococt in Paris Polish delegation disrupted scientific forum with French researchers. J. Grabowski noted that the behavior of the Polish scientific beau monde, whose representatives spoke with cries of indignation when the facts of Poles' participation in the Holocaust were made public, was a shock to French scientists. They noted that they saw the face of the 1930s, the face of hated nationalism, said Prof. Grabowski. In his opinion, the failure of the scientific conference in Paris on the Holocaust will not have a significant impact on Poland's image on the international stage, since «we, Poles, have long had a reputation as «a dark horse», especially after the amendments to the Law on the Institute of National Remembrance», – said Prof. Grabowski. In his opinion, if further acts of violence against Holocaust researchers occur in Poland, the responsibility will lie on the shoulders and conscience of the people who cause this hatred (*Poles' Participation.* 30.04.2018).

A similar scandal also unfolded around the book «The Next Night», which was prepared by nine researchers, who proved with numerous documents that Poles during the war were not only victims, but also witnesses and criminals. The publication and its authors have been attacked by TVP and the right-wing press, and the Institute (IPN) staff are trying to discredit the authors' research.

The system of banning verified information in Poland has also affected education. In an interview with the editor-in-chief of Newsweek, Prof. Grabowski recalled a report by a French scholar who analyzed the main curricula of Polish school over the past 6 years. The conclusion is disappointing: all critical elements regarding the own (Polish) past have been removed from the school curricula. At the same time, the works of Jan Gross, who described the murders of Jews by Polish neighbors in Jedwabne, are mentioned, as well as the publications of Jan Grabowski, who writes that «most of the Jews who hid from the Nazis were betrayed and in some cases killed by their Polish neighbors» (Jan Grabowski. 30.04.2018).

This and other conferences were preceded by events related to the publication of an article in the American newspaper Newsweek: «Udział Polaków w Holokauście» (Poles' Participation in the Holocaust). «Did Poland Participate in the Holocaust?» asks the American «Newsweek» in the headline of an article devoted to the amended law on the Polish Institute of National Remembrance, which allows for the detection, accusation and even criminal liability (with subsequent imprisonment) of a person for informing the community about crimes committed by Poles against Jews during World War II. The Institute calls such historical facts fabricated accusations and unfairly, contrary to the facts "attributed" to the Polish people. It is as if Polish society should still bear responsibility for this today (Newsweek 2018). «Warsaw claims that the law protects (...) from illegal claims that Poles participated in the operation of Nazi death camps, such as Auschwitz». The article also states that during World War II, approximately 3 million Jews, Polish citizens and 2.5 million ethnic Poles died in Poland.

«Despite this, every year, according to the deputy foreign minister of the Republic of Poland, the polish embassies record about 1,500 cases of accusations of Nazi crimes by Poland, not Germany», the author of the article emphasizes. This applies both to the term «Polish» concentration camps and to allegations of Warsaw's collaboration with Adolf Hitler during World War II. Critics of the bill, both in Poland and abroad, claim that the law is an attack on freedom of speech, specially designed by the ruling PIS (Law and Justice) party, «to silence critics in the context of a historical debate», writes Konstanty Gebert in the Polish Gazeta Wyborcza. The researcher claims that it is about «holding a stick over the heads of people who want to discuss the Shoah (the crime of the Holocaust)» (Świadowie Holokaustu).

The history of 2WW also says that many Poles helped Jews during World War II, and that over 6,000 trees have been planted in Israel's Yad Vashem in memory of WAR. For another side, the Polish side has also cautiously begun to raise the mentioned difficult issues, which are mainly the concern of the Polish Institute of National Remembrance, since it has the appropriate sources: it stores previously closed and secret archival materials and funds inaccessible to the general public. It is this frankly powerful institution, which employs thousands of officials and scientists, that is gradually exposing and publishing documents that confirm the far from tolerant reaction of Poles to the phenomenon of the Holocaust and the ambiguous position of society on the Jewish question. Despite attempts to prove Poles' tolerance towards Jews, as researcher Emanuel Ringelblum writes: «Taking into account the special conditions in Poland, we must consider the behavior of that part of the Polish intelligentsia, workers and peasants who hid Jews in their homes to be extremely noble, in keeping with the traditions of tolerance in the history of Poland» (Archiwum Ringelbluma, 2017: 50), ….. but at the same time the Polish Institute of National Remembrance has uncovered several reports about Poles who hid Jews. The reports were written by their own neighbors, who were guided by different motivations in exposing the unfortunate people. We read in one of the original letters: «Since the Ghetto case has become relevant in Warsaw, I consider it appropriate to inform you that a fat Jew [original writing] named Dickstein, who was the deputy director of the Łódź branch of «Elibor» and who at one time fled Łódź to avoid the ghetto, is hiding in the «Elibor» company at Wolska 103. This is one exampl how one of the many denunciations to the Warsaw Gestapo begins, which are stored in the archives of the Institute of National Remembrance. The Polish side also cautiously began to raise the mentioned difficult issues, which are mainly the concern of the Institute of National Remembrance of Poland, since it has the appropriate sources: it stores previously closed and secret archival materials and funds inaccessible to the public. It is this frankly powerful institution, which employs thousands of officials and scholars, that gradually exposes and publishes documents that confirm the far from tolerant reaction of Poles to the phenomenon of the Holocaust and the ambiguous position of society on the Jewish question.

Despite attempts to prove the tolerance of Poles towards Jews, as *researcher Emanuel Ringelblum writes*: «Taking into account the special conditions in Poland, we must consider the behavior of that part of the Polish intelligentsia, workers and peasants who hid Jews in their homes to be extremely noble, in keeping with the traditions of tolerance in the history of Poland» (Archiwum Ringelbluma, т. 29a. 2018: 34), the Polish Institute of National Remembrance has uncovered several reports about Poles who hid Jews. The reports were written by their own neighbors, who were guided by different motivations, exposing unfortunate people. They reported on practically about everyone and evrebody: on more resourceful neighbors, on Polish officers in hiding, on underground workers, etc. Jews who hid, creating a danger not only for themselves, but also for the Poles who gave them shelter. In post-war stories, memoirs and conversations, Holocaust survivors often emphasized that informers were more dangerous than the German police. The worst was expected from the Germans, and among neighbors it was never known who would keep a secret and who would betray.

Polish society at that time was divided into two conditional parts. The first was those who reported on the persecuted or otherwise actively participated in the persecution. The other group was those

who were in hiding and also provided all kinds of assistance to the fugitives. Among them were many people who simply wanted to survive and focused all their energy and efforts on ensuring the survival of themselves and their loved ones. If an issue did not directly concern them, they usually remained indifferent. There isn't known for certain how many Poles were informers and those who actively supported the extermination of Jews. But what is important here is not the numbers, but the motivation and the level of involvement of these people in the aforementioned procedure. This attitude towards others, as Polish researchers claim, is the result of anti-Semitic propaganda, both before the war and during the occupation, which the Germans actively fueled and used. They explained the imprisonment of Jews in the ghettos by the need for protection from Polish anti-Semitism, although this did not prevent them from placing warning signs on the borders of these ghettos about the threat of typhus. It was because of German encouragement that violent anti-Jewish demonstrations began in early 1940, culminating in the Easter Pogrom in March 1940.

Emanuel Ringelblum, a historian and chronicler of the Warsaw ghetto, wrote about these events: «Gangs of anti-Semites, mostly young, moved under the leadership of a German who provided the rear and patronized the actions. The weapons of these gangs consisted of sticks, crowbars, etc. The slogans of the attackers were: «destroy the Jews», «down with the Jews», «long live independent Poland without Jews», etc. The demonstrators smashed windows in shops marked with the Star of David, broke iron shutters, opened shops and looted. Jews they met on the way were beaten, knocked down and beaten until they lost consciousness. Looting shops was the finale of the pogrom, its important goal» (Archiwum Ringelbluma, т. 29a, 2018: 34).

Calls from the Catholic Church and underground organizations to remain calm and not succumb to German provocations did not always find an adequate response. The pogrom was attended by people from the lower strata of society and some of the youth, who suffered from the harsh anti-Semitic rhetoric of radical activists of some ultra-right organizations. The scale of these events was a real shock to the Jews of Warsaw. Although many of them organized themselves, entered the fight and repelled the attackers, a deep pain and a sense of disappointment towards the Poles remained. *Rabbi Shimon Huberband,* who worked with Emanuel Ringelblum, bitterly commented: «They even say that this is a German work, because the Germans are photographing the attacks of the Poles on the Jews. Later they will show the world that the Poles are attacking the Jews. It is only sad that there are Poles who allow themselves to be used and become a toy in their hands, serving other people's purposes. It is even sadder that there are no Poles who would influence these scoundrels to stop their dirty work» (Archiwum Ringelbluma, 2017: 50).

The widespread, aggressive anti-Semitic propaganda and, starting in the autumn of 1941, the death penalty for aiding and hiding Jews (outside occupied Poland, the same harsh system of punishment was applied in the German-occupied regions of the USSR) were to eventually prevent Poles from providing any assistance to Jewish escapees from the ghetto. There were environments where those who escaped could not count on support, but there were also those where the provision of shelter was obvious (for example, the Warsaw Housing Cooperative, which operated in the Żoliborz district of Warsaw).

Given the current level of knowledge, it is difficult to clearly assess the scale of the phenomenon of assistance. Emanuel Ringelblum tried to make such calculations as early as 1943. According to his assumption, no more than 15,000 Jews were hidden in the capital, distributed among 2,000–3,000 Polish families. Taking into account 14 that 2,000–3,000 Polish families act with the knowledge and consent of their closest relatives, we can conclude that at least 10,000–15,000 Polish families in Warsaw helped to hide Jews, which is approximately 40,000–60,000 people" (Dziewchynka. 2011: 282).

We still do not know how many such silent heroes there were. They undoubtedly constituted an elite that understood everything well and showed their humanity and Polishness. Unfortunately, they were not given enough attention after the war, and many of their stories now need to be rediscovered.

Some of them died together with the hidden Jews, and some did not want to talk about it for a long time after the war. They were mostly afraid of their neighbors, who, adhering to anti-Semitic stereotypes, believed that if someone hid Jews, then, they were probably «making money» on them.

Those Jews who survived, mostly left Poland. They had to build a new life. For a long time, they did not talk about themselves or their rescuers.

Ms. Khrystyna Chyger, who was rescued along with her family by the Lviv collector Leopold Socha, described the beginning of a new life this way: «In Israel, no one talked about the war. No one talked about the Holocaust. Everything we went through, whatever we experienced before we got there, was left behind and could not be questioned. This was the attitude of the Jews in their homeland by choice, and in many ways it corresponded to the attitude towards the past that we had developed in our family» (Dziewchynka. 2011: 282; Sprawiedliwi).

Conclusion. There are nessasary to many years that have passed for the survivors to heal their traumas, to begin to speak openly about their war experiences. In Poland, it took decades for society to begin to notice and appreciate those who saved Jews, and to talk about Polish-Jewish relations. The commonality of experience of rescuers and rescued people can become a space where Polish and Jewish historical experiences meet and create a common narrative. The extermination of Jews during World War II took place before the eyes of Poles, who themselves were subjected to the terror of the German occupiers. Their humanity was put to the test. Most remained passive about the Holocaust, many were negative towards Jews, some were hostile, and some helped them.

To summarize, we would like to note that during 2World War, terror reigned in the German-occupied territories of the Polish Republic. Its citizens – a multinational community that included Poles, Ukrainians, Jews, Belarusians and Lithuanians – suffered brutal repression, struggled with everyday hardships, poverty and hunger. There were many regulations that regulated the lives of civilians, and failure to comply with them could lead to draconian punishments, even death. Among other things, political and cultural activities, slaughtering farm animals or owning a radio receiver were prohibited. It was also strictly forbidden to help prisoners of war, partisans and Jews. Jews sentenced to extermination by Nazi Germany were forced to go into hiding in order to survive.

Despite the threat of punishment, even death, hundreds of thousands of Poles carried out secret activities, and some of them also helped persecuted

Jews – selflessly or for a fee. However, a positive attitude towards assistance in Polish society was rare and did not meet with general approval. Most Poles remained passive about the Holocaust, focusing on the fate of their own families and fearing repression. This passivity was also a consequence of pre-war anti-Semitism, expressed directly, especially in Roman Catholic and nationalist circles.

Poles' attitudes towards the Holocaust ranged from quiet satisfaction with the atrocities against Jews they witnessed to deep compassion and denial.

At the same time, many individuals were actively hostile to Jews, creating a mortal danger for them. Driven by anti-Semitic motives or the desire for profit, these people collaborated with the Germans and betrayed those who were in hiding. There are many known cases of Poles blackmailing Jews –especially in large cities – that is, demanding money in exchange for not reporting them.

The participation of Poles in hiding Jews took various forms and stemmed from various motives. For some, it was a way to make money – due to the high risk, hiding places were usually provided at exorbitant prices. It happened that payment was deferred and based on the promise of various goods after the war (e.g. money, jewelry, houses, land). It also happened that the «service» provided turned into selfless help or merciless exploitation of those in hiding, materially, or even morally or sexually. Often, the exhaustion of the Jews' financial resources led to their expulsion. For those who provided shelter, this was an extremely difficult and risky business.

The morden political polish party Confederation-Crown party, led by Grzegorz Braun, actively supports the pro-fascist movement in Poland. On December 12, 2023, G. Braun used a powder fire

extinguisher to put out a hanukkah lit for the celebration of Hanukkah in the Polish Sejm building: employees were evacuated due to toxic smoke. Anti-Jewish behavior was not condemned….. It was the Crown that blocked Ukrainian grain on the border with Poland. No one was held accountable. Those who demonstrated prohibited actions motivated by profit, fear, or reluctance reported them. Poles who selflessly helped Jews acted in even more difficult conditions – burdened with finding and organizing shelter, covering living expenses, and often also emotionally sympathizing with those in hiding. It was a heroic undertaking – physically and morally exhausting, requiring courage and perseverance.

The question arises: what next? Poland introduces censorship, does not punish anti-Jewish speeches. Who will be responsible for all such crimes against generations of Europeans?

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DOI https://doi.org/10.30525/2592-8813-2024-4-30

SOCIO-ECONOMIC INEQUALITIES AND THEIR IMPACT ON POLITICAL PROCESSES

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Abstract. The article analyzes the socio-economic inequalities that are expressed from unequal distribution of resources, opportunities and access to social good. It an important factor that forms the structure of society and understands it political context. Inequalities significantly affect political processes, directing public attention to key issues such as social justice and civic participation. Low level of social mobility can lead to the formation of political inequality and conflicts Inequality can affect civic participation by determining opportunities for citizens to participate in political decisions. Growth social differences can generate dissatisfaction and apathy among citizens, limiting their participation in political processes. Economical disagreements are a key factor in the formation of political relations. Growing income gaps can lead to distrust of elites and those in power structures, which has the potential to create a favorable ground for political movements and protests. In the world of globalization, where economic and political processes intertwined, socio-economic inequalities can affect international relations, contributing to the emergence of geopolitical and economic stressful situations. The study of this topic is necessary to understand and development of strategies aimed at reducing socio-economic inequalities Balanced and effective political decisions can become a step towards creating a fair and stable society. Considering socio-economic inequalities, it is important to address the issue of gender equality Highlighting the role of women in society and their opportunities in politics is an important aspect of research. Taking into account gender aspects of inequalities expands the sphere of influence, complementing the analysis of political dynamics. Also it is important to consider socio-economic inequalities through the prism of education and access to knowledge. The author considers the manifestations of these inequalities, including limited access to basic education, quality of education, possibility of obtaining it higher education, the difference in opportunities for skill development and vertical mobility A low level of education can deepen social differences, limiting the opportunities of citizens in political self-expression. Author highlights that these inequalities create social barriers and can lead to the formation of a cycle where children from less well-off families have limited opportunities to receive quality education and later face limited prospects in the professional and social spheres. So, the study of such aspects contributes to the creation of a comprehensive approach to problems of socio-economic inequalities. Accordingly, research socio-economic inequalities and their influence on political processes are critical for understanding modern society.

Key words: political stability, globalization, justice, sociocultural landscape, social conflict, political elite, political strategy, sustainability, political institution.

Introduction. The topic of socio-economic inequalities and their impact on political processes is extremely relevant and important in modern society.

This field of research allows for a deeper understanding of power dynamics and distribution resources and relationships between different social groups. Understanding these inequality is critical to the development of policy strategies aimed at ensuring social justice. Uneven distribution of economic resources can affect the stability of political institutions. social-economic inequalities can create distrust of the authorities and contribute social conflicts that have a direct impact on the political landscape. The discussion of socio-economic inequalities is brought to the fore issues of civic

participation. Understanding and solving these problems is stimulating citizen activity and forms an educated and active citizenry. In accordance study of socio-economic inequalities and their impact on political processes is an important stage in building a just and stable society.

The purpose of the article is to analyze socio-economic inequalities and their impact on political processes. To achieve a defined goal, a solution is appropriate the following **tasks**: guess the complex characteristics of socio-economic inequalities; to determine the current trends of socio-economic inequalities; establish the main directions of influence of socio-economic inequalities on political processes.

Research methodology involves the use of a complex of methods for a thorough analysis of the outlined issues. The initial stage is a systematic review of the relevant literature, including the analysis of scientific articles, books, studies and publications related to socio-economic inequalities and their impact on political processes. This allows to formulate theoretical framework and identify key concepts and factors that should to study An analysis of specific countries where high levels are observed was carried out socio-economic inequalities to identify specific examples of impact of these inequalities on political processes. System approach allowed to take into account the complex nature of socio-economic inequalities and their impact on political processes, including various aspects such as education, access to participation in political life, services, etc.

Characteristics of socio-economic inequalities

The biggest and most controversial problem, characteristic not only for Ukraine, but also for the whole world, there is social and economic inequality, which accompanies humanity throughout its existence. It has a negative effect on the standard of living of the population, affects the development of human potential, there is a source of social tension and instability of the state, which is negative affects the development of the national economy. At the same time, on the other hand, it is driver of socio-economic activity.

The main problem of socio-economic inequality is poverty, which, in in turn, leads to a deterioration in the health of the population, a decrease work capacity and negative impact on socio-economic development.

To date, the issue of social and economic inequality in Ukraine is becoming increasingly acute because the structure of society characterized by a low share of the middle class, significant stratification population by income and a high share of the poor population.

The biggest social problem of modern society is economic inequality, which is one of the most frequently studied forms of inequality. She is a consequence of differences in the distribution of economic assets and income between population groups or individuals.

Gradual growth of socio-economic inequality, including poverty as its manifestation in a large number of countries raises many questions about impact of globalization on national economies and international society c as a whole (Markina, Kalinichenko, Lesyuk, 2019).

In many comparative studies of the impact of institutional structure an agreed list was formed for socio-economic inequality of institutional relations, which determines the main parameters of social inequality in society and explain the revealed differences in depth and dynamics inequalities in various economically developed countries, such as in Western Europe, and also a comparison of the countries of the European Union with the United States America.

The level and dynamics of inequality before taxation are determined first of all first of all:

1) a centralized system of collective negotiations between business and trade unions;
2) trade unions, the possibilities of their formation and influence;
3) the minimum wage, its level and dynamics.

Inequality after taxation and transfers is significantly adjusted (Dmytrenko, Demchenko, 2017):

– the tax system, its forms and levels;
– institutions and income redistribution policy, state social guarantees.

Cultural, political and legal foundations of institutional interactions that contribute to the reproduction of socio-economic inequality. In particular, it is about:

– institutional distribution of political power, type of electoral system;
– institutional conditions for securing property rights;
– institutional conditions for compliance with labor rights and standards;
– institutional features of education.

In addition to wealth inequality, the 21st century has brought and continues lead to new forms of social inequality. Information revolution has led to digital inequality, which significantly reduces almost all significant life benefits chances of people disconnected from virtual reality, information boards and streams that allow them to enjoy many benefits of modern civilization.

We can point to a number of other forms of socio-economic inequality, which are generated or actualized by the modern world: symbolic inequality, cultural inequality, environmental inequality, generational inequality, inequality security, uneven stability, etc. Some of them are more aware, others remain less noticeable until a certain time. But they all form together complex, multidimensional field of different life chances and opportunities which polarize the destinies of groups and individuals, push them against each other, draw them into real and potential conflicts.

Modern trends of socio-economic inequalities

New social inequalities cause new processes in the ideological sphere and political discourse, change basic cultural orientations and exacerbate civilizational conflicts. These processes begin to affect not only economy, but also on many other social institutions. Therefore, understand modern the world in all its complexity and contradictions, to assess its threats and dangerous trends are impossible without addressing the topic of social inequalities, without attracting the attention of international organizations, governments, politicians and experts (Social inequalities, 2018).

Social inequalities that grow, transform and acquire new ones forms and scales, incompatible with the new, more developed and demanding mass consciousness, with new opportunities in the information age to perceive the whole globalizing world online and react acutely to both the real and the imagined injustice.

Different socio-economic and material status determines economic behavior of the population and forms different value systems. social- economic and material status forms relevant attitudes about behavior of the population on the labor market and determine its affiliation to a certain type of economic culture.

Modern forms of inequality, arising as a result, are determined by different possibilities of access to socio-economic resources and power, transform the stratification model of society. Institutional prerequisites protection of individual rights declare the possibility of a person to choose an occupation, field and form of employment. At the same time, however, there are mechanisms for reproduction of inequalities perceived by society as unfair. To they can be attributed to the specificity of professional choice due to insufficient access up to a certain level of education or low quality of education; presence / absence of quality workplaces; imbalance in the field of employment – absence / lack of quality workplaces; imbalance between supply and demand in the labor market; the dependence of the socio-economic status of an individual on the status and government transfers, significant income inequality and unfairness polarization of the working population by income and material status strengthens the social mobility of low-income population groups, mainly industrial/agricultural workers, technical workers, etc self-employed.

Economic behavior on the labor market is determined not only by social professional status and type of employment, but also property stratification and income inequality. Wealthier sections of the population with financial status above average prefer work with a certain risk due to high income; groups with average and below-average financial status are focused on work with a fixed salary in combination with additional income (multiple employment); groups of workers with low incomes

have in their economic consciousness mainly attitudes towards work with a small but guaranteed salary (Dmytruk, 2011).

Political institutions are considered dominant to some extent because they affect the balance of economic institutions on which it depends efficiency of the economy, general well-being and degree of inequality.

The distribution of political power in society affects what economic institutes are created and according to which formal and informal rules they function. Usually political institutions are quite stable, no prone to rapid changes in economic relations and redistribution of power. If groups of people who are rich enough and influential compared to representatives of other communities, then it helps increasing their actual political power and allows them to impose and promote economic institutions in which these groups are interested, resulting in inequality will persist and inequality will persist and tend to growth (Dmytrenko, Demchenko, 2017).

Directions of influence of socio-economic inequalities on political ones processes

The influence of socio-economic inequalities on political processes implemented in the following areas:

1. Mistrust of political institutions. A high level of social economic inequalities can generate distrust in political institutions. Citizens who feel that the system is unfair can opt out from active participation in politics. Among the reasons for the spread of absenteeism is also low political and legal culture can be singled out as a personal reason, leading to indifference and alienation from the political process.

Moreover, today's realities show that voters with a low level political education, civic competence, lack of basic skills critical thinking and adequate analysis, finding themselves in the conditions dominance of informational populism and manipulation of the public opinion in the mass media, are not able to use their opportunities as efficiently as possible.

In the conditions of dominance of informational populism and manipulation public opinion in the media, they are not able to adequately analyze the situation, what happened That is why such part of the electorate prefers during voting for populist promises, not the level of competence of the candidate, and in addition, they do not emphasize the basic qualities of the candidate, which are there important for holding an elected position (professional education, professional experience, literacy, the ability to adequately respond to modern challenges, integrity etc.), as well as on external attractiveness, the ability to manipulate the public opinion, empty promises, not supported by facts, etc.

In the field of increasing the electoral activity of citizens, it is important the aspect remains the improvement of the legal culture of the general public of voters (French Jacobite).

2. Perception of injustice. Inequality can create feelings injustice among citizens. It can become a source of social conflicts and protests, affecting the stability of political processes. There is a widespread opinion in Ukraine that the main problem is poverty. Yes of course, poverty is a huge problem. Purely theoretically, poverty can arise in a society where there is no excessive inequality (as an example of some African countries), but in any case even legitimate and socially acceptable inequality always breeds poverty. Inequality is threatened by casteism (Ukrainian society already has signs of this negative phenomenon, when caste people are in the minority – people from the lower strata of society cannot advance not only to the higher, but also to the middle classes). More. it is unjustified, unjust inequality that is the cause of total corruption in Ukraine.

Other negative consequences of inequality include general criminalization society, obstacles to economic development and macroeconomic stability, insufficient demand for domestic goods and complete distrust of "everyone to everyone", mass dissatisfaction with the authorities, inability to carry out radical reforms and the threat of social conflict, social nihilism, large-scale avoidance of payment of taxes and a high percentage of expenses for the support of the poorest part society, lack of resources in the budgets of all levels to fulfill obligations state, lack of resources in the budgets of

all levels to fulfill obligations states, lack of internal (and therefore external) investment, paternalistic expectations, etc. (Libanova, 2017).

Socio-economic inequalities in access to education are manifested in different aspects, determining the possibilities of population groups to get quality education and develop their potential. In many countries, especially in those regions, developing, children with a low level of socio-economic status may have limited access to basic education. Cost of education, remoteness of schools from some areas or limited opportunities to receive school equipment can be barriers to education.

Inequalities can also exist in the quality of education that different people receive social groups. Children from better-off families can have access to better schools, teachers and resources, which affects their overall education training compared to children from less well-off families. Higher education can be unavailable to those who cannot afford to pay the high cost study or is unable to compete for scholarships.

This can lead to to the formation of social barriers to obtaining higher education.

Socio-economic inequalities can also affect opportunities vertical mobility, that is, the ability of individuals to climb the social ladder elevators Unequal access to education can be a barrier to achievement higher social status.

3. Restrictions on political participation. High socio-economic inequality may limit the opportunities of certain population groups in political participation. It leads to the emergence of exclusive political elites and less voice restriction well-off citizens.

High socio-economic inequalities can lead to the formation of exclusive political elites that represent only a limited circle of economically well-off strata. For example, in the United States In the States, elite groups can easily manipulate political processes, securing exclusive access to resources and positions of power. In totalitarian countries such as the DPRK or Saudi Arabia, the political elites can be shaped by the ideology of the regime, limiting the representation of different social groups.

People with less economic opportunities may feel that their votes do not have sufficient weight in political processes. For example, in Brazil and the Russian Federation, election systems are based on the financial capabilities of candidates or require a large amount of resources to start a political campaign, they can make it difficult for representatives of less well-off groups to participate. In totalitarians countries where there are restrictions on freedom of speech and political activity, citizens, especially women, may be deprived of the opportunity to express themselves their views and participate in politics.

A high level of socio-economic inequalities can create systemic barriers to political participation, such as limited access to information, difficult access to election sites and high barriers for participation in political associations. For example, in India or Saudi Arabia high barriers to participation in political parties may exclude certain social groups, reducing the diversity of participants in the political process. In Muslim countries, for example, Iran, Afghanistan, systemic barriers may limit the freedom of women to express their political views and participation in public life.

4. Global dimension. Socio-economic inequalities are not internal a phenomenon of only national societies. Globalization makes these matters more important, taking into account the influence of economic and political processes on world level. This is especially noticeable if there is access to the Internet.

Digital inequality manifests itself in two aspects: between countries between countries of the world and in the individual human sphere. Currently, only 15% of humanity in courses of global technological innovations. with global technological innovations, and about half are able to perceive

and assimilate them. Third humanity is completely excluded from this process. The latest technologies have a large power, but their results are distributed very unevenly. Based on of this situation, it can be predicted that if the situation is radically not will change, the rich countries will become even richer. They will also become richer educated people who have knowledge and access to modern information (Berveno).

At the same time, poor people have few chances in the conditions of rapid and the dynamic growth of digitalization of the economy to break out of the circle of poverty.

Differences that occur before birth, starting with the "lottery" after birth, depending on where the child was born, can grow from for years children from poor families may not have the opportunity to get an education and may find themselves at a disadvantage in employment."

Advanced information and communication technologies affect not only everyday life of citizens, but also on the social and political sphere, creating new ways of establishing relations between the government and society. In particular, the German researcher J. Theoharis notes, which is extremely difficult to give definition of the term "online participation" because it covers quite a wide range a range of activities that are not only fundamentally different from each other, but are also based on different levels of technological progress (Buchynska, 2022).

Typically, online participation includes such a variety of activities as sign online petitions, search for online petitions, search for a political one information on the services of local councils, political information on Facebook, using Twitter to coordinate protests, sending e-mails letters, electronic voting, publication of photos publication of photos in Instagram with images of violence.

Some activities have no offline counterparts and are only possible thanks to the availability of the Internet, as certain types of online activity can be carried out anonymously, while others are possible only with authorization – online participation possible on foreign platforms that have certain restrictions and prohibitions for political content (such as Facebook), while others rely on to your own virtual application; some activities are available for reaction and feedback, while others are open to a limited number of people (Theocharis, 2015, p. 6).

Digital inequality is the most complex and widespread in modern times conditions It is a phenomenon that is accelerating, affecting millions of people and entire countries.

This inequality is difficult to overcome without changing the coordinates of economic practice, without implementation of fundamental educational practices, without building a new one paradigms of development paradigms of human development. Such inequalities can to be overcome only if the conditions of social cohesion and conditions are created social cohesion and the existence of an inclusive institutional regime.

Conclusions and prospects for further research. So, it can be done the conclusion that socio-economic inequalities are a key factor that determines the political reality. Differences in the distribution of resources and opportunities and rights affect the stability of political institutions and the level of citizen participation.

Achieving a fair and equal social and political system requires systemic changes in the distribution of resources and an active fight against inequality at all levels of society. Uneven distribution of resources creates instability and distrust of political institutions, which can affect efficiency of management and legitimacy of power. The study of social economic inequalities should act as a basis for development political strategies. In general, it is wrong to emphasize the importance of research socio-economic inequalities and their influence on political processes for creation of a fairer, more stable and efficient society.

In further research, it is worth specifying the outline issues in a regional or targeted context.

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DOI https://doi.org/10.30525/2592-8813-2024-4-31

PUBLIC CROSS BORDER COOPERATION INSTITUTIONS ON THE POLISH-CZECH BORDERLAND

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Abstract. The primary goals of this study are to create an institutional map of the cross-border cooperation between the Republic of Poland and the Czech Republic states, as well as to identify best practices for public institutions' interactions with one another.

The multilevel governance and border studies interdisciplinary theories serve as the research's methodological foundation. The empirical data is gathered by analyzing the official websites of Euroregions, the European Groupings of the Territorial Cooperation that function along the Polish-Czech border.

From the 1990s until now, Polish-Czech borderland communes have been the most significant administrative-territorial level for cooperation, and the Euroregions are the most effective public institutions for cross-border cooperation in this field, according to the research findings.

Public cross-border cooperation institutions that have a long history of fostering ties between the borderland's residents and effectively distribute and managing EU funding to the CBC are prime examples of best practices.

Key words: cross border cooperation, borderland, Euroregions, European Groupings of the Territorial Cooperation, public institutions, sub-national authorities, self-government, Republic of Poland, the Czech Republic.

Introduction. European integration for many inhabitants of the «old continent» is associated with the disappearance or reduction of barriers and obstacles created by borders. In particular, the free movement across borders, the formation of areas for social understanding and interaction, good governance, and economic cooperation is a «idea fix» for residents of bordering areas of European Union (EU) countries. Communities located along interstate lines often retain memories of the historical experience of cohabitation with regions on the other side of the border and require joint spatial planning and the use of social, communication, and economic infrastructure to ensure their socio-economic well-being.

These circumstances led to the establishment of the first institutions of such cooperation between regions and communities – Euroregions – on the borders of Germany, France, and the Benelux countries in the 1960s, the positive effects of which were regulated and recommended by the Council of Europe (CoE) in the format of the European Online Convention on Transfrontier Co-operation between Territorial Communities or Authorities (European online convention, 1980).

Since the end of the 1980s, thanks to the INTERREG program, cross-border cooperation (CBC) has become one of the priorities of regional policy (later cohesion policy) of the EU (History of the policy, 2024). The legal regulation of CBC, initiated by the CoE and later by the European Commission of the EU, has led to the emergence of various institutions of cross-border cooperation, including **public cross-border cooperation institutions**, whose proliferation was also determined by their managerial effectiveness in various national contexts.

The development and emergence of new EU policies (Cohesion policy, Territorial cooperation policy), corresponding financial instruments, as well as the reform of the public administration sys-

tem, and the socio-political development of European countries have influenced the expansion of the variety of public CBC institutions. Since the mid-1990s, attempts have been made to use the format of cross-border cooperation to address the following tasks predominantly:

1) to reduce negative stereotypes regarding the inhabitants of the neighboring state along the border, stemming from previous historical traumas, and to prevent the emergence of new conflict lines;

2) to accelerate the integration processes into a common European market, customs, and other common spaces of the EU;

3) to disseminate best practices in public administration and economic innovations;

4) to more efficiently attract and utilise funds from EU programs and funds.

These priorities have been crucial for developing cooperation processes at the Polish-Czech border following the democratization of political regimes at the end of the 1980s and the beginning of the 1990s, as well as the subsequent initiation of integration processes into the EU. In this region, there has been an opportunity to lessen the negative societal consequences of historical conflicts (the military conflicts over Cieszyn Silesia in 1919–1920, 1938) (Hojka, 2023, 258–239), share experiences of implementing eurointegration policies, disseminate effective governance models, and attract EU financial resources. Starting in the 1990s, local and regional governments and other public entities in the Czech Republic and the Republic of Poland experimented with various public CBC institutions previously used at the borders of various EU states.

Some researchers believe that the Polish-Czech cross-border area is the most integrated similar area along the borders of the Republic of Poland (Böhm, Boháč, Nowak-Żółty, Szafrańska, 2023). Therefore, the study of forms of implementation of cross-border cooperation initiatives, developed on the Polish-Czech border, is useful for generalization of the possible public CBC institutional types, and the definition of the mosr effective.

Purpose of the article. The formation of an institutional map of CBC between these two states, the identification of best practices for interaction between public institutions are the main tasks of this research.

The first research question we seek to answer is as follows: *Has a dominant type of institution for cross-border cooperation between Republic of Poland and the Czech Republic been formed during the 1990s to 2020s?*

The second research question can be formulated as follows: *What best practices for interaction between public structures can be identified in the Polish-Czech cross-border area?*

Materials and methods. Over the past twenty years, the interdisciplinary field of *border studies* has already transformed the way that research on the interactions between two states' communities and surrounding are as is carried out. After the start of post-communist democratization, borders in Central Europe were no longer perceived only as political and legal lines that separate sovereign states, but instead as a system of demarcations – including visible natural boundaries and invisible social, cultural, linguistic, and interfaith boundaries – the purpose of which is to mark the division between *us* and *them.* One of the main notions used within border studies is the concept of *borderland*. These zones are, in essence, areas around state borders that are not as developed economically and technologically as the centers of the state and are therefore selectively interested in cross-border cooperation, according to researchers (Lendel, Rishko, 2023, 466).

We deliberately avoid listing every possible definition of *cross-border cooperation* and maintain that it refers to the process of building and maintaining relationships between public officials and other interested actors on both sides of the border to resolve and avoid common problems and support the peaceful development of nearby communities, districts, and regions (Del Bianco, Jackson, (Council of Europe), 2012).

Developed in Western Europe since the late 1950s, cross-border cooperation can be considered a secondary aspect of foreign policy (also known as *«paradiplomacy»*), which occasionally plays a

significant role in contemporary international relations (Böhm, 2021, 490). The concept of secondary foreign policy acknowledges the autonomy of subnational; public and explores cross-border cooperation from a «bottom-up» perspective, as well as recognising the possibility of forming so-called «cross-border regionalism».

The experts from the CoE, recognized for their role in creating international legal frameworks that facilitate cross-border cooperation and for systematizing successful institutional forms and practices, contend that this process is fundamentally devoid of power politics. It does not seek to effectuate a transfer of authority from national to subnational public institutions situated near border areas. Rather, its mission is to enhance the capabilities of subnational levels of government in fulfilling their responsibilities related to the socio-economic development of borderland. This includes delivering quality services to citizens and addressing their cultural needs, particularly within an inter-ethnic context. The overarching objective of these efforts is to counteract the impacts of peripherality, which can result in various negative consequences, including reduced levels of democratic participation among citizens, partially attributable to the limited institutional effectiveness of governmental entities.

Since the 1990s, the concept of *multilevel governance* has been utilized to analyze the institutional framework of cross-border cooperation, which is the focus of this discussion. This concept characterizes a governance network operating outside the jurisdictions of national states to implement collaborative cross-border initiatives, taking into account the diverse interests of various stakeholders, as well as other informal vertical and horizontal networks.

The most natural, from a legal and resource perspective, are subnational authorities, i.e. public administrative institutions of communes, counties, and regions, according to the typologies of actors of CBC compiled in my earlier publications (Lendel, 2024. 198).

Official and informal contacts, joint cross-border events, and the signing and execution of *bilateral or multilateral agreements* are all examples of CBC between public institutions, mostly subnational authorities. Nonetheless, our research focuses on long-term public CBC institutions, which could be referred to as organizations.

In the contemporary period, public institutions, of European countries (mainly public administrations of regions, counties, communes) apply or could apply the following **advanced institutional CBC formats:**

1. **Euroregions** as associations of subnational authorities, sometimes with the participation of national governments.

2. **European Groupings of Territorial Cooperation (EGTC)** as a single legal entity with full legal responsibility established by public institutions (communal, county and regional self-governments, regional/local development agencies), public enterprises, universities and other public law entities) from different states. EGTC has to be registered on the territory of the EU member state.

3. **Euroregional Cooperation Grouping (ECG),** similar to EGTC, is a type of CBC cooperation; however, ECG is a Council of Europe tool, while EGTC is an instrument of the European Union. Like EGTC, ECG is a legally recognized organization and is subject to the national law of the state in which it is registered as a nonprofit. ECC must be registered on the CoE member state's territory. As of yet, no working ECG is present.

Euroregions are the most common form of cross-border cooperation. Euroregions are not a single legal entity (as in case of EGTC, ECG) but associations of legal entities – local/county/regional public authorities – that operate under the «umbrella» of the national part of the euroregion. These CBC institutions do not possess political authority but instead deal with the practical facilitation of cross-border activities and projects, including providing consulting services to the public authorities that are their founders. Despite the lack of agreed operational understanding the essence of the Euroregion research group headed by A. Noferini suggests that this term refers to all organizations that:

1) operate in the cross-border territory;

2) are founded on the basis of cooperation intentions, which in the future acquire an institutional dimension in the form of an agreement between subjects of public law;

3) carry out joint cross-border activities in areas of mutual interest, in particular, implement joint strategy and/or policies;

4) attract financing thanks to joint projects.

Given such a broad approach to understanding the essence of euroregions, the authors mentioned above this term unites so called «classic» Euroregions. as well as *Eurodistricts* and *Eurocities* (Noferini, Berzi, Camonita, Durà, 2019).

Following the initiation of the INTERREG programme in the late 1980s, some researchers believe that the use of its resources is a primary function of Euroregions, particularly regarding the initiation, promotion, and implementation of cross-border projects, thereby engaging a large number of people in this activity (Scott, 2000).

The other researchers' theoretical foundation and the clearly stated research questions suggest the use of some **research methods**. Primarily, this involves desk research, particularly analysing:

the legislation of both countries regarding cross-border cooperation, the competencies of various public authorities concerning international activities;

the official websites of public cross-border cooperation institutions;

the findings of research conducted by other scholars.

An institutional map of public CBC institutions will be created as a result, showing the frequency of various types in the Polish-Czech cross-border region and determining which is the most effective.

Results and discussion. The first research question we will seek to answer is as follows: *Has a dominant type of public cross-border cooperation institution formed between Poland and the Czech Republic during the years 1990 to 2020?*

The legal possibilities for cross-border cooperation between subnational authoritiues in the **Republic of Poland** are determined not only by adherence to international legal norms formulated by CoE and the EU inistitutions but also by its international treaties with neighbouring countries and domestic legislation regarding the international activities of public institutions.

According to the Constitution of the Republic of Poland (Article 172 (2)) communes (*gmina*), counties (*powiat*), and regions (*wojewydztwo*) as the units of local government have the right to join international associations of local and regional communities as well as cooperate with local and regional communities of other states (The Constitution of the Republic of Poland of 2nd April, 1997).

Wojewydztwo (the voivodeship) is designated as the primary administrative-territorial level for managing resources from EU funds and programmes directed towards supporting cross-border projects, as its public authorities are responsible for the economic and spatial development of the territory. The executive, headed by the marshal (*marszałek województwa)* has the right to sign agreements with self-governing authorities in other states, initiate cross-border initiatives, projects, and programmes, and delegate their implementation to non-governmental organisations and economic entities. The offices of the marshal also supervise the cross-border activities of chambers of commerce and regional development agencies, as they are their co-founders.

At the same time, according to the Act of 15 September 2000 on Accession of local and regional self-government units to international associations of local and regional communities, the Ministry of Foreign Affairs of the Republic of Poland grants permission for the activity by communes and counties after considering the position of the *voivode*, that is, the representative of the national government in the region (Report on Local and Regional Democracy in Poland. 2012).

Powiats (counties) can join international associations; however, unlike *gmina*, this type of self-governing authorities can only undertake cooperation at the local level, but have no competence to join

regional forms of CBC cooperation as the international cooperation is not included among the own duties of the counties.

In contrast to counties, *gmina* (communes), have the right to cooperate with local and regional authorities in other states and to join relevant international associations. Local self-government of communes has the right to conclude agreements on CBC with legal entities operating not only under public but also by and private law (Comparative analysis on the competencies. 2021).

The legal possibilities for cross-border cooperation among local and regional administrations in the **Czech Republic** were formulated, similarly to the Republic of Poland, in addition to international legal norms, by national legislation regulating the activities of local and regional self-governments.

The competences of local and regional authorities regarding cross-border activities were also defined in the relevant laws in 2000. According to the Act on Municipalities (Establishment of Municipalities**) (**128/2000) and the Act on Regions (Establishment of Regions) (129/2000) *obec* (municipality, commune) and *kraj* (region) may:

1) cooperate with similar public authorities from other countries and participate in international associations of local self governments;

2) conclude cooperation agreements with partners from other countries, just as associations of local governments may do within their competences;

3) in the agreements, the legal addresses of the signatories, the subject of cooperation, and the sources of its financing, as well as the governing bodies of the cooperation and the duration of the agreement, must be recorded.

The legislation provides for the possibility of creating single legal entity, but contingent upon the existence of a relevant international treaty ratified by the national parliament of Czech Republic. In other cases, it is necessary to consult with the Ministry of Foreign Affairs and obtain the consent of the Ministry of the Interior of the country.

The legal requirement that the Ministry of Regional Development of the Czech Republic be in charge of registering and approving public authorities' and other public institutions' participation in European Groupings of Territorial Cooperation presents an additional obstacle to CBC's institutional development (Bohm, Drapela, 2021).

Between 1990 and 2000, subnational authorities in the Republic of Poland and the Czech Republic effectively employed their administrative competencies to establish several Euroregions along the shared border. During this period, six Euroregions were created as a collaborative effort involving various entities from both states. Notably, in two of these Euroregions, local authorities from Slovakia and Germany participated as well *(Table 1)* (Bohm, Drapela, 2021).

Because the Czech Republic lacked regions and a corresponding degree of self-government in the 1990s, there were no Czech co-founders of Euroregions from these kinds of public institutions. After the establishment of the mentioned above level of governance, some *kraj* (regions) were invited to participate in the activities of Euroregions as observers; however, such cooperation was not effective

Table 1

The list of Euroregions established on the Polish-Czech borderland

Name of euroregion	Year	States who subnational authorities are co-founders of euroregions	Number of com-munes
Nisa/Nysa/Neisse	1991	Republic of Poland, the Czech Republic, Germany	129
Glacensis	1996	Republic of Poland, the Czech Republic	107
Těšín/Cieszyn Silesia	1998	Republic of Poland, the Czech Republic	43
Silesia	1998	Republic of Poland, the Czech Republic	53
Praděd/Pradziad	1998	Republic of Poland, the Czech Republic	67
Beskydy	2000	Republic of Poland, the Czech Republic, the Slovak Republic	63

due to competition regarding cross-border activities and the varying political configurations of public administrations of communes and regions.

In terms of legal status, the Euroregions operating in this area are 'mirror' non-profit associations of municipalities, registered on the territory of the participating states and connected by an agreement to establish a Euroregion, its statutes, and governing bodies.

By the end of 1990s the Polish-Czech Euroregions gained the opportunity to attract EU funding reliably through a straightforward procedure and in conditions of low competition (initially within the framework of the PHARE CBC programme (1994-2004), then INTERREG. In particular, Euroregions became responsible for managing and distributing funds to support small and micro-projects under the INTERREG Czechia-Poland programme (hereinafter INTERREG Cz-PL), which constitutes 20% of all its financial resources. As a rule, such projects are aimed at supporting measures of paradiplomacy – «people to people» (Interreg Czechia – Poland).

Since almost all Euroregions were established before the creation of regions as self-governing administrative units in the Czech Republic, they are, therefore, overseen by the public authorities of communes. Their effectiveness particularly depends on the efficiency of local politicians involved in the governing bodies of Euroregions (Bohm, Bohac, Wroblewski, 2023).

Most Euroregions also have created permanently operating cross-border working groups or commissions consisting of volunteer experts from different sides of the border. At the same time, they are not clearly institutionalised: information about their exact membership, names, and composition is difficult to find on official websites. For example, in the Euroregion «Nisa», there are 15 groups focusing on issues such as rail and road transport, tourism, the environment, and others. This format is also employed by the Euroregion «Těšín/Cieszyn Silesia», «Silesia». Some Euroregions create working groups only on an ad hoc basis: «Silesia», «Beskydy», «Praděd/Pradziad» – in the case of the latter, only on Polish territory. After the formation of *kraj* as th territorial level of administration in the Czech Republic in 2000, as well as the inclusion of the EGTC format into national legislation after 2006, some regions took this opportunity to establish this institutional type of CBC.

As of 2024, according to the register of EGTCs administered by the Committee of the Regions, there were only 2 EGTCs involving public institutions from the Republic of Poland and Czech Republic, and none of them were registered in the Czech Republic (List of EFTC, 2024). EGTC TRITIA involves also public institutions from Slovakia (*Table 2).* Both EGTC are committed to advancing international collaboration in every way they can from a legislative perspective.

Therefore, we have all the arguments to state that Euroregions became the dominant form of public cross-border cooperation institutions on the Polish-Czech borderland during the more than thirty years that went on after the fall of the socialist system in Central Europe.

The second research question can be formulated as follows: *What best practices for interaction between public structures can be identified in the Polish-Czech cross-border area?*

First and foremost, the focus will be on the best practices for resolving cross-border issues and responding to opportunities and challenges encountered by Euroregion institutions operating on the Polish-Czech border.

Table 2

European Groupings of Territorial Cooperation with the participation of public institutions from the Republic of Poland and the Czech Republic

Name of EGTS ЄОТС	Tear of Establishment	States who subnational authorities are co-founders of euroregions	Official websute
TRITIA limited	2013	Republic of Poland, the Czech Republic, the Slovak Republic	egtctritia.eu
NOVUM limited	2015	Republic of Poland, the Czech Republic	euwt-novum.eu

With impressive outcomes and impactful initiatives, the Euroregion «Tesin/Cieszyn Silesia» (founded in 1998) stands out as a prime example of public cross-border cooperation institutions (Bohm, Bohac, Wroblewski, 2023). The area of this borderland has the densest and highest quality CBC contacts, which can be explained, among other things, by historical reasons. Prior to World War I, this cross-border region was a part of the Austria-Hungarian monarchy. Despite having a large number of representatives from the Polish ethnic group, this region was split between the newly established Czechoslovak and Polish republics after the military conflicts over Cieszyn Silesia in 1919–1920.

Therefore, the uniqueness of the Euroregion «Tesin/Cieszyn Silesia», compared to other Polish-Czech Euroregions, lies in the presence of a significant Polish ethnic minority in the Czech part of this cross-border area. Currently this CBC institution serves as an example of best practices in executing para-diplomatic activities, particularly as a tool for reconciliation and neutralising the traumatic aspects of historical memory. This was achieved by the support of the "people to people" actions by the means of the micro projects fund of the INTERREG Cz-PL programme that is administered by the Euroregion (Euroregion «Tesin/Cieszyn Silesia». 2024).

The Euroregion «Glasensis», which is the seond oldest similar entity functioning in the Polish-Czech border (was established in 1996 after first Euroregion «Nisa/Nysa/Neisse» that was founded in 1991), can be regarded as one that possesses best practices in managing funds of the INTERREG Cz-PL program. We refer to a small project fund with a maximum grant amount of 200,000 euros that supports travel and «people to people» initiatives. Management is carried out by both secretariats located in the Polish (Kłodzko) and, respectively, Czech (Rychnov nad Kněžnou) sides of the state border (Euroregio Glasensis).

According to the young people who live in the «Praděd/Pradziad» and «Beskid» Euroregions, which are thought to be less effective than the two previously mentioned, subnational authorities ought to have more freedom to choose the locations and institutional structures for collaboration along the Polish-Czech border.

At the same time, the national governments should provide financial support for these initiatives[1]. The lack of information on best practices in Polish-Czech cooperation and the lack of road and rail connectivity between border towns are the main obstacles to the development of the CBC, according to young people. They also suggested that cross-border initiatives could be implemented in an institutional format of cooperation between public and other types of institutions (business, educational, civil society), including in the fields of entrepreneurship, technological and innovation development, education, culture, sports, and recreation (Łangowska-Marcinowska, 2022).

Another institutional form that we would like to review for its best practices on the Polish-Czech border is European Grouping of Territorial Cooperation. EGTC «TRITIA» was established in 2013 by regional public administrations of the Moravian-Silesian *Kraj* of the Czech Republic, Silesian and Opole *Wojewydztwo* of Poland, and the Žilina self-governing *Kraj* of Slovakia. The attempt by neighboring regions to obtain administrative status from the EU for at least one INTERREG programs, akin to the Polish-Czech Euroregions, was the main driving force behind the establishment of this CBC institution. In particular, inspired by the success of the «Greater Region» in the cross-border cooperation of France, Belgium, the Netherlands, and Germany, TRITIA aimed to obtain the status of a managing authority for its own separate trilateral INTERREG programme for 2014–2020. Despite preliminary support from the European Commission, national governments, with the backing of the Euroregions, blocked this initiative. The fact that the EGTC did not obtain the status of a managing authority for a separate territorial cooperation programme was the main reason for the departure of the Opole Voivodeship from its founders in 2018 (Bohm, Drapela, 2022).

[1] The survey was conducted in the first half of 2020 by the Higher School of Management and Administration in Opole (Republic of Poland) and the Higher School of Social Policy in Havířov (Czech Republic). The sample consisted of: 325 high school students and 215 students residing in Opole Voivodeship, as well as 290 high school students and 280 students from the Moravian-Silesian Region..

Since, according to Polish legislation, its public institutions can only establish EGTC that are registered as legal entities on its territory, the TRITIA secretariat is located in the town of Cieszyn, Poland. The main priorities identified for the activities include transport; economy; tourism; and energy, with a particular emphasis on renewable energy (TRITIA, 2024). However, the current success of the EGTC consists solely of the implementation of several cross-border projects financed through INTERREG. The same results are attaned by other EGTC operating on Polish-Czech borderland and that is NOVUM (NOVUM, 2024).

Conclusions. Since the 1990s, the Polish-Czech borderland communes have emerged as the most significant administrative-territorial level for cooperation, while the six Euroregions are the leading public institutions for cross-border cooperation.

Several factors contributed to the formation of this institutional picture.

1. The legislation of the Czech Republic is more favourable for the establishment of institutions of cross-border cooperation, which operate based on bilateral or multilateral agreements between subnational authorities within existing interstate agreements, the framework legislation of the CoE, and do not require the creation of a single legal entity as demanded by the format of the EGTC.

2. The legal framework in Poland permits subnational authorities to participate in international cooperation and to join associations of self-governments; however, permission must be granted by the Ministry of Foreign Affairs following recommendations from the relevant *Wojewydztwo* governor. At the same time, according to legislation regarding associations of territorial cooperation, public institutions can be co-founders of an EGTC only if they are registered on the territory of the Republic of Poland.

3. By the late 1990s, Euroregions had already gained the opportunity, through a straightforward procedure and a low level of competition, to attract EU funding (initially under the PHARE pre-accession programme, then INTERREG Cz-Pl programme), which contributed to the sustainability of their functioning and, therefore, did not compel local self-governments of communes to seek other institutional formats of cooperation at the Polish-Czech border.

4. Both EGTC operating in the Polish-Czech borderland – «TRITIA» and «NOVUM» – have managed to implement several projects mostly funded by the NTERREG Cz-Pl programme. However, they have not succeeded in becoming its administrator of the small or micro-project funds, similar to the Euroregions. And this situation, along with the previously listed lagislative obstacles, could be considered one of the reasons why Polish and Czech public institutions are cautious about the formation of the EGTC.

The best practices are demonstrated by public cross-border cooperation institutions that have historical linkages between the people of the borderland and efficiently allocate and manage EU funds to the CBC.

1. In light of the Polish minority's presence on the Czech part of its territory, the Euroregion «Tesin/Cieszyn Silesia» has emerged as a key player in paradiplomacy between two countries, establishing a cooperative civic climate in the area that has historically been the scene of conflicts.

2. The Euroregions «Tesin/Cieszyn Silesia» and «Glasensis» are the best examples of obtaining permission from the European Commission on the management of the small and microproject funds within the INTERREG Cz-PL program and carrying out this function with excellence.

3. TRITIA and NOVUM, two EGTCs that operate on the Polish-Czech border, are currently only looking for a special role in fostering CBC because they have not been granted permission by the European Commission to manage INTERREG funds and may only be project beneficiaries.

Future studies will look more closely at the concrete factors that go into the creation of specific public CBC institutions. We will also look at how their unique internal management systems contribute to the effectiveness of their CBC actors' operations.

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DOI https://doi.org/10.30525/2592-8813-2024-4-32

THE ROLE OF INTERNATIONAL ORGANIZATIONS IN ENSURING SECURITY IN THE SOUTH CAUCASUS: CONTEMPORARY CHALLENGES AND PERSPECTIVES

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Abstract. The purpose of the study to analyze the role of international organizations in ensuring security in the South Caucasus amidst contemporary challenges. By examining the involvement of entities like the OSCE, UN, EU, NATO, and CSTO, the research evaluates their contributions to conflict resolution, peacebuilding, and regional stability. The study contributes to the existing literature by providing a comprehensive overview of the multifaceted roles played by these organizations in the South Caucasus. It highlights the successes and limitations of their efforts in addressing regional conflicts, thereby offering valuable insights into the complexities of international interventions in conflict-prone areas. The results indicate that while the OSCE, through its Minsk Group, has played a pivotal role in mediation, it has faced criticism for slow progress and perceived biases. The UN's broader mandate has allowed for comprehensive peacekeeping and humanitarian efforts, yet its resolutions often face implementation challenges. The EU's diplomatic and financial initiatives promote stability but are sometimes viewed as insufficient. NATO and CSTO's rivalry further complicates the security dynamics, with each organization vying for influence, impacting the region's geopolitical stability.

Key words: South Caucasus, International Organizations, OSCE, UN, EU, NATO, CSTO, Conflict Resolution.

Introduction. The South Caucasus region remains a hotspot of geopolitical tension and conflict. The region is characterized by unresolved territorial disputes, ethnic conflicts, and the strategic interests of global powers. The region faces challenges from Russia's influence and the presence of international organizations such as the OSCE, UN, and EU, along with alliances like NATO and CSTO, reflects the complex security dynamics where local conflicts have broader implications for regional stability and international relations.

In this regard, **the study aims to** analyze the role of international organizations in ensuring security in the South Caucasus amidst contemporary challenges and it seeks to evaluate how these organizations contribute to conflict resolution, peacebuilding, and stability in the region.

The study contributes to the existing body of knowledge by providing a comprehensive overview of the multifaceted roles played by international organizations in the South Caucasus. It highlights the successes and limitations of these organizations in addressing regional conflicts.

The research adopts a **qualitative methodology**, utilizing both primary and secondary sources. It involves a systematic review of relevant literature, including scholarly articles, reports from international organizations, and policy documents. Additionally, comparative analysis is employed to assess the effectiveness of various international organizations in conflict resolution and peacebuilding efforts in the South Caucasus.

Theoretical and Conceptual Approaches to Understanding Security

Security refers to protection against harm, danger, or threats, encompassing physical and digital safeguards, and achieved through systems, protocols, and policies (Buzan, 1997, p. 12; Hughes & Lai, 2010, p. 23). In theoretical terms, 'security' focuses on preventing deliberate harm (e.g., theft, cyberattacks), while 'safety' pertains to preventing accidental harm (e.g., natural disasters, workplace injuries) (Buzan, 1997, p. 14).

In international relations, security encompasses measures to protect state sovereignty, territorial integrity, and national interests, addressing military and non-military dimensions like political, economic, and environmental factors (Hughes & Lai, 2010, p. 25). It involves managing risks such as terrorism, interstate conflicts, and cyberattacks, while fostering cooperation on global challenges like climate change and pandemics (Buzan, 1997, p. 15). Security remains central to state foreign policies and international relations research.

Security encompasses various levels, each addressing specific threats and protective measures. *Physical security* focuses on safeguarding buildings, infrastructure, and individuals through systems like access control and surveillance. *Information security*, including cybersecurity, protects digital assets such as data and networks via encryption and intrusion detection. *Operational security* ensures the protection of supply chains and critical infrastructure through risk assessment and crisis management. N*ational security* defends a country's sovereignty, territorial integrity, and citizen safety through military, intelligence, and law enforcement efforts. *Human security* prioritizes individuals' physical safety, economic stability, and social welfare through healthcare, education, and social programs. *Environmental security* targets threats to the natural environment, including climate change and pollution, using conservation and sustainable development strategies. Finally, *economic security* safeguards financial systems and economies against crises and instability through trade and monetary policies (Lipschutz, 2011, pp. 25–26).

In our research, it is evident that within the field of international relations, particular emphasis is placed on security levels such as national security, information security, environmental security, and economic security. National security pertains to the protection of a nation's sovereignty, territorial integrity, and the safety of its citizens from both external and internal threats. This encompasses a broad spectrum of activities, including military defense, intelligence gathering, economic stability, and social cohesion. National security can be defined as the safeguarding of a state's political, economic, and social stability against internal and external threats. These threats can originate from various sources, including terrorism, cyberattacks, economic instability, natural disasters, and geopolitical competition. National security is a complex and multifaceted concept, and its definition can vary depending on the country and historical context in which it is used (Qasımov & Nağıyev, 2015, p. 27).

International Organizations and Security Stabilization in the South Caucasus. International organizations contribute significantly to the development and adherence to norms and legal frameworks that guide conflict resolution. They play a crucial role in shaping international humanitarian law, human rights standards, and principles for conflict prevention and resolution. Through treaties, conventions, and resolutions, these organizations establish rules and mechanisms to address regional conflicts, hold war criminals accountable, and promote peaceful coexistence. These norms provide a foundation for negotiations, set standards for diplomatic conduct, and shape the expectations of the international community (Gürbüz, 2019, pp. 7–10).

OSCE

The South Caucasus is a focal point for international organizations like the OSCE, which has been actively involved in regional conflict resolution since the 1990s. The OSCE employs a comprehensive security approach, addressing political, economic, social, and environmental dimensions, alongside a cooperative security strategy that emphasizes collaboration among all parties. Its conflict prevention efforts focus on addressing emerging conflicts swiftly and peacefully. The OSCE has facilitated dialogue in key conflicts, including Nagorno-Karabakh, Abkhazia, and South Ossetia. While its efforts have been instrumental, the organization has faced criticism for slow responses and limited success in achieving comprehensive settlements, particularly from Azerbaijan and Armenia. Despite these challenges, the OSCE remains a crucial actor in promoting peace and stability in the region.

Beyond conflict resolution, the OSCE promotes human rights, democracy, economic development, humanitarian aid, and environmental protection in the South Caucasus. Its conflict resolution efforts

include mediation and negotiations through mechanisms like the Minsk Group, promoting peaceful resolutions grounded in dialogue, international law, and territorial integrity. The OSCE implements confidence-building measures, such as monitoring ceasefire agreements and investigating violations, while conducting monitoring missions to observe and report on conflict zones. Additionally, it provides humanitarian aid, facilitates the return of displaced persons, and supports post-conflict reconstruction. By engaging with governments, civil society, and regional actors, the OSCE fosters inclusive dialogue and participation in resolving regional conflicts (Demir, 2018).

The OSCE, through its Minsk Group established in 1992, has been a key mediator in the Nagorno-Karabakh conflict, promoting dialogue between Armenia and Azerbaijan. Co-chaired by France, Russia, and the United States, the Minsk Group facilitated numerous negotiations aimed at peaceful resolution, emphasizing principles like non-use of force, territorial integrity, and self-determination (Barutcu, 2012). The OSCE also implemented monitoring mechanisms to oversee the ceasefire and reduce tensions along the contact line and borders (AzVision, 2013). While maintaining diplomatic channels, the OSCE's role has depended on the willingness of the parties to engage and implement solutions.

Following the Second Karabakh War and the 2023 operations, Azerbaijan has criticized the Minsk Group's effectiveness, calling for its dissolution and a new conflict resolution format. The government argues that the Minsk Group failed to achieve a peaceful resolution over 30 years and perceives it as biased, citing its lack of condemnation of Armenia's occupation (Bayramlı, 2022). Azerbaijan also deems the Minsk Group outdated, asserting that the conflict's resolution through military operations rendered its role irrelevant. While countries like the U.S. and France urge continued cooperation with the Minsk Group, others, such as Russia, support Azerbaijan's call for a new framework (Gurbanova, 2022, pp. 49–50).

UN

The United Nations (UN) plays a significant role in providing humanitarian aid and fostering recovery in the South Caucasus, particularly in conflict-affected areas. During the 1990s, UN agencies, including the World Food Programme (WFP), United Nations Development Programme (UNDP), and United Nations Children's Fund (UNICEF), delivered emergency food, medical aid, and shelter materials to internally displaced persons (IDPs) and refugees from the Nagorno-Karabakh conflict. The United Nations High Commissioner for Refugees (UNHCR) ensured legal protection for IDPs, while the United Nations Mine Action Service (UNMAS) supported demining operations and conducted awareness campaigns on landmine risks in the region (Yüksel & Yüce, 2022, pp. 1024–1025; TASS, 2020).

The UN Security Council (UNSC) has been instrumental in addressing conflicts in the South Caucasus. In the Nagorno-Karabakh conflict, UNSC resolutions 822, 853, 874, and 884 (1993) called for a cessation of hostilities, respect for Azerbaijan's territorial integrity, and the return of displaced persons. The UNSC also endorsed the OSCE Minsk Group's mediation efforts and emphasized the need for peaceful dialogue, confidence-building measures, and regional cooperation.

The UNSC has further contributed to conflict management through peacekeeping initiatives, such as the United Nations Observer Mission in Georgia (UNOMIG), which monitored the Abkhazia conflict from 1993 to 2009, promoting stability and dialogue during its mandate (Coppieters, 2014). Additionally, the UNSC has stressed the importance of normalizing relations between Armenia and Azerbaijan, advancing economic cooperation, and fostering regional integration as pathways to peace and stability.

EU

The European Union (EU) actively engages in resolving South Caucasus conflicts, including the Nagorno-Karabakh conflict, by promoting diplomacy, mediation, and peaceful negotiations. Since the early 1990s, the EU has supported dialogue between conflicting parties and provided platforms

for engagement. After the 2020 Second Karabakh War, the EU intensified its efforts, offering humanitarian aid, advocating for refugee and IDP return, and discussing demilitarization and border demarcation plans for the Karabakh region (Paşkin, 2023). However, the relevance of these discussions waned following recent military developments.

The EU's involvement is driven by its commitment to humanitarian principles and the need to address the war's humanitarian crisis. Additionally, the war highlighted broader security concerns for the EU, given the region's role as a transit route for energy resources and transportation. Ensuring stability aligns with the EU's energy diversification and connectivity strategies. The EU also seeks to assert itself as a key regional actor, using the conflict to showcase its conflict-resolution capabilities and strengthen its geopolitical influence.

Long-term, the EU aims to foster regional integration and cooperation among South Caucasus countries, promoting dialogue, trust, and economic partnerships. Initiatives such as the deployment of a civilian monitoring mission to the Armenia-Azerbaijan border underscore its commitment to stability (Paşkin, 2023). Additionally, the trilateral Brussels talks on May 14, 2023, reinstated the Brussels format for negotiations. During these talks, Pashinyan officially recognized Karabakh as part of Azerbaijan's territory, signaling progress under EU mediation (Ordahallı, 2023).

Comparison

As a comparison, Table 1 highlights the differences and similarities among three international organizations – OSCE, UN, and EU – involved in the resolution of regional conflicts in the South Caucasus.

Table 1

Comparison of OSCE, UN and EU participation in Regional Conflict Resolution

Aspect	OSCE	UN	EU
Mandate	Focuses on security, conflict prevention and resolution.	It has a broader mandate covering peace, security and development.	First of all, it focuses on political and economic unity.
The role of conflict resolution	Serves as a mediator in peace processes.	Acts as a mediator and provides peacekeeping operations.	Emphasizes conflict prevention and diplomatic dialogue.
Special mechanisms	Minsk group on the Nagorno-Karabakh conflict	Various specialized agencies and peacekeeping operations	European Neighborhood Policy and Special Envoys
Membership	It consists of 57 participating states.	193 member states are members.	There are 27 member states.
Recruitment process	Consensus decision-making among participating states	General Assembly (one vote per member state)	Adoption of supranational decisions with the participation of member states
Sanctions	Limited ability to impose economic or political sanctions	It can impose sanctions with the resolutions of the Security Council.	It has the ability to impose economic sanctions.
Peacekeeping operations	Conducts monitoring missions and deploys observers.	Deploys peacekeeping forces.	Financially supports peacekeeping missions.
Material resources	It is financed by the contributions of the participating states.	It is financed by assessed contributions from member states.	It is financed by the EU budget and contributions from member states.
Humanitarian aid	It supports humanitarian efforts in conflict-affected areas.	Provides humanitarian aid.	Provides humanitarian aid and development assistance.
Regional integration	It promotes regional cooperation and dialogue.	Participates in regional cooperation initiatives.	It contributes to regional integration and economic cooperation.

When applying the table to the South Caucasus, we see that the OSCE's focus on security, conflict prevention, and resolution is crucial for a region plagued by protracted conflicts and security issues. The UN's broader mandate encompassing peace, security, and development allows for a comprehensive approach to the complex problems in the South Caucasus. The EU's emphasis on political and economic integration aligns with the region's aspirations for stability, cooperation, and regional development.

The OSCE, UN, and EU have played significant roles in addressing conflicts and promoting stability in the South Caucasus. The OSCE's Minsk Group has been pivotal in facilitating negotiations for the Nagorno-Karabakh conflict, while the UN has contributed to peace processes in Abkhazia and South Ossetia. The EU, through initiatives like the European Neighbourhood Policy, has fostered dialogue and regional integration. South Caucasus countries – Armenia, Azerbaijan, and Georgia – actively participate in these organizations to shape regional security efforts. The OSCE's consensus-based decision-making and the UN General Assembly's equal representation provide platforms for these nations to address regional issues. Georgia's EU membership aspirations further enhance dialogue on regional problems. While the OSCE's capacity to impose sanctions is limited, the UN Security Council has employed sanctions in conflicts like Abkhazia and South Ossetia (Nunner, 2016, pp. 29–30). The EU, with its ability to implement economic sanctions, influences regional dynamics and promotes adherence to international norms.

The Rivalry Between CSTO and NATO in the Security System of the South Caucasus

CSTO

In addition to the organizations discussed in the previous section, the Collective Security Treaty Organization (CSTO) is also relevant to regional conflicts in the South Caucasus. The CSTO is a military alliance of six former Soviet republics – Armenia, Belarus, Kazakhstan, Kyrgyzstan, Russia, and Tajikistan – established in 1992. The CSTO has several mechanisms at its disposal to assist in conflict resolution, as outlined in Table 2.

The CSTO's approach to resolving regional conflicts in the South Caucasus has been met with varied reactions. Some countries, like Armenia, have welcomed CSTO intervention in the region. Other countries, such as Azerbaijan, have been critical of the CSTO's involvement, arguing that it is biased in favor of Armenia. The CSTO's approach to resolving regional conflicts in the South Caucasus is based on the principle of collective security.

Following the Second Karabakh War, Armenia began to view the CSTO with a renewed sense of relevance. Immediately after the war, Armenia requested the CSTO to intervene in Nagorno-Karabakh. However, the CSTO declined, citing that Nagorno-Karabakh is an internal territory of Azerbaijan and that there was no formal request from Azerbaijan. This decision was met with significant disappointment in Armenia and raised questions about the CSTO's commitments. Despite this disappointment,

Table 2

Mechanisms Available to the CSTO

Mechanism	Explanation
Peacekeeping Forces	CSTO has peacekeeping forces that can be deployed to help resolve conflicts. Peacekeeping forces of the CSTO have not been officially deployed in the region yet.
Military Trainings	The CSTO conducts regular military exercises to be prepared to prevent foreign military aggression. CSTO military exercises help to improve mutual coordination of CSTO soldiers, as well as to prevent aggression from outside powers.
Military Sanctions	CSTO can impose military sanctions against countries involved in conflicts. Although the CSTO exerted diplomatic pressure on Armenia and Azerbaijan in the past in order to put pressure on them to resolve the Nagorno-Karabakh conflict, they did not resort to any concrete military sanctions.

Armenia remains committed to the CSTO. However, Armenia is also seeking to diversify its security options. In recent years, Armenia has strengthened its relations with Iran. Consequently, the CSTO is no longer as critical for Armenia as it once was. The Pashinyan administration is even considering withdrawing from the organization (Kaleji, 2024).

NATO

Another international organization with significant influence on regional conflicts in the South Caucasus is NATO. Traditionally associated with security dynamics in the Euro-Atlantic region, the North Atlantic Treaty Organization (NATO) engages in the South Caucasus primarily through the Partnership for Peace (PfP) program, which aims to develop cooperation and dialogue with non-member countries. Armenia, Azerbaijan, and Georgia are participants in this program. Through PfP, NATO engages with these countries in political consultations, military cooperation, joint exercises, and capacity-building initiatives. This partnership provides a platform for addressing security challenges and conflict resolution in the region.

NATO emphasizes the necessity of conflict prevention and crisis management in the South Caucasus. It seeks to promote stability and security by addressing the root causes of conflicts and providing assistance during crisis situations. NATO supports dialogue, diplomatic efforts, and confidence-building measures among regional countries to prevent escalation and promote peaceful resolutions. To enhance regional stability, NATO collaborates with South Caucasus countries to improve their defense capabilities. This collaboration includes training programs, military education, defense reforms, and interoperability efforts (Cornell & others, 2004). NATO's assistance helps strengthen the defense institutions and capacities of South Caucasus countries, contributing to their ability to manage conflicts and maintain security. In consideration of the security challenges in the region, NATO cooperates with South Caucasus countries in combating terrorism and preventing the proliferation of weapons. This partnership aims to tackle transnational threats, enhance border security, and prevent the spread of weapons of mass destruction. NATO's expertise and support in these areas contribute to regional security and stability (Priego, 2008).

NATO promotes regional cooperation with South Caucasus countries and other neighboring states. This includes initiatives aimed at fostering dialogue, economic integration, and cooperative security measures. NATO's support for regional cooperation helps strengthen trust, build relationships, and collectively address common challenges, which can contribute to resolving regional conflicts.

In summary, NATO's involvement in the South Caucasus reflects its commitment to regional security, stability, and conflict resolution. Through the Partnership for Peace program, security cooperation, conflict prevention efforts, and regional initiatives, NATO aims to contribute to the peaceful resolution of conflicts in the South Caucasus (Həsənova, 2017). By promoting dialogue, supporting confidence-building measures, enhancing defense capabilities, and assisting in crisis management, NATO plays a role in resolving regional conflicts and strengthening cooperation among South Caucasus countries. NATO's continued engagement is essential for supporting lasting peace, stability, and reconciliation in the region.

The Rivalry

The CSTO-NATO rivalry in the South Caucasus arises from competing geopolitical interests. The CSTO, led by Russia, seeks to maintain influence over former Soviet republics, aligning them with Russian strategic goals. NATO, representing Western interests, promotes stability, democracy, and integration into Euro-Atlantic structures. This ideological divide drives their competition for influence in Armenia, Azerbaijan, and Georgia, offering contrasting security guarantees and economic incentives.

Both organizations employ diverse strategies. The CSTO emphasizes military alliances, joint exercises, and political pressure, while NATO engages through its Partnership for Peace program, fostering cooperation, training, and capacity-building. Each uses diplomatic channels to promote their

security frameworks, with the CSTO prioritizing collective security under Russian leadership and NATO advocating cooperative security and democratic governance.

Support for these blocs is split along geopolitical lines. The CSTO is backed by Russia and regional allies like Belarus and Kazakhstan, while NATO is supported by the U.S. and EU member states promoting Western integration. This external backing intensifies the rivalry, pushing South Caucasus nations to navigate complex pressures by balancing relationships with both.

This competition risks further polarizing the region, complicating conflict resolution and creating a fragmented security landscape. Armenia, Azerbaijan, and Georgia may adopt flexible alignments to maximize benefits, but ongoing CSTO-NATO engagement is likely to exacerbate divisions and hinder long-term regional stability.

Conclusion. International organizations play distinct roles in South Caucasus security. The OSCE's Minsk Group focuses on mediation and confidence-building in the Nagorno-Karabakh conflict but faces criticism for slow progress and perceived bias, particularly from Azerbaijan. The UN addresses peacekeeping, humanitarian aid, and long-term stability but struggles with resolution implementation. The EU emphasizes diplomacy, economic cooperation, and humanitarian aid, though its efforts are sometimes seen as insufficient in fast-changing situations. NATO and CSTO engage in military cooperation and collective security, but their rivalry complicates regional dynamics and conflict resolution.

Persistent territorial disputes, ethnic conflicts, and global power competition create a volatile environment requiring a comprehensive security approach. Effective conflict resolution demands integration of military, political, economic, social, and environmental dimensions. Collaboration and coordination among international organizations are crucial, as their interplay can either enhance or hinder overall effectiveness.

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DOI https://doi.org/10.30525/2592-8813-2024-4-33

THE INFLUENCE OF NGOS ON THE PALLIATIVE AND HOSPICE CARE POLICIES IN UKRAINE IN 2011–2024

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Abstract. The author has analyzed the role of non-governmental organizations (NGOs) in the development of palliative and hospice care in Ukraine from 2011 to 2024. Using such research methods, as bibliosemantic and systems analysis, it has been determined that the need for such care remains high, with NGOs playing a crucial role in its provision. Special attention is given to projects supported by the International Renaissance Foundation. However, NGO activities are often fragmented, complicating the systemic development of palliative care. The necessity of an integrated approach is emphasized, encompassing medical, social, and legal support for patients, along with enhanced coordination between governmental and non-governmental structures to ensure compliance with international standards. Additionally, conditions must be created in the state for active civil society participation in shaping policies within this sphere.

Key words: hospice and palliative care, social work in palliative care, Ukraine, clinical social work, social care, hospice and palliative care in developing countries, NGO in developing countries.

Introduction. Palliative and hospice care are essential components of any country's healthcare system, addressing the needs of individuals with serious illnesses and their families. The number of elderly individuals and those with severe, incurable diseases in Ukraine remains high. Due to martial law, complete mortality statistics for 2022 and 2024 remain inaccessible. However, based on available data, general trends can be identified. For instance, in 2017, the total number of deaths was 583,600, while in 2021, considering the impact of COVID-19, it reached 714,263. The number of cancer-related deaths in 2019 was 61,289, decreasing to 53,012 in 2021 and 42,660 in 2022 (excluding temporarily occupied territories). Palliative and hospice care can be provided to these individuals. The type of assistance described extends beyond healthcare and generates scholarly interest in related fields such as political science, social work, psychology, and economics (Volf, 2024: 50–51).

Analysis of recent research and publications. Studying the practical experience of palliative and hospice care providers, particularly non-governmental organizations (NGOs), can foster the development of social work in this sector. As of December 2023, Ukraine had 208,385 registered non-profit organizations (Kaplan et al., 2024: 5). Civil society in Ukraine is actively evolving, with the number of charitable organizations increasing by 43% between 2021 and 2023 (Tygnyriadno, 2024). Therefore, Ukraine's non-governmental sector represents a significant segment whose various aspects of activity require further research.

The activities of non-governmental organizations (NGOs) in the context of social policy and social work – especially in the specialized field of palliative and hospice care – have been insufficiently studied in Ukraine. Oleg Kondratenko examined the broader relationship between NGOs and authorities from the 1990s to the present (Kondratenko, 2023). Formal and informal support networks for addressing the needs of elderly individuals were discussed in a monograph by Dzhuhan (Dzhuhan, 2023). Authors of another monograph briefly mention the role of NGOs in palliative and hospice care (Moiseienko, 2022). However, a more detailed and focused analysis of the role of NGOs in this field was conducted by O.O. Volf. In his doctoral dissertation in political science, he introduced the concept of the humanization of social policy, which he defined as a process that imparts a human-

centered direction to policy, expressed through enhanced democracy and an increased role for civil society structures, ultimately improving citizens' quality of life (Volf, 2014).

According to the relevant scholarly literature, key standards for NGO activities include transparency, citizen engagement in democratic processes, and the protection of human rights.

The article's purpose is analysis of the role of non-governmental organizations (NGOs) in the development of palliative and hospice care in Ukraine from 2011 to 2024.

Research methodology: bibliosemantic and systems analysis.

Main part. It is unsurprising that one of the most influential players in palliative and hospice care during the studied period was the International Renaissance Foundation. Founded by George Soros (USA) in April 1990, it has become one of Ukraine's largest charitable foundations. The Foundation fosters an open society characterized by citizen participation in state-building and transparent, accountable governance. A critical priority for the Foundation is the robust protection of human rights. Until 2022, one of its programs was «Public Health». According to the Foundation's website, the program aimed to «promote the development of an economically efficient and non-discriminatory healthcare system, ensure transparent and rational use of budget funds, and guarantee equal access for citizens, including vulnerable groups, to essential medicines and appropriate treatment« (Hromadske zdorovja, 2022).

Unfortunately, much of the information regarding project activities (reports on project implementation) of organizations receiving financial support from the Renaissance Foundation for assisting the seriously ill has not been published.

Between 2011 and 2016, with funding from the International Renaissance Foundation, a local NGO, Charitable Organization «Network 100 Percent Life Rivne», implemented the project «Ensuring Access to Pain Relief Medications for Palliative Care Patients in Rivne and Volyn Regions» (Nadani Granty). This initiative aimed to uphold the right of individuals requiring palliative care to alleviate pain and suffering by monitoring procedures related to prescribing, dispensing, and acquiring opioid analgesics (Diialnist iz Zabezpechennia…, 2014).

During this period, particularly between 2015 and 2017, one of the primary focuses for NGOs was ensuring adequate pain management for patients with chronic pain. Access to appropriate medications and medical procedures is one of the most critical aspects of palliative care. Without adequate pain relief, patients face significant barriers to a dignified life and social integration. Supported by the Renaissance Foundation, projects like «Palliative Care: Our Common Pain» were implemented by the Sumy Regional Public Organization «Source of Life». Since 2017, the campaign «Time to Take Off the Rose-Colored Glasses» has been underway (Nadani Granty). This initiative aimed to help healthcare professionals and patients properly assess pain and appropriately prescribe and use analgesics. Key partners included the NGO «Institute for Legal Research and Strategies», the International Charitable Foundation «Sobornist», the Charitable Foundation for Helping the Incurably Ill «Mother Teresa», «Chance Club», «Institute for Social Development», «Ukrainian Legal Initiatives», and «Network 100 Percent Life Rivne» (Husij, 2017).

Some projects supported by the Renaissance Foundation in 2016–2017 were implemented at the local level and involved active public participation in shaping local palliative care policies. A short-term outcome of such projects was the adoption of the Regional Programs for Palliative Care Development.

Another focus area for NGOs during this period was their collaboration with the Office of the Ukrainian Parliament Commissioner for Human Rights as part of the National Preventive Mechanism. Monitoring visits were conducted to closed institutions, including hospitals, hospices, and palliative care units, involving civil society activists (Uzahalnena Dopovid, 2017: 7). NGO representatives highlighted numerous violations of patients' rights, such as inadequate pain relief, lack of informed consent for hospitalization, substandard care, and breaches of privacy (Uzahalnena Dopovid, 2017: 2).

One of the key centers providing assistance to terminally ill citizens from 2011 to 2018, supported by funding from the International Renaissance Foundation, was Ivano-Frankivsk. Here operated the Charitable Foundation for Helping the Incurably Ill «Mother Teresa». According to the Foundation's reports, a Training and Methodological Center for Palliative Care functioned within the organization from 2009 to 2017, funded by the International Renaissance Foundation. The target audience for these trainings was medical professionals. Analyzing the issues addressed in the trainings, for example, in 2016, it can be noted that they primarily focused on enhancing the professional qualifications of medical personnel. Issues related to democracy, public monitoring, human rights, and the participation of civil society (including professionals) in shaping public health policy were addressed only marginally. The primary outcome of these numerous activities was the general dissemination of information to specialists about palliative care as a modern form of support for terminally ill patients. The analysis of the reports does not indicate that long-term results were achieved for community development or the actual protection of human rights (Zvit pro diialnist navchalno-metodychnoho tsentru, 2018).

Thus, the activities of non-governmental organizations largely depended on international funding (primarily from the United States) and were aimed at spreading information about this new type of support for terminally ill patients – palliative and hospice care – as well as addressing the protection of these individuals' rights.

As a result of this NGO activity, there was, according to the authors of the manual «Optimization of the Palliative and Hospice Care System in Ukraine: Realities and Prospects», an «uncontrolled» (Moiseienko, 2022: 83) increase in hospices and home care departments by 400% and 200%, respectively, during 2019–2020 (Rohanski, 2020). In subsequent years, the number of palliative care facilities continued to grow, while the quality of services provided remained questionable (Struk, 2024).

Since approximately 2020, the activities of most non-governmental organizations funded by the International Renaissance Foundation have ceased, due to the lack of international grants.

Due to such unsystematic activities by civil organizations, the state was forced to reconsider its role and approaches to regulating this sector. In the Analytical Note of the National Institute for Strategic Studies, non-governmental organizations are not mentioned as key players in the field of palliative care; instead, the leading role is assigned to the state, with one of the main barriers to the development of palliative care cited as the absence of an appropriate law in Ukraine (Boiko, 2019).

Thus, the activities of non-governmental and state organizations were unsystematic and not always coordinated, resulting in inconsistent quality of services provided in palliative care institutions.

Since 2011, Ukraine has had a public organization called the «League for the Development of Palliative and Hospice Care». This organization was established on December 17, 2010. The first initiative meeting aimed at creating the organization took place in November 2010 in Ternopil during the seminar «Opening of a Hospice in Ternopil: Opportunities and Prospects». During the event, participants reached a consensus on the need to establish an organization that would unite representatives from various fields – medical professionals, public activists, academics, clergy, volunteers, and philanthropists – to develop palliative care in Ukraine. One of the key areas of the organization's work is improving existing legislation in the field of palliative care, as well as developing plans and programs aimed at providing comprehensive medical, psychological, social, physical, and spiritual support for patients with incurable diseases (Ukrainska liha rozvytku paliatyvnoi ta khospisnoi dopomohy). In subsequent years, the League continued its activities to regulate care for terminally ill patients legally. Notably, representatives of the League are among the members of the multidisciplinary working group developing sectoral standards for medical care in «Palliative Medical Care», approved by the Ministry of Health of Ukraine on August 18, 2020 (Derzhavnyi ekspertnyi tsentr MOZ Ukrainy, 2024).

Analyzing the activities of this public organization, it can be noted that its specialists primarily focus on the medical component of palliative care. This is explained by the organization's staff com-

position, which mainly consists of doctors. This leads to the medicalization of palliative care, turning this field into an exclusively medical domain where even nurses have no decisive role. The roles of social workers, psychologists, medical chaplains, and volunteers are diminished. Specifically, according to the League's official website and social media presence, issues related to nursing, social work, psychology, and volunteerism in palliative care were only marginally addressed.

Therefore, the «Ukrainian League for the Development of Palliative and Hospice Care» is one of the non-governmental organizations working to develop palliative care. The organization focuses on improving the regulatory framework, with most changes concerning the medical component of palliative and hospice care.

The experience of the charitable organization «Association of Palliative and Hospice Care» founded in 2010, provides valuable insights into the operational methods of NGOs and their impact on policies for the terminally ill. Notably, this organization did not receive funding from the International Renaissance Foundation between 2011 and 2024.

Upon its establishment, the organization quickly became an active player in developing palliative medicine in Ukraine. From the outset, it identified one of its key tasks as implementing integrated multidisciplinary educational programs for professionals and volunteers, including medical workers, social workers, psychologists, and patients themselves. The Association's educational activities aimed not only at enhancing specialists' qualifications but also at promoting a comprehensive approach to palliative care that considered the needs of both patients and their families (Volf, 2019).

The educational programs implemented by the Association integrated fundamental theoretical concepts of social work, particularly the socio-ecological theory and the Life Model of social work practice developed by C. Germain and A. Gitterman. This theory viewed palliative care as a holistic system in which each element – medical staff, patients' families, psychologists, and social workers – plays a crucial role in improving patients' quality of life. It helped develop a training approach focused on creating a supportive network for patients and their families.

The primary educational activities conducted by the Association of Palliative and Hospice Care were informal education initiatives. In 2012, as part of a project to develop pediatric palliative care, the Association organized training sessions for parents at a medical facility in Kyiv. The training program covered topics such as basic care for terminally ill children, psychological support for families, and communication between families and medical staff. During these sessions, the Association promoted innovative care models for the terminally ill, such as home-based pediatric care in collaboration with volunteer organizations and state social services.

Patient rights and the participation of civil society organizations in shaping policies to uphold these rights were essential pillars of the Association's activities. For example, in 2012, the «Association of Palliative and Hospice Care» conducted a training session titled «Protection of the Rights of Terminally Ill Citizens» for civil activists (managers of civic and charitable organizations, socio-political movements, and associations) in the Kyiv region. This event was supported by the Democracy Support Fund of the U.S. Embassy in Ukraine. The primary objective of the training was to enhance the knowledge and practical skills of managers in civic and charitable organizations, socio-political movements, and associations in areas such as access to social and medical services, adequate pain management, and educational opportunities for terminally ill children (Treninh dlia hromadskykh aktyvistiv, 2012).

The training was linked to the Association's hotline for protecting the rights of terminally ill patients. According to the hotline's findings in 2013, there were numerous violations of terminally ill patients' rights to pain relief, information, social guarantees (including housing and necessary transportation), hospitalization, and the rights of terminally ill individuals with special needs. Even when certain rights appeared adequately defined in legislation, practical implementation often revealed violations, indicating the need for better enforcement (Govda, 2013: 23).

A significant area of focus for the Association was the implementation of educational visit programs for Ukrainian healthcare professionals to European countries, including Poland, Slovakia, and Sweden, between 2012 and 2013. These visits, lasting one to two weeks, provided insights into European hospice practices, which led to the establishment of new hospice departments in Ukraine. In 2016, educational visits to healthcare, social protection institutions, and charitable organizations in Poland, Sweden, Norway, Hungary, and Belgium were organized, involving approximately 50 specialists. These international visits and exchanges of experience with European colleagues promoted the development of palliative and hospice care (PHC) at the local level. During these visits, discussions extended beyond medical care for the terminally ill to include professional education, public awareness campaigns, and multidisciplinary collaboration between medical and social services (Zvit pro diialnist blahodiinoi orhanizatsi, 2024).

A significant milestone was the partnership with the international volunteer organization PRIME, established in 2013. This partnership facilitated the arrival of volunteer doctors to Ukraine, who shared practical palliative care experience during week-long programs. This collaboration enabled the creation of effective training programs based on advanced international practices. Cooperation with the Shupyk National Medical Academy of Postgraduate Education, particularly the Department of Palliative and Hospice Medicine, allowed Association specialists to integrate international experience into educational programs that continue to be successful today (Zvit pro diialnist blahodiinoi orhanizatsi, 2024).

In 2016–2017, the Association contributed to the creation of Ukraine's first textbooks on palliative and hospice care, with particular emphasis on social work in palliative medicine. This marked an important step toward systematizing knowledge in this field and improving the professional skills of specialists working with terminally ill patients. These textbooks, developed in close cooperation with the Shupyk National Medical Academy of Postgraduate Education, became crucial tools for educational institutions training social workers and medical professionals (Istorychna dovidka, 2024).

Between 2011 and 2015, the Association actively collaborated with Ukraine's Ministry of Social Policy and Ministry of Health to improve existing regulatory frameworks and implement educational programs. As a result of this long-term work, in 2014, a joint order titled «On Approval of the Procedure for Interaction of Entities in Providing Palliative Care Services at Home for Terminally Ill Patients» was developed by the Ministry of Social Policy and the Ministry of Health (Pro zatverdzhennia Poriadku). In 2015, the Ministry of Social Policy, in collaboration with public sector experts, developed the State Standard for Palliative Care, which defined the content, scope, norms, conditions, and quality indicators for providing palliative care services (Pro zatverdzhennia Derzhavnoho standartu). This ensured that NGOs must now deliver social services in compliance with state standards, whether on a paid or free basis.

Between 2017 and 2020, the Association conducted numerous training sessions for professionals under the Ministry of Social Policy, including topics such as «Fundraising and Project Management in the Field of Terminal Patient Rights Protection» (for instance, in the Mykolaiv region) (Na Mykolaivshchyni vidbuvsia treninh, 2018). The primary goal was to strengthen cooperation between governmental and non-governmental institutions and to initiate social projects aimed at improving conditions for terminally ill patients. This trend was influenced by the political and socio-economic situation in Ukraine. Since the onset of the war with Russia in 2014, there has been an acute need for fundraising initiatives due to reduced state funding. One of the leading trainers engaged by the Association from 2011 to 2018 was Yakiv Rogalin, head of the «Dobrota» foundation, who continued fundraising efforts despite the occupation of Donetsk and its surrounding region.

During this period, the Association also organized educational events focused on resource acquisition and closely collaborated with leading medical institutions, such as the «Okhmatdyt» National Children's Specialized Hospital and the Institute of Pediatrics, Obstetrics, and Gynecology. These

institutions frequently hosted training sessions for patients on effective care, psychological support, and interaction with medical personnel (Treninh «Fandreizynh i proektnyi menedzhment…», 2016).

Ensuring the rights of seriously ill patients, particularly children, to receive proper palliative and hospice care has been an important focus for this non-governmental organization. Between 2016 and 2019, the Association conducted relevant training sessions for representatives of non-governmental patient organizations and professional communities. As part of the project «Children's Rights in Palliative Care», which was implemented in 2016 with the support of the British Embassy in Ukraine, training sessions were organized on the rights of seriously ill children (Khvori dity, 2016). Participants included representatives of non-governmental organizations and volunteer groups (Treninh «Zakhyst prav tiazhko khvorykh ditei», 2016). During these events, the initiative «Second April,« dedicated to protecting the rights of children with disabilities, was launched and continues to operate in 2024. In 2016, a report on «The Rights of Seriously Ill Children» was published (Volf et al., 2016).

A key aspect of these activities was the involvement of specialists from various fields, including psychologists, social workers, and doctors, which allowed for an integrated approach to training and facilitated knowledge exchange. For instance, in 2018, in cooperation with the Ukrainian Association of Young Political Scientists, training sessions were held using future modeling technologies to predict the development of palliative care (Volf, 2019a).

An important part of the work of the Charity Organization «Association of Palliative and Hospice Care» was its membership in the Ukrainian side of the EU-Ukraine Civil Society Platform. This platform, established under Articles 469–470 of the Association Agreement between Ukraine and the EU, consists of representatives of Ukraine's civil society and members of the European Economic and Social Committee (EESC). The Association is part of Working Group 4 «Employment, Social Policy, Equal Opportunities, and Health» (Ukrainska storona).

In 2020, the Association conducted an online school for nurses, in recognition of the Year of Nursing (Zminy v okhorony, 2020). Since 2020, the Association has actively participated in the ISAR Ednannia program, which aims to strengthen the institutional capacity of organizations founded by parents of seriously ill children. This initiative included training events on organizational development, strategic planning, advocacy, marketing, communications, and fundraising (Psykhoonkolohiia, 2020).

In 2021, the Association became an official provider of continuous professional development educational services for healthcare workers (Tsentr testuvannia pry MOZ Ukrainy). From 2013 to 2020, the Association also worked closely with educational institutions that train social workers to raise awareness about palliative care. Special training programs and internships in medical institutions helped future professionals gain practical skills for working with seriously ill patients (Zvit pro diialnist blahodiinoi orhanizatsi, 2024).

The Association's intensive educational, scientific, and humanitarian activities have continued since 2022. Thus, the work of the Association of Palliative and Hospice Care has played a crucial role in the development of palliative medicine in Ukraine. Programs focused on training and professional development of specialists have helped improve the level of medical and social support for patients and their families. Through innovative approaches, interdisciplinary training, and effective cooperation with international organizations, the Association has become a leading educational platform in the field of palliative care. The Association views its educational activities as a tool for influencing state and local policies. According to the Association's report, between 2011 and 2024, over 4,000 specialists, 2,000 patients and their families, and nearly 80 volunteers were involved in educational events (Zvit pro diialnist blahodiinoi orhanizatsi, 2024).

Other non-governmental organizations active during this time included the charitable foundations «LaVita» and «Svoi» which primarily focus on targeted assistance to families. From 2022 to 2024, these organizations have directed their efforts towards providing direct support to individuals with serious illnesses, supplying hygiene products and food to about 100 people each month (Volf, 2024a: 38).

Conclusions. Based on the presented material, the following conclusions can be drawn.

The demand for palliative care remains high, driven by the significant number of individuals with incurable diseases. Providing quality palliative care is an urgent social and medical issue that requires a systematic solution at both the state and public levels.

In Ukraine, a substantial number of NGOs play a crucial role in the development of palliative and hospice care. Some of these organizations conduct systematic activities in this field, while others contribute to the implementation of individual projects.

The International Renaissance Foundation has become one of the key players in the development of palliative care in Ukraine. Thanks to funding from the USA, a number of important projects were implemented, aimed at ensuring the accessibility of pain-relieving medications and enhancing the qualifications of healthcare workers. However, the impact of these measures on the long-term development of palliative care remains limited, as the focus was primarily on the medical component, while social aspects and human rights were less emphasized.

The activities of non-governmental organizations in the field of palliative care are often fragmented. The lack of a systematic approach and coordination between state and non-state structures leads to uneven development in this field. A significant challenge remains the medicalization of palliative care, which narrows the role of social workers, psychologists, and volunteers within multidisciplinary teams.

An important aspect of NGO activities is the educational programs aimed at improving the qualifications of specialists and volunteers. The activities of the charity organization «Association of Palliative and Hospice Care» demonstrated the effectiveness of applying socio-ecological theory and the life practice model of social work to create a comprehensive system of support for patients and their families. The further development of palliative care in Ukraine requires an integrated approach that takes into account not only medical, but also social, psychological, and legal support for patients. Systematic cooperation between the state, non-governmental organizations, and international partners must be ensured, as well as enhanced monitoring of service quality.

For the effective development of palliative care in Ukraine, it is essential to implement comprehensive standards based on international experience, as well as create conditions for the active participation of civil society in shaping policies in this area.

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DOI https://doi.org/10.30525/2592-8813-2024-4-34

THE EMERGENCE AND CHARACTERISTICS OF THE INSTITUTIONALIZATION OF THE POLITICAL SYSTEM OF AZERBAIJAN AS A POST-SOVIET COUNTRY: THE PERIOD OF PRE-INDEPENDENCE

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Abstract. The study examines the institutionalization of Azerbaijan's political system during the pre-independence and Soviet eras, focusing on its unique political evolution from the Azerbaijan Democratic Republic (ADR) to the Azerbaijan Soviet Socialist Republic (Azerbaijan SSR). The ADR (1918–1920), as a secular republic, achieved significant democratic milestones, including a representative parliament and women's suffrage, laying the groundwork for modern political institutions. However, the Soviet annexation replaced this with a centralized, one-party system under the Communist Party, which dominated governance. Despite political repression during the Soviet period, advancements in socio-economic sectors, particularly the oil industry, were notable. Heydar Aliyev's leadership from 1969 significantly modernized Azerbaijan's economy and improved living conditions. In the 1980s, Gorbachev's reforms and the Nagorno-Karabakh conflict intensified national movements, ultimately leading to Azerbaijan's independence in 1991. The study concludes that Azerbaijan's political system reflects a dual legacy of democratic aspirations from the ADR and centralized control from the Soviet era, shaping its post-Soviet trajectory.

Key words: Political institutionalization, Azerbaijan Democratic Republic (ADR), Azerbaijan SSR, National movements, Democratic aspirations, Historical Analysis, Political System.

Introduction. The study focuses on Azerbaijan's political institutionalization, emphasizing its transition from Soviet rule to independence and the resulting impact on governance and development. Understanding the historical evolution of these institutions sheds light on Azerbaijan's current political dynamics and its place in the broader post-Soviet context, where many nations grapple with similar challenges like nation-building and state consolidation. While Azerbaijan stands out with its unique development, it shares commonalities with other post-Soviet states, such as the influence of Russia-West geopolitical tensions and the pursuit of sovereignty. These dynamics affect Azerbaijan's domestic and foreign policies, compelling it to balance relations with Russia and the West. The last part of this research will delve into the structure and evolution of Azerbaijan's political system, from the Azerbaijan Democratic Republic to the Soviet period, culminating in independence. This analysis will explore the historical factors and milestones shaping Azerbaijan's modern political framework and institutional characteristics.

Research methods

This study adopts a historical-comparative approach to examine the institutionalization of Azerbaijan's political system during the pre-independence and Soviet eras. Using archival documents, historical records, and secondary sources, it traces the development of political institutions from the Azerbaijan Democratic Republic (ADR) in 1918 to the Soviet period up to 1991, identifying key milestones and socio-political trends. The comparative method highlights similarities and differences between Azerbaijan and other post-Soviet states, focusing on how geopolitical tensions between the West and Russia shaped its political trajectory. Additionally, legislative and constitutional documents from the ADR and Soviet periods are analyzed to explore their influence on Azerbaijan's early governance and institutional framework.

The Purpose of the Study

The purpose of this study is to explore the emergence and evolution of Azerbaijan's political system, focusing on its institutionalization during the pre-independence and Soviet periods. In terms of research objectives, the study aims to analyze the key stages of political institutionalization in Azerbaijan by examining the establishment of democratic institutions during the Azerbaijan Democratic Republic and the structural transformations under Soviet rule.

The Initial Elements of the Formation of Azerbaijan's Political System Before the Soviet Period

After World War I and the collapse of the Russian Empire, national self-determination emerged in the Caucasus. Azerbaijan declared its independence as the Azerbaijan Democratic Republic (ADR) on May 28, 1918, in Tiflis, marking a historic milestone. Founded on democratic and secular principles, the ADR became a pioneer in the Muslim world by establishing a representative political system. In December 1918, Azerbaijan held its first parliamentary elections, with representatives from various ethnic and religious groups. The parliament played a crucial role in governance, passing important laws and ensuring civil rights, including granting women the right to vote – a groundbreaking achievement for the Muslim world (Abışov, 2018, p. 8).

Despite the allocation of seats, Armenians and Russians initially abstained from participating in the parliament. The Russian National Council in Baku refused to join, citing opposition to Azerbaijan's independence from Russia. However, the Slavic-Russian Society sought cooperation in state-building (Məmmədli, 2014). Armenians joined parliamentary activities two months later, forming two factions by April 1919. Their participation was seen as prioritizing separatist goals over contributing to Azerbaijan's state-building efforts (Məmmədli, 2014).

Moreover, the presence of 11 factions and groups in the parliament, which concentrated supreme power in its hands with a membership of fewer than 100 people, seriously hindered independent state-building in the complex domestic and international conditions. For instance, the Socialist faction regularly called for Azerbaijan's unification with Soviet Russia, advocated for the opening of a diplomatic mission in Soviet Russia, and eventually supported the intervention of the Red Army in the country (Abışov, 2018, p. 8).

On June 4, 1918, the "Treaty of Friendship between the Government of the Ottoman Empire and the Azerbaijan Republic" was signed. This treaty was the first official international document signed by the Azerbaijan Republic. Ten days later, on June 14, two more significant agreements were signed in Batumi, alongside the "Peace and Friendship" agreement (Hacıyeva, 2020).

The first agreement concerned military assistance, under which the Ottoman Empire committed to providing military support to Azerbaijan to protect its territorial integrity and independence. The second agreement regulated economic and trade relations between the two countries, laying the foundation for mutually beneficial cooperation and resource exchange. These documents, ratified by the Azerbaijani parliament, played a crucial role in strengthening Azerbaijan's independence and establishing diplomatic and economic ties with foreign countries, particularly in the context of the unstable international environment of that time (Hacıyeva, 2020).

The legislative activity of the parliament of the Azerbaijan Democratic Republic (ADR) represents a significant milestone in the history of Azerbaijani statehood. The adoption of the "Azerbaijan Parliament Instruction" on March 17, 1919, marked an important step in the organization and regulation of the highest legislative body of the country. This document, consisting of 200 articles, established the procedures for parliamentary sessions, election of officials, agenda discussions, voting, as well as the organization of commissions and the powers of the Presidium of the parliament (Əkbərov, 2024). During the ADR's existence, the parliament passed several important legislative acts that contributed significantly to the development of the republic's legal and governmental system. Examples of these acts include (Əkbərov, 2024):

1. *Law on Azerbaijani Citizenship* (August 11, 1919) – This law defined the criteria and procedures for acquiring Azerbaijani citizenship, promoting the formation of national identity and legal protection of citizens.

2. *Law on the Creation of the Customs Border Guard of the Azerbaijan Republic* (August 14, 1919) – This law provided for the establishment of a structure responsible for protecting state borders and ensuring the country's economic security.

3. *Law on Strengthening Punishment for Bribery* (September 29, 1919) – This law increased penalties for corrupt practices, contributing to the reinforcement of law and order and enhancing public trust in state institutions.

4. *Law on the Conditions for Exporting Raw Materials from the Borders of Azerbaijan* (December 11, 1919) – This act regulated the export of raw materials, which was crucial for protecting the economic interests of the republic.

5. *Regulation on Elections to the Assembly of Enterprises of the Azerbaijan Republic* (July 21, 1919) – This regulation established the rules and procedures for elections to representative bodies of enterprises, promoting democratic processes within the economy.

6. *Regulation on Elections of Members to the City Councils in the Azerbaijan Republic* (August 7, 1919) – This document outlined the election procedures for local government bodies, aiding the development of local self-governance.

7. *Regulation on the Press* (October 30, 1919) – This act regulated media activities, ensuring freedom of speech and the press, which is a key element of a democratic society.

The legislative activity of the ADR parliament played a crucial role in the formation of the legal system and the strengthening of state governance. The adoption and implementation of the above-mentioned legislative acts laid the necessary legal foundation for the functioning of the young state. The laws passed by the parliament covered a wide range of issues, from citizenship and anti-corruption measures to election organization and economic regulation.

In addition to the parliament, the government of the Azerbaijan Democratic Republic (ADR) served as the highest executive body, accountable to the parliament. During periods when the Azerbaijani National Council was inactive, the government also performed legislative functions. According to Article 6 of the Declaration of Independence of Azerbaijan, until the convening of the *Majlis-i Mabusan* (parliament), the head of the administration was the National Council, and the Provisional Government was accountable to it (Mahmudov, 2014). The National Council tasked one of its members, Fatali Khan Khoyski, with forming the first cabinet of ministers. Fatali Khan Khoyski became the Chairman of the Council of Ministers and Minister of Internal Affairs. On May 30, 1918, the ADR government sent out official statements via radio telegram to the major political centers of the world, announcing Azerbaijan's independence. The telegram indicated that the government was temporarily based in Ganja (Mahmudov, 2014).

On June 16, 1918, the National Council and the government relocated to Ganja. At the second session of the National Council on June 17, Fatali Khan Khoyski briefly reported on the activities of the government he had organized in Tbilisi and requested his resignation. After lengthy discussions, it was decided to dissolve the National Council and transfer all legislative and executive power to the Provisional Government. A decision was also made to convene a Constituent Assembly within six months (Mahmudov, 2014).

The National Council formed the second cabinet under Fatali Khan Khoyski, establishing the Council of Ministers and ministries. Azerbaijani was declared the state language on June 27, and educational institutions were nationalized on August 28 (Şükürov, 2017). On September 15, 1918, the Caucasian Islamic Army, consisting of Azerbaijani and Turkish forces, liberated Baku, and the ADR government relocated there on September 17. The second government was restructured on October 6, and the tricolor flag was adopted on November 9 (Şükürov, 2017).

The ADR parliament held its first session on December 7, 1918, during which Khoyski presented his government's report and resigned. He later formed a third cabinet, which faced criticism in early 1919, leading to his resignation on February 25 (Mahmudov, 2014).

The ADR government established key state institutions despite challenging political conditions, implementing economic and social reforms to advance industry, agriculture, transportation, and education. Diplomatic efforts led to the ADR's de facto recognition at the 1919 Paris Peace Conference, marking a significant achievement for the young republic (Şükürov, 2017).

Despite its achievements, the Azerbaijan Democratic Republic lasted only two years. In April 1920, the republic was occupied by the Red Army, and Soviet power was established on its territory. However, the legacy of the ADR significantly influenced the further development of the Azerbaijani state. The experience of creating democratic institutions, ensuring civil rights and freedoms, and the aspiration for independence became important elements of Azerbaijan's national consciousness and political culture. The period of the Azerbaijan Democratic Republic from 1918–1920 is one of the most important stages in Azerbaijan's history. During this short but eventful period, the foundations of the country's modern political system were laid. Despite the difficulties and challenges, the ADR became a symbol of the Azerbaijani people's desire for independence, democracy, and progress. The legacy of this republic continues to influence the political life of modern Azerbaijan, inspiring new generations to preserve and develop democratic values.

The Evolutionary Characteristics of Azerbaijan's Political System During the Soviet Period

The period of Azerbaijan's existence as part of the Soviet Union was marked by significant changes in the country's political system. The Azerbaijan Soviet Socialist Republic (Azerbaijan SSR) was formally proclaimed on April 28, 1920, following the establishment of Soviet power in Azerbaijan. This event marked the beginning of a new stage in the country's history, characterized by a socialist model of governance and integration into the Soviet political system. The political system of the Azerbaijan SSR was based on Marxist-Leninist ideology, which involved a one-party system with the Communist Party playing the leading role. All major decisions in the state were made by party bodies, while the Council of People's Commissars (renamed the Council of Ministers in 1946) exercised executive power. The main organs of state power in the Azerbaijan SSR were the Supreme Soviet, the Council of Ministers, and the local Councils of People's Deputies. The Supreme Soviet, composed of deputies elected by the population for a five-year term, was formally the highest body of state power. However, in practice, the real power was concentrated in the hands of the Communist Party of Azerbaijan (Yılmaz, 2013).

During the Soviet era, Azerbaijan adopted several constitutions reflecting the USSR's evolving political and socio-economic framework. The first, adopted in 1921, established Soviet principles like proletariat dictatorship, public ownership, and planned economy. The 1937 Constitution aligned with the USSR's 1936 Constitution, emphasizing centralized governance and socialist legality under Stalinist policies. The final Soviet Constitution, adopted in 1978, highlighted socialist achievements, Communist Party leadership, and economic planning (Kazımlı, 2004).

Azerbaijan underwent significant socio-economic transformations during this period, marked by industrialization, collectivization, and the growth of the oil industry. Advances in education, healthcare, and culture improved living standards. While the Soviet era modernized Azerbaijan, it also brought repression, curtailed civil liberties, and suppressed national identity, leaving a complex legacy.

The appointment of Heydar Aliyev as First Secretary of the Communist Party of Azerbaijan in 1969 marked a turning point in the republic's history. Under his leadership, the country underwent significant socio-economic transformations and achieved notable successes in various areas. Although the nationalization of major sectors of the economy in Azerbaijan had occurred in the early years of Soviet rule, during Heydar Aliyev's leadership, special attention was paid to the

modernization and efficient management of nationalized enterprises. During this period, the republic achieved significant success in industrialization and the modernization of production capacities. One of the key directions was the development of the oil industry. Azerbaijan, with its rich oil reserves, actively modernized its oil enterprises and introduced advanced technologies under Aliyev's leadership, which significantly increased oil production and processing volumes. This, in turn, strengthened the republic's economic potential. Heydar Aliyev's leadership was also marked by the implementation of large-scale social and infrastructure projects. During his tenure, housing construction improved significantly: numerous new residential areas, schools, hospitals, and other social facilities were built. Particular attention was paid to improving the living conditions of the population, especially in rural areas (Ömərov, 2012, p. 14).

Aliyev actively supported the development of education and science. During this period, new educational institutions, research institutes, and cultural institutions were established. This contributed to the improvement of educational and cultural standards in the republic, the training of qualified personnel, and the development of scientific potential. One of the important aspects of Heydar Aliyev's leadership was the development of transport and communication infrastructure. New roads, bridges, railways, and airports were built during this period. This improved transport accessibility and contributed to the development of trade and industry. Under Aliyev's leadership, Azerbaijan experienced a cultural renaissance. New theaters, museums, art galleries, and cultural centers were opened. Support for national culture, traditions, and the arts contributed to the strengthening of national identity and the development of the republic's cultural heritage (Əliyev, 1981).

The 1980s marked a period of significant changes in the political and socio-economic life of the Soviet Union, including the Azerbaijan Soviet Socialist Republic (Azerbaijan SSR). This decade was characterized by the onset of reforms aimed at *perestroika* (restructuring) and *glasnost* (openness), as well as the rise of national movements, which had a profound impact on the political system of the republic. In 1985, Mikhail Gorbachev, who became the General Secretary of the Communist Party of the Soviet Union, initiated a series of reforms known as *perestroika* and *glasnost*. These reforms aimed to revitalize the stagnant economy, promote democratic processes, and increase the transparency of the state system. In Azerbaijan, as in other Soviet republics, economic and political changes began to take shape. Economic reforms included attempts to decentralize economic management, introduce market-oriented elements, and encourage private initiative. These measures were intended to boost productivity and improve the economic situation. However, in Azerbaijan, where the economy was heavily dependent on centralized planning and the oil industry, these reforms often encountered challenges.

One of the key characteristics of the 1980s was the rise of national movements in various Soviet republics. In Azerbaijan, against the backdrop of glasnost, the desire for national self-determination and autonomy intensified. In particular, the Nagorno-Karabakh conflict between Azerbaijanis and Armenians escalated. In 1988, the Armenian population of Nagorno-Karabakh expressed a desire to secede from the Azerbaijan SSR and join the Armenian SSR, which led to mass protests and ethnic clashes. These events contributed to the political mobilization of the Azerbaijani population, increasing pressure on the Soviet authorities and accelerating the process of democratization. In response to the crisis, the central leadership in Moscow often resorted to force, which only exacerbated the situation and undermined trust in Soviet authority.

Azerbaijan's political system began to change under the influence of nationwide reforms and the growing national movement. By the late 1980s, demands for greater autonomy and independence for the republic intensified. In 1989, the Popular Front of Azerbaijan (PFA) was formed, becoming a powerful political movement advocating for national interests and democratic reforms. Under pressure from the PFA and other civil forces, changes in the republic's political structure began in 1990. The first multiparty elections were held, marking a significant step toward democratization. However,

this process was accompanied by conflict and instability, reflecting the complexity of the transitional period.

The reforms and national movement of the 1980s had a profound impact on the political system of the Azerbaijan SSR. The growing political activity of the population and the demands for democratization led to the gradual weakening of the Communist Party's monopoly. Key outcomes of this period included (Ak, 2001):

– *Political pluralism*. The introduction of a multiparty system and the formation of civil society.

– *National consciousness*. The strengthening of the national movement and the pursuit of sovereignty.

– *Conflicts and instability*. The exacerbation of ethnic conflicts and socio-political tensions.

– *Transition to independence*. The preparation for Azerbaijan's exit from the Soviet Union and the establishment of an independent state.

In summary, the period of Azerbaijan's existence as part of the Soviet Union saw profound political, social, and economic changes that shaped the country's political landscape. While the Soviet era brought about modernization, industrial growth, and improvements in living standards, it was also characterized by repression and the suppression of national identity. The 1980s reforms and the rise of national movements fueled the drive for democratization and independence, leading to the eventual dissolution of Soviet power and Azerbaijan's emergence as an independent state. The legacies of this era continue to influence the country's political and social structures today.

Research Findings. The research reveals a complex trajectory in the institutionalization of Azerbaijan's political system, highlighting the interplay between external influences and internal dynamics. During the pre-Soviet and Soviet periods, Azerbaijan's political institutions evolved in response to both local aspirations and broader geopolitical pressures. Overall, the development of the political system in Azerbaijan until the independence (1991) has gone through two stages. These stages are listed in the table below:

Table 1

Initial Stages of the Formation of the Political System in Azerbaijan Before the Independence (1991)

Stage	Period	Key Characteristics
The Period of the Azerbaijan Democratic Republic	1918–1920	– The first secular republic in the Muslim world; – Democratic elections and the establishment of a parliament; – Guaranteeing civil rights and freedoms.
The periof of the USSR	1920–1991	– Integration into the USSR as the Azerbaijan SSR; – Centralized planned economy; – One-party system (Communist Party); – Repression and state control over all spheres of life.

One of the key findings is that Azerbaijan's political institutionalization was initially shaped by the democratic values established during the Azerbaijan Democratic Republic (ADR) period, where civil rights and parliamentary democracy were pioneering for the Muslim world. However, this progress was curtailed by the Soviet annexation, which imposed a Marxist-Leninist system that stifled pluralism and centralized power under the Communist Party. Despite these limitations, the Soviet period also facilitated economic and infrastructural development, particularly in the oil sector, which would become critical to Azerbaijan's post-independence economy.

The research also identifies Heydar Aliyev's leadership as a turning point in the Soviet era, where pragmatic modernization of nationalized industries and strategic investments in infrastructure played a vital role in solidifying Azerbaijan's economic foundation. His governance strategy balanced the

state's need for central control with the development of key sectors, ensuring economic stability amid broader Soviet decay.

Moreover, the rise of national movements and reforms in the 1980s, fueled by Gorbachev's perestroika and glasnost, led to increased political mobilization and demands for independence. The study highlights that the national consciousness that arose during this time was crucial not only in challenging Soviet control but also in preparing the groundwork for the eventual transition to independence.

Ultimately, the findings indicate that Azerbaijan's political system is the result of a dual legacy: the democratic aspirations from its brief period of independence and the centralized authoritarian governance from the Soviet period. These historical tensions continue to shape Azerbaijan's political landscape, where efforts to balance sovereignty, external pressures, and modernization remain central to its development as a post-Soviet state.

Conclusion. The study of Azerbaijan's political institutionalization reveals a multifaceted process shaped by both historical legacies and external geopolitical pressures. The transition from the democratic ideals of the Azerbaijan Democratic Republic (ADR) to the authoritarian framework imposed by the Soviet Union illustrates the nation's complex political evolution. While the ADR period laid a foundation of democratic governance, the subsequent Soviet era replaced these aspirations with a centralized, one-party system that restricted political pluralism and civil rights. However, this same period also brought about significant socio-economic developments, particularly in the fields of industrialization, education, and infrastructure, which would later prove vital for Azerbaijan's independence.

Heydar Aliyev's leadership during the late Soviet era marks a critical phase in Azerbaijan's institutional and economic modernization. His pragmatic approach to governance, focusing on strategic investments and state-led modernization, allowed Azerbaijan to build a more resilient economic base, even within the constraints of Soviet rule. This foundation was instrumental during the post-Soviet transition, where the country navigated the challenges of independence while leveraging the infrastructure and resources developed during Soviet times.

The findings also underscore the significance of the 1980s reforms and the rise of national movements, which catalyzed Azerbaijan's push for sovereignty. The national consciousness that emerged during this period not only empowered the Azerbaijani people to resist Soviet control but also set the stage for the formation of a new political system upon independence. The shift from a Soviet socialist model to a more independent, nation-state structure reflects the enduring struggle between centralized control and democratic aspirations.

In conclusion, Azerbaijan's political system today is a product of its unique historical journey, where competing legacies of democratic aspirations and authoritarian governance coexist. The country's ability to navigate these dynamics, while balancing external influences from Russia and the West, continues to define its political trajectory. Moving forward, Azerbaijan's challenge lies in further consolidating its sovereignty and democratic institutions while fostering economic and political stability in a complex regional context.

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THEORY AND IMPROVEMENT OF PSYCHOLOGY

DOI https://doi.org/10.30525/2592-8813-2024-4-35

THE CONCEPT OF EMOTIONAL INTELLIGENCE AND ITS COMPONENTS

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Abstract. In conditions of constant change and instability, there arises a need to develop people's personal qualities in order to be more efficient in each type of activity. People's personal problems, the inability to achieve their goals, and the impossibility of achieving success in work lead to the development of neurotic conditions, increasing stress in people, which in turn results in a number of negative phenomena in society. Therefore, in any activity, the proper management of emotions is a component of intellectual capital. The analysis of research conducted in the field of emotional intelligence suggests that, in order to eliminate negative phenomena in any type of activity, factors affecting people's mental health should be studied. Along with intellectual development, the development of emotional intelligence should also be taken into account, and potential negative phenomena should either be prevented or their negative impact reduced.

Key words: intelligence, self-awareness, Goleman, emotional intelligence, Plato, Kant, Hegel.

Introductıon. At various times in history, researchers have proposed different definitions and approaches to explain the nature of intelligence. So, the structure, nature, and characteristics of human intelligence were discussed and became a subject of extensive research even a thousand years ago. There are two main approaches to intelligence: philosophical and psychological. The philosophical approach is found mainly in ancient Greek philosophy, where Aristotle and Plato regarded intelligence as the primary indicator of divine creation and the key ability that distinguishes humans from all other beings. Also, these approaches noted that while sensory organs and feelings are characteristic of other living organisms (animals), intelligence is unique to humans. According to Plato's concept, a person can have certain qualities by understanding the objects in the surrounding world, the happening events, himself and the surrounding world thanks to the intellect. He also referred to intelligence as "the melody of learning". In this concept, Plato and Aristotle noted that the mind and soul consist of three components: intellect, thought, and will. According to I. Kant and F. Hegel, intellect includes the ability to think, abstract and analytical forms of thinking, and is situated at a relatively lower level of cognitive processes compared to thought. Four hundred years ago, R. Descartes evaluated intelligence as "the ability to analyze correctly and distinguish truth from falsehood", while F. Terman described intelligence as the ability to think abstractly.

From a psychological approach, the word "intellect" is a combination of two Latin words (intellegentia and ingenium) and is defined as the process of understanding objects and events independently of sensory perception. According to M.T. Cicero, the first word, intellegentia, conveys the meanings of "understanding" and "knowledge", while the second word, ingenium, signifies "natural inclination" or "ability".

Conceptualızatıon

In modern approaches, the paradigm of intelligence's dominance over emotions has caused a paradox among researchers. This paradox first began in the 1960s as a result of social and economic prob-

lems in North America and Europe. Later, brain research brought a new perspective on the relation CONCEPTUALIZATION ship between intelligence and emotion.

When we look at the results of two studies conducted in 1921–1986 during the period when intelligence was studied, we can see that there are different opinions. In 1921 researchers found that the main skills shaping and developing intelligence were problem-solving, decision-making, and the ability to learn and adapt to the environment. In contrast, the 1986 study highlighted that factors shaping intelligence included higher feelings, specific abilities, cultural values, and the process of execution.

It appears that while the concept of intelligence includes basic skills as well as special abilities, it can greatly vary over time in terms of other dimensions. It also depends on the national cultural ethnic characteristics and cultural values, resulting in various distinctions. In Western culture, speed is considered a core element of intelligence, whereas in Chinese culture, self-awareness and understanding are regarded as the main elements of intelligence.

Recent research on the brain and brain activity has suggested that intelligence is an integrated concept and does not depend on physical processes and emotions. For example, "mind", which is called the birthplace of intelligence has been analyzed in classical terms as "mental activity outside of emotions and behaviors". However, A. Damasio described the mind as a concept arising from the interaction of many different components and the functioning of various systems created by their combination, explaining the nature of emotions based on the type of nervous system (Jaya, Hall, Jaeger, & Eagan, 2007).

Considering these factors affecting the definition of intelligence, the approach of the American psychologist D. Wexler was accepted as the most suitable approach in terms of today's requirements.

We can summarize the results of research conducted in this direction and say that intelligence is a mental ability that is important for solving various problems and issues, as well as for adapting to the environment. Although some research has highlighted emotions as a form of intelligence, different periods have shown varying attitudes towards this phenomenon. If we consider the approaches of researchers about emotions from ancient times to the present day, we will come across different opinions. According to the Greek philosopher Plato (427–347 BCE), the soul is composed of a three-dimensional structure that includes consciousness, emotion, and motivation, and these elements differ from each other according to their functions.

Thus, researchers' interests in emotion and intelligence resulted in the introduction of a new concept into science, the concept of emotional intelligence (also known as emotional quotient or EQ). The concept of emotional intelligence has attracted the attention of many researchers since the 19th century (Goleman & Boyatzis, 2017).

The concept of emotional intelligence began to be studied in 1990 by J. Mayer and P. Salovey. In scientific and psychological literature related to emotional intelligence, there are numerous definitions, each exploring emotional intelligence from different perspectives (Mayer, Salovey, Caruso, 2002). Just as there are researchers who define emotional intelligence as the ability to correctly understand and effectively express emotions, there are also those who define this ability as a different type of intelligence that affects professional performance, leadership, and work productivity. While some researchers described emotional intelligence as a social ability that affects employees' job performance, other researchers analyzed it as the ability to understand and correctly evaluate one's own and others' inner world, and to be able to respond appropriately to changing life conditions, behavioral and emotional reactions.

Self-awareness

This component, which involves understanding and recognizing one's own emotions, encompasses the awareness of one's feelings and emotions, as well as one's strengths and weaknesses. In other words, it is the ability to know one's own inner world and distinguish between different emotions.

Fig. 1. According to D. Goleman, the components of emotional intelligence

Known as self-consciousness, this component is considered the most crucial among the components of emotional intelligence.

Because individuals who first understand and recognize themselves are correctly able to understand and evaluate the characteristics, feelings, and emotions of others. Such people have the ability to accurately define their desires and goals, which is very important for success in their work and the correct decision-making process.

If we pay attention to the mechanism of formation of the self-awareness component, we will observe that self-evaluation is initially formed. A person's self-awareness is a process that develops over time and begins to be formed from childhood. People who are able to assess themselves correctly, when they face any failure and defeat, they openly admit it and can accept their mistake. These people, who know their strengths and weaknesses well and are not afraid to discuss them, frequently face constructive criticism. Another characteristic related to self-awareness is self-confidence. People with adequate self-confidence not only possess comprehensive knowledge about their personal characteristics but also have forecasting skills, enabling them to plan even the risks they take in advance.

Self-regulation

This refers to the ability to correctly manage and control one's emotions and feelings. In a narrow sense, it is the skill of managing emotions rather than emotions managing the person. For example, an employee who performs poorly and unsuccessfully in front of their boss might lose self-control, shouting or slamming their hands on the tables, expressing anger toward everyone. However, an employee skilled in self-regulation would take a different approach. He accepts his poor performance, pays attention to his speech and actions without making quick and harsh decisions, returns to the cause of failure, explains the reasons that hindered him and tries to eliminate the mistakes. At the necessary moments, he gives his suggestions to overcome this failure. This feature plays a very important role for managers. The manager must first of all properly control his feelings and emotions in order to create an environment of trust and justice in the team. Because "politics" and internal unhealthy competition usually decrease in such collectives, productivity increases (Goleman & Boyatzis, 2017).

Empathy

One of the important factors that attract attention during the study of emotional intelligence is the correlative relationship between emotional intelligence and empathy. In 1972, Albert Mehrabian and Norman Epstein, who conducted research in this area, defined empathy as the ability to understand others' emotions, care about them, and correctly comprehend those emotions.

Based on the results of research conducted in this field, it has been revealed that individuals with high emotional intelligence also tend to have high empathy abilities. In a study conducted by C. Mayer and Cobb, they claimed that there is a positive correlation between emotional intelligence and empathy, proving that empathy is an important factor for emotional intelligence.

If we look at many psychological literatures, we will see that empathy is the ability to put yourself in the other person's place and understand what that person is feeling. More broadly, empathy is the ability to listen to others impartially and put yourself in their shoes, noticing their needs, concerns and expectations, without getting caught up in individual emotions. According to the psychological literature, empathy consists of three main elements:

1. To view events from the perspectives of others;
2. To accurately understand their feelings and thoughts;
3. To make other people feel that they are properly understood.

Self-motivation

It is known that motivation is considered as an internal force that makes a person move in a certain direction. Also, motivation is related to what a person thinks, what he wants, his interactions with others and what he learns from them. For example, in the sentence "I wish I had learned more about myself and my profession," emotions represent the role of motivation in a unique and irreplaceable way. Scientists and psychologists studying motivation have significantly different views on the concept of motive. But despite this, they all perceive the motive as a concrete psychological phenomenon. Basically, they are grouped according to the point of view of psychologists about motive. They see the motive as an intention, need, goal, desire, personality trait, situation. Below, each of these perspectives is analyzed.

In many contexts, need is viewed as a driving force behind a person's actions, behavior, and conduct. It is not in vain that need is accepted instead of motive. Because need incites human activity. This leads to the conclusion that motive explains where the energy for human activity comes from. A detailed and critical approach to motivation has been explored in the research of psychologists E.N. Bakikhanov and V.A. Ivannikov. According to these researchers, considering motivation as a driving force leads to two conclusions.

1. When the subject experiences tension from motivation, the activation of the organism begins with the expenditure of energy.

2. The higher the tension of the need, the more intense the arousal becomes. Therefore, if the conditions do not meet the need, the energy should start increasing and manifest itself in the subject’s activity as a general increase that occurs independently of the intended goal (Poveda-Brotons, Izquierdo, Perez-Soto, Pozo-Rico, Castejón, & Gilar-Corbi, 2024).

According to D. Goleman, emotional intelligence is a combination of a group of skills that include the ability to self-motivate despite disappointments, to recover quickly from negative situations, to manage and regulate one’s emotions, and to distance oneself from distressing and upsetting thoughts.

Social skills

It is the ability of a person to direct the behavior of others towards his will by persuading other people. Social skills are also described as the ability to effectively manage interpersonal relationships. In a broader sense, this skill is actually described as the successful use of all the abilities that make up emotional intelligence (motivation, empathy, etc.).

Socially adept individuals often seek a broad range of information and are skilled at establishing a common ground for adaptation in interpersonal relationships. A person who understands and controls both their own and others' emotions and thoughts is likely to build more successful interpersonal relationships. Success-oriented motivation and optimistic behavior also play a role in establishing these connections. Therefore, social skills can emerge in many ways. In many firms, social skills are becoming more important than other skills for leadership. Because it is important for a leader to man-

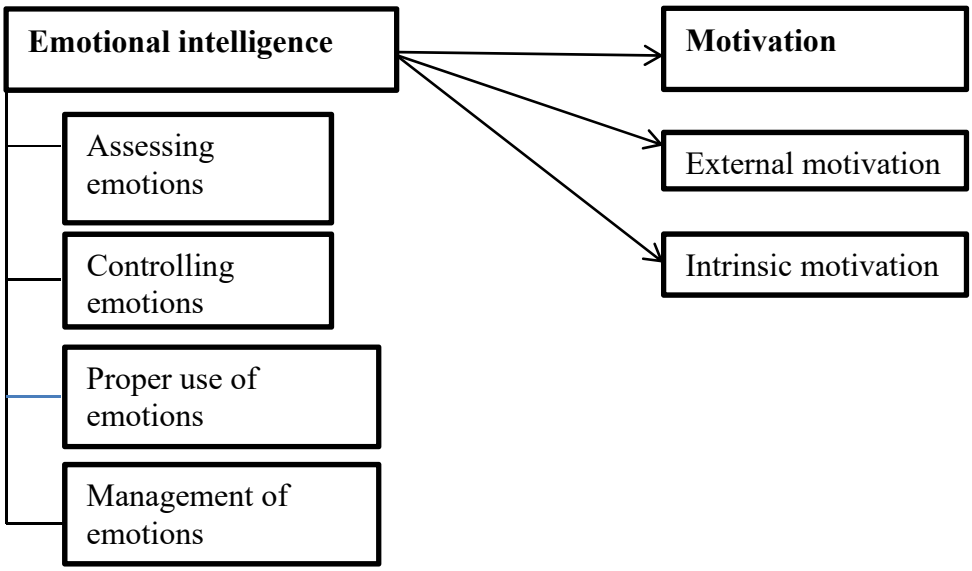

Fig. 2. Relationship between emotional intelligence and motivation

age relationships effectively. In short, a leader's job is to help people solve a problem successfully, and social skills are crucial for accomplishing this.

Conclusıon. Emotional intelligence can be characterized as the ability to accurately identify the current emotion a person is experiencing, be aware of changes in the intensity of that emotion, and recognize transitions from one emotion to another.

Emotional intelligence allows you to understand the emotions experienced by other people through their verbal and non-verbal speech and behavior, differentiates the manifestations of people's feelings, helps the ability to determine the source and cause of an emotion, its purpose and possible outcomes of development. It also finds a way to regulate emotions according to its degree of usefulness in a given situation, if necessary.

Emotional intelligence includes the ability to determine the possible cause of an emotion in another person and to accept the consequences of its development, the change in the emotional state of another person using verbal and non-verbal communication (the intensity of the emotion, the transition to another emotion, the ability to arouse the desired emotion in people). Therefore, a person with high emotional intelligence knows how to understand himself and the reasons for his feelings and interact effectively with the external world.

Increased emotional intelligence allows a person to recognize the underlying reasons behind numerous negative emotions, assess situations accurately, and respond with wisdom. This capability can help mitigate feelings of uncertainty and anxiety, which are often characterized by negative emotions.

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DOI https://doi.org/10.30525/2592-8813-2024-4-36

DIGITAL AGE AND DEVIANT BEHAVIOR OF ADOLESCENTS

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Abstract. Problems of deviant behavior among adolescents and young people are extremely important in the world. The prevalence of social deviance among adolescents, who are the most socially vulnerable and psychologically vulnerable members of society, is of particular concern. The era of digitization creates both opportunities and challenges for teenagers. During this period, they acquire more information, build wider social relationships and express themselves differently. But not managing this process properly can have a negative impact on mental and emotional health. It is important that parents, education professionals and society provide more support for adolescents to use this period more beneficially. In the article, what is deviant behavior, what are its sectors, and the existing problems in this direction are comprehensively analyzed. The article also analyzed the concept of digitization, which is one of the main requirements of the modern era, and its negative and positive aspects on teenagers.

Key words: social environment, deviant behavior, digitalization, parental strategy, psychological factors.

Introduction. It should be noted that the article is dedicated to a very relevant topic. In particular, we must emphasize that in our society attention and care towards teenagers is manifested at a high level. The role of society is irreplaceable in the birth of teenagers as individuals and their formation as personalities. The digital age has a significant impact on the behavior of teenagers. The Internet and social media are changing the way they communicate and their friendships. These changes may lead to an increase in deviant behavior in some adolescents. The age of digitalization has seriously changed the lives of teenagers, especially in recent decades. The impact of this period can be both positive and negative, but in general, digitalization affects their social, emotional and mental development in different ways. To better understand these influences, we can examine the areas in which they affect one's life. Social relationships and communication: Digital technologies have changed the way teenagers interact with other people. Social media platforms (Instagram, TikTok, WhatsApp, etc.) allow them to connect with friends more easily and quickly. However, these relationships can sometimes take the place of candor and face-to-face communication. This can make it difficult for some young people to develop social skills in the real world. Mental and emotional development: Spending long periods of time in the digital environment can distract teenagers and negatively affect their emotional well-being. Studies show that engaging in intense social media can lead to increased problems with depression, anxiety and low self-esteem. At the same time, the information obtained through digital tools can improve their worldview and way of thinking, but sometimes the development of the ability to check the accuracy of information and critical thinking can be weakened. Education and learning: Digitization has revolutionized education. Online courses, educational applications, virtual classrooms and databases provide young people with more extensive and accessible learning opportunities. This was especially important during the pandemic. However, for some young people, the distractions and readily available information in the digital environment can make the learning process more superficial. Health and lifestyle. Another effect of digitization is the effect on the physical activity of teenagers. Cell phones, video games, and other digital entertainment can reduce their physical activity. Also, looking at the screen for a long time can cause eye strain, headaches and other health problems. In some teenagers, this condition leads to insomnia or sleep disturbances. Innovations and career prospects: The digital age offers young people new career and development

opportunities. They can gain experience in different fields through the Internet, develop their skills by participating in online jobs and projects. The digital work environment and 'entrepreneurial' culture offer new ways for teenagers to set up their own jobs and run their own (Suleymanova, 2010, p. 23).

In the modern age, in the age of digitalization, the study of adolescents from a psychological and pedagogical point of view, their upbringing in accordance with the requirements of high culture and awareness, requires the development of new scientific methods to overcome and prevent forms of deviant behavior among young people. Despite the fact that deviant behavior is found in different social and age groups in this period, the problem of prevention and elimination of deviant behavior among teenagers in psychological science is acute and belongs to the most important universal problems around which various studies and discussions do not stop. These discussions are conducted in legal psychology, pedagogy, sociology, medicine and a number of other sciences and reveal the need for new research. In the era of digitalization, special attention is paid to preventive measures aimed at reducing and eliminating the level of deviation in the environment of teenagers, which imposes certain requirements on school psychologists and subject teachers to organize work in a planned manner to eliminate the possibility of the existence of adolescents of the "risk group" in the educational environment (Suleymanova, 2010, p. 22).

The main research methods of the article. Principles and approaches form the methodological basis of the study of deviant behavior of teenagers in the era of digitization: T. Parson (socialization theory), the concept of anomie by E. Durkheim, its structural and functional analysis, justification of the use of the social diagnostic method. working with deviant adolescents, R. Merton's position on the dysfunction of social systems, allows studying the mechanism and structure of deviant behavior (Bayramov; Alizade, 2002).

Analysis of previous research on the topic. In particular, we should note that in the scientific works created in this field, the topic was analyzed in various aspects, and some suggestions and recommendations were noted. As an example, let's note that in the articles "Recommendations for parents of teenagers with deviant behavior", "Features of deviant behavior of teenagers" (Mirzaghayeva, 2024), "The problem of deviant behavior of minors" (Suleymanova, 2010) the explanation is touched upon in a complex way.

Discussion. Traditionally in the domain of deviantology and legal psychology what is understood as deviant behavior is persistent, recurring behavior which violates social norms, is not in line with the conventional values and rules, is negatively judged by other people, leads to the individual's maladaptation, is harmful to both the person and the society. In different classifications certain parameters serve as the criteria for deviant behavior. They are: the violated norm type, the psychological aims for the behavior and its motivation, implications and damage done, as well as individual and stylistic parameters of the behavior. Researchers' attention is in particular drawn to one's online search behavior, which is able to reflect one's current needs, as well as cognitive styles. One should mention the involvement into online behavior (probably into its specific manifestations and not generally) which is influenced by the user's psychological and social characteristics, his/her skills and expectations (Shulman; Steinberg; Piquero, 2013).

Addiction, a deviant-role character type of social behavior, is inextricably linked with personality conflict. In general, addiction is a desire to get away from the state of internal psychological discomfort, to change one's own mental state characterized by internal struggle (Adler, 2007).

In addition, they distinguish the following forms of deviant behavior:

1) Aggressive and autoaggressive (suicidal) behavior;

2) Excessive use of substances that cause changes in mental activity (alcoholism, narcosis, etc.);

3) Food behavior disorder (overeating, hunger);

4) Characteristic and pathocharacteristic reactions (emancipation, grouping, opposition, terrorism, etc.);

5) Communicative deviations (autization, excessive sociability, conformism, narcissism, etc.);

6) Non-aesthetic behavior (Mirzaghayeva, 2023).

Impacts of the Digital Age:

1. Social media: Teenagers spend more time on social media platforms, which can sometimes lead to toxic environments. Fake news and deviation from normative behavior can lead to deviant behavior.

2. Anonymity: Anonymity on the Internet can make some teens more open to behavior outside of social norms. They can do things online more easily than they would in real life.

3. Addiction: Addiction to digital technologies, especially mobile devices, can lead to psychological problems such as distraction and depression. This can lead to an increase in deviant behavior.

4. Information flow: Teenagers can easily access all kinds of information. In some cases, this information can have a negative effect on them, leading them to engage in risky behavior (Mirzaghayeva, 2023).

Let's compare the deviant behavior of teenagers in the digital age from two different perspectives: the traditional age and the digital age.

1. Family environment

Traditional period: There is more face-to-face communication in the family, the role of parents in the formation of behavior is more important, it is easy to encourage positive behavior in the family environment.

Digital age: Parents may have less contact with their children as technology can distract them, social media discussions with family decrease, which can lead to reduced positive influence in shaping behaviors.

2. Social influences

Traditional period: Behaviors are more influenced by close friends and the school environment, with more opportunities to interact with hundreds of people face-to-face, which improves social skills.

Digital age: Influences on social networks are wider and more diverse, anonymity makes risky behavior easier to accept.

3. Access to information

Traditional era: Information is mostly available through books and teachers, information about risky behaviors can be hard to come by.

Digital Age: With all kinds of information readily available through the Internet, the spread of information about harmful behaviors can lead to an increase in these behaviors (Mirzaghayeva, 2023).

Conclusion. The era of digitalization has opened many changes and new opportunities in the lives of teenagers. These changes have both positive and negative aspects. As a result, it is important to assess both the opportunities and challenges of this era in order to gain a broader and deeper understanding of the impact of digitalization on young people. During our research, we found that the digital age is changing the factors that shape the deviant behavior of teenagers. Some of the positive influencing factors in the traditional period may be reduced in the modern period. For this reason, it is important to develop new approaches to understanding and supporting adolescent behavior. As a result of the research carried out on the article, we can make several suggestions regarding the deviant behavior of teenagers in the digital age:

Educational programs: Organizing educational programs that teach teenagers about the consequences of their behavior in the digital environment. These programs should cover topics such as ethical behavior, cyberbullying, and online safety.

Public awareness: To implement campaigns on social media platforms reflecting the risks of deviant behavior. Showing the real-life consequences of such behavior among teenagers.

Support groups: Creating support groups where teenagers can discuss among themselves, share their feelings and experiences. This can help them manage their stress and anxiety in healthier ways.

Trainings for parents: Organizing informative workshops on how parents can support their children in the digital age. Parents will be able to monitor their children's online behavior and be more effective in guiding them.

Mentoring programs: Modeling good behavior for teenagers through mentoring adults and professionals. Mentors should support teenagers in the challenges they face in life.

These approaches can help adolescents avoid deviant behaviors in the digital environment and develop healthier behavior patterns.

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DOI https://doi.org/10.30525/2592-8813-2024-4-37

PSYCHOLOGICAL FOUNDATIONS OF MANAGERIAL DECISION-MAKING

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Abstract. The article is devoted to the study of the psychological foundations of managerial decision-making in modern organizations. The work highlights key aspects of the decision-making process, in particular the influence of cognitive, emotional and social factors on the choice of managers. The main theories of decision-making are analyzed. Particular attention is paid to such aspects as the role of stress, psychological biases and groupthink in the formation of managerial decisions. Methods for increasing the efficiency of the decision-making process are considered. The results obtained have practical significance for improving managerial approaches in various areas of activity. The conclusions of the article are aimed at helping managers minimize the impact of psychological obstacles on effective decision-making.

Key words: management decision, methods, psychological foundations, integrated approach.

Introduction. Making managerial decisions is one of the key aspects of the effective functioning of organizations, which attracts considerable attention in the scientific literature. In global studies, such aspects as cognitive processes, emotional intelligence and the role of psychological biases in the formation of managers' decisions are considered in detail. The problem is becoming more and more urgent in the conditions of the complexity of the business environment. The purpose of this article is to analyze the psychological foundations of the managerial decision-making process, to investigate the factors affecting its effectiveness, and to propose ways to minimize the negative impact of psychological barriers. The results of the study have theoretical and practical significance for improving management activities.

Main part. The task of the research is a theoretical analysis of the psychological foundations of managerial decision-making. It involves studying the essence and content of management decisions as a key element of management activity. The study examines basic psychological factors, such as emotional intelligence, cognitive processes, the impact of stress and limited time on decision-making. The research is aimed at analyzing the main theoretical approaches to understanding decision-making in the context of modern managerial psychology.

Research material and methods. During the study of the psychological foundations of management decision-making, a set of methods aimed at analyzing the theoretical and practical aspects of this topic was used. A review of scientific works, monographs, articles and reports in the field of psychology and management was conducted. Sources were selected for their relevance, scientific significance and relevance to the topic. The main approaches to management decision-making have been studied. The application of a complex approach to the use of methods made it possible to ensure the scientific reliability and objectivity of the obtained results.

Results and their discussion. The management decision and its functions are a very important component in the management process, because it is the condition for the performance of important functions, is traced as a direct product of the management's activities, and also acts as one of the most important means of forming public preferences. Each manager must be distinguished by competence, high efficiency, knowledge and skills in the successful application of management methods. Also honesty, responsibility, sensitivity, benevolent attitude towards others, balance and self-control. The leading component of the managerial decision itself is its quality. Also, the main set of requirements

can be supplemented with scientific validity, consistency, timeliness, practical implementation and adaptability (Martinyak, 2019:286).

When making decisions, the manager must take into account the factors that influence this process, in particular: his own personal qualities, peculiarities of his own behavior, decision-making environment, information limitations, interdependence of decisions, the possibility of using modern technical means, the presence of effective communications, compliance of the management structure with the goals of the organization. The effectiveness of management decision-making is ensured not only by the technological approach to its development and implementation, but also largely depends on the moral and personal qualities of the manager (Lubetska, 2020:93).

Particular attention is paid to the aspect of the most stable characteristics of the manager, which have a decisive influence on management activity and management decision-making. In the psychological aspect, the manager's success depends on the character, structure, focus, experience, personal abilities, working conditions. One of the main and main qualities is competence and sociability. Competence refers to personal traits, abilities and skills rooted in the rational (intellectual) sphere of the individual (Lubetska, 2020:93).

Communicability as a leading quality of the formation of effective managerial activity is formed and developed during the professional formation and career growth of a specialist and is manifested through the ability to establish contact, maintain the process of constant professional communication, develop the skills of active listening and emotional intelligence (Gordinya, 2023:52).

The type of manager's behavior is a significant factor in the influence of management style on the quality and efficiency of the organization's work. In management culture, there are different classifications of types of managers, in practice, the division into four main types of managers is widespread:

1. "Masters" – adhere to a traditional value system, which includes production ethics and attitude to employees, which depends on how creatively they perform their duties. Such leaders are absorbed in the subject of their creative pursuits so much that it prevents them from managing complex and changing organizational systems.

2. "Jungle fighters" – passionately strive for power. Their intellectual and mental potential is directed mainly to ensuring their own benefit and well-being. Colleagues at work are perceived as competitors or enemies, and subordinates – as a means of struggle for power. Among them, two subtypes are distinguished – "lions" (winners who have achieved success and are building their empire) and "foxes" (having made their nests in a corporate organization, continue to move forward deftly and profitably. But their plans can fall apart, encountering the opposition of those whom they once deceived or used) (Lubetska, 2020:94).The second subtype – "Company people" – identify themselves with the organization they belong to. Realizing their psychological weakness, they seek to subordinate themselves to others, caring more about safety than success. The most creative of them create a benevolent atmosphere in the company, but in the conditions of tough competition, they are unable to successfully settle matters (Lubetska, 2020:93).

3. "Players" – consider business life and their work as a kind of game, like to take risks, but reasonably, prone to innovations. They do not want to create their own "empire", but the satisfaction of victory. The last type is the most widely represented among modern managers. Managers who occupy the highest positions often have the characteristics of "players" and "company people" (Lubetska, 2020:93).

The decision-making process is one of the key aspects of managerial activity, because the effectiveness of the organization's functioning depends on the chosen decision. Cognitive, emotional and social factors play an important role in the selection of managers. Cognitive aspects, in particular the presence of limitations in memory and perception of information, can cause incorrect assessment of the situation. Emotional factors such as stress or anxiety can affect the ability to make informed and rational decisions. Social factors, particularly peer or team influence, can also change one's

perspective and choose alternatives that are more socially acceptable, but not always optimal in terms of performance.

There are several major theories of decision-making that help to understand how managers choose strategies. The rational model assumes that a person makes a decision using a logical and systematic approach, evaluating all possible alternatives and choosing the best of them. The theory of bounded rationality, in turn, notes that in real conditions, managers often cannot consider all possible options due to time and information limitations, so they look for a satisfactory solution rather than an optimal one. The heuristic approach offers the reduction of complex decisions to simple rules, which allows to reduce the load on cognitive resources, but can lead to errors.

Stress and psychological biases play an important role in decision-making. Stress can significantly limit the ability to think rationally, forcing you to make impulsive or ill-considered decisions. Psychological biases, such as confirmation of one's beliefs or overconfidence in one's own abilities, can lead to ignoring important information or misjudging the situation. Groupthink can also have a negative impact when there is no constructive debate and critical thinking within the team, which can reduce the quality of decisions.

Psychological problems of decision-making are studied from the standpoint of several approaches: normative, descriptive, and prescriptive. In the context of the regulatory approach, decisions are made based on taking into account all the necessary information and a rational assessment of all alternative options for achieving the goal. But within the limits of this approach, uncontrollable factors that can influence the situation and the process of achieving the goal are not sufficiently taken into account, therefore, decision-making takes place on the basis of standardized norms and rules that clearly regulate possible tactics and strategies of activity.

Within the limits of the descriptive approach, decisions are made on the basis of intuitive thinking – a subjective feeling of the correctness of one or another option. The prescriptive approach tries to combine logical and intuitive directions in overcoming problem situations and simultaneously apply both rational and intuitive thinking in the decision-making process (Gura, 2024:126).

The decision-making process is not limited only to formally logical structures of the human psyche, it also involves procedural regulation, which causes a certain opposition of different views of scientists on this issue. Differentiation of decisions into rational and intuitive is traditional. The basis of rational decisions is a certain sequence of analytical techniques for solving a problem situation. While an important feature of intuitive decisions is the absence of clear stages of analysis of alternative options for overcoming and decision-making, which is mainly determined by a subjective feeling of its correctness. Considering rationality as a prerequisite for decision-making, modern authors emphasize the peculiarities of finding the necessary information, emphasizing the individual's readiness to make a decision in conditions of insufficient initial data (Gura, 2024:126).

In the process of making intuitive decisions, the subject cannot logically prove the truth of his own predictions and is unable to carefully control the process of finding a successful option. The ability to make intuitive decisions is especially important in a situation of limited time and information (Gura, 2024:126).

Considering rationality as a decision-making style, it is worth paying attention to the theory of utility maximization proposed by John von Neumann (Neuman, 2007:15). The theory assumes that a person acts rationally, that is, makes decisions aimed at achieving the maximum possible advantages in a certain situation. This theory is based on the assumption that a person is able to evaluate all possible alternatives, taking into account both their positive and negative sides, and choose the option that will bring him the greatest benefit. According to the theory of maximization of expected utility, a person seeks to choose the option of action that will provide him with the highest total utility, even if this utility may not be immediate, but expected in the future. This involves taking into account the risks and possible consequences of each decision. For example, when the head of the organization

chooses between investing in different projects, he analyzes the likely returns from each option, assesses the risks and makes the decision that, according to his assessment, is the most optimal. The decision-making approach is widely used not only in economics, but also in psychology, sociology, and management. It allows you to structure the selection process and make it more reasonable. However, the theory of utility maximization assumes certain idealized conditions: a person's full awareness of all possible alternatives, his ability to adequately evaluate the consequences of each choice, and the absence of the influence of emotional or cognitive distortions. At the same time, in real life, the decision-making process is more complicated and does not always correspond to the ideals of rationality. The choice can be influenced by both subjective factors, such as fear, uncertainty, and external limitations, in particular, lack of time or information. Despite this, the concept of maximizing expected utility remains one of the main theoretical models that explain rational choice in the decision-making process (Gura, 2024:126).

Rationality, as a decision-making style, is based on the idea of striving for the most profitable result, which is key for many areas of activity, in particular, in management. It helps not only to better understand the psychological mechanisms of choice, but also to create practical tools for optimizing the decision-making process.

An important aspect of the psychology of decision-making is the influence of motivational and semantic formations on the conscious regulation of elections, in particular, taking into account internal motivation. These are the reasons that motivate a person to a certain activity, not related to external factors, but caused primarily by interest, value for a person of the activity process itself. The analysis of motivational trends demonstrates the existence of certain dependencies between the expression of certain motives and the dominant decision-making style. It is known that people who prefer rational ways of solving problems have significantly lower indicators of autonomy and tolerance for new things, higher indicators of the desire for orderliness and detailed planning. On the other hand, individuals who use intuition in the process of solving problems are distinguished by a higher desire for self-knowledge, autonomy, openness to new experiences, and a lower tendency to orderliness in their actions and plans.

In the study of psychological decision-making strategies, it is important to take into account the propensity to risk – a personal quality of an individual associated with such character traits as the desire for independence, the desire to dominate, impulsiveness, and the desire to achieve success. In a stressful situation, the subject is guided by:

1) awareness of serious risks and related alternatives;

2) hoping to find a better alternative;

3) the belief that the risk-taker has at his disposal a sufficient amount of time to search and evaluate alternatives.

If at the moment of decision-making, the subject is in a stressful situation, a conflict between emotions and motives occurs in his mind: vigilance, which acts as the main limiting force in human activity, conflicts with the need for knowledge and tolerance for uncertainty (Artemov, 2024:152).

In the conditions of martial law, the ability to maintain stress resistance becomes one of the key qualities for those who make management decisions. Constant pressure, uncertainty and emotional tension can significantly affect the quality of decisions, because in a state of stress, people are prone to impulsive actions that are not always optimal. A manager who knows how to control his emotions and keep a cool head has much more chances to make informed decisions that will contribute to the stability and development of the organization.

War requires quick adaptation to new conditions, as well as the ability to think strategically even in critical situations. Stress resistance allows you to avoid panic, which often leads to wrong decisions or paralysis of activity. On the contrary, staying calm helps to analyze the situation more clearly, assess the risks and determine the best course of action.

Managers are an example for their teams, and their stress resistance directly affects the morale of the team. A leader who demonstrates confidence and resilience is able to motivate others to remain productive even in the most difficult circumstances. The development of stress resistance is not only a personal challenge for the manager, but also a strategic necessity for the successful functioning of the organization in the conditions of martial law.

According to N. D. Gordini, almost 90% of management decisions made by civil servants in non-standard situations (in particular, during martial law) lose their effectiveness compared to if they were made in normal conditions (Gordinya, 2023:50). The researcher explains that the conditions that developed after the start of a full-scale invasion require managers to mobilize personal resources and professionally important qualities, adapt to changing working conditions and irregular work schedules, lability of mental processes, stress resistance, and quick response to possible extreme situations. The listed factors directly affect whether the adopted decision will be effective in achieving the goal of the organization or its individual unit.

A sharp deterioration in working conditions, the presence of constant threats and other stress factors, a state of instability and uncertainty directly affect the decline in the effectiveness of the implementation of professional tasks by civil servants, and also cause a significant deterioration in their mental state (Vasilchenko, 2024:12).

To improve the efficiency of the decision-making process, it is important to apply a variety of methods that help managers make more informed and effective decisions. One of these methods is the use of emotional intelligence techniques. This technique allows managers to better understand their own emotions and the emotions of others. The ability to manage one's emotions and to recognize the emotional state of others helps to avoid impulsive decisions, reduces the level of stress and contributes to the harmonization of interpersonal relationships in the team.

The development of critical thinking is another important aspect for increasing the effectiveness of decision-making. Critical thinking allows you to analyze the situation from different points of view, avoid cognitive errors and superficial conclusions. This skill helps managers not only to accurately assess the situation, but also to predict the consequences of the decisions made. Critical thinking also allows you to identify potential risks and flaws in proposed solutions, which reduces the likelihood of mistakes.

Implementation of collective decision-making methods is another important strategy for improving the management process. Discussing and analyzing alternatives with different team members allows you to take into account different points of view and make sure that the decision is in the best interests of the organization as a whole.

A collective approach stimulates the creative process, allowing you to generate more ideas and consider different options for solutions, which in turn contributes to a more complete consideration of all possible consequences.

Discussion. Involving different participants in the decision-making process increases the likelihood of choosing the most effective strategy because each participant can bring a fresh perspective to the problem that is not always available to others. Thus, combining the techniques of emotional intelligence, critical thinking and collective methods allows to significantly increase the efficiency of the decision-making process, making it more reasonable, logical and adaptable to changing conditions.

Conclusions. Managerial decisions are a key element of the manager's activity, since the effectiveness of the organization's functioning depends on their quality. Psychological aspects such as rationality, emotions, stress resistance, intuition and cognitive biases have a significant impact on the decision-making process. A rational approach allows you to weigh all alternatives, evaluate possible consequences and choose the best option, while emotions can both help and hinder the making of reasoned decisions.

In the conditions of modern challenges, in particular during the martial law, the stress resistance of the manager acquires critical importance. The ability to remain calm and act balanced in conditions of uncertainty helps to make effective decisions even in the most difficult situations. Intuition, which is formed on the basis of experience, also plays an important role in decision-making, especially when there is a lack of time for detailed analysis.

The study of the psychological foundations of managerial decision-making made it possible to better understand the nature of the decision-making process and find ways to optimize it. The study of cognitive biases and the mechanisms of their minimization can significantly increase the effectiveness of management. The use of modern approaches that combine analytical thinking with psychological knowledge will contribute to the successful development of organizations in difficult conditions.

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THEORY AND PERSPECTIVES OF PHILOLOGY

DOI https://doi.org/10.30525/2592-8813-2024-4-38

PROMETHEUS MYTH AND ARTIFICIAL INTELLIGENCE: A SYMBOLIC PARADIGM OF TECHNOLOGICAL PROGRESS

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Abstract. This article considers the myth of Prometheus as a symbolic basis for understanding the modern discourse on the development of Artificial Intelligence (AI). Parallels between the myth and modern technological processes are analyzed through the prism of the symbolism of ethical, social and philosophical aspects, in the context of the responsibility of creators AI and the consequences of innovations. The use of Artificial Intelligence in a post-information society, like the myth of Prometheus in the era of antiquity, form the same paradigm of ethical issues of technological progress: the desire for development and improvement of human existence is simultaneously accompanied by important moral demands and risks. Prometheus brought fire to people, but made people responsible for their actions, and the use of AI forces modern humans to be responsible for their innovations and their consequences for future generations.

Key words: Prometheus, Artificial Intelligence, mythology, technology, ethics.

Introduction. Many philosophical debates begin with the question of whether a person can create something that exceeds himself. These topics appeared in the thoughts of ancient thinkers and remain relevant in the modern world. Artificial Intelligence is a technology that can radically influence people's lifestyles and, to some extent, equalize humans in their capabilities, according to the generally accepted opinion, in a post-information society. Artificial Intelligence (AI) is today developed by large technology companies, universities and startups, but its benefits are often concentrated in the hands of a few, causing concern in society.

AI as a technology has the potential to transform society: it helps solve complex problems, but at the same time raises ethical questions about security, privacy, and responsibility. Artificial Intelligence, like Prometheus' fire, is a powerful gift that can either elevate humanity to a new level or become a source of serious challenges, so the image of Prometheus as a cultural hero is extremely relevant in the post-information society. It emphasizes the importance of responsibility, awareness of consequences, and readiness to accept the challenges that progress brings.

Main part. Artificial Intelligence can be interpreted as a branch of computer science, having an aim of modeling mental processes on a machine. Due to a semantic error, the term AI has come to denote both technology and a set of technological tools: algorithms, codes, computer programs, etc., if they have functions that can be called “intelligent”. Today, AI evokes mixed assessments: some

perceive AI as a fairy tale consisting of a whole series of inventions that testify to human genius (Pickover, 2021), others are critical and see in it a new barbarism (M. David and C. Sauviat, 2019) or a decisive anti-humanist technological offensive (Sadin, 2018). From the very beginning of its appearance, AI has also remained a source of inspiration and reflection in literature and art. Modern literary and cinematic works try to form the ethical foundations of society's perception of AI and raise fundamental questions about ethics and the coexistence of people and machines (Mayor, 2018). However, the idea of the emergence of AI dates back to ancient times and is associated primarily with ancient mythology.

The purpose of the article. The purpose of this research is to provide a basis for understanding some of the characteristics of Artificial Intelligence, through similarities with the mythical story of Prometheus to reveal the dangers and ethical challenges of AI. As in the myth of Prometheus, human achievements in the field of AI cause admiration and anxiety: on the one hand, it is a powerful tool for progress, and on the other, it is a potential threat if you lose control of it.

Prometheus myth contains deep symbolism. It tells of the emergence of deception and evil as a principle opposing the good gods. The main theme of the myth is the fall of humanity and the emergence of civilization.

The myth of Prometheus, who gave fire to humans, symbolizes the desire for knowledge and the ability to resist limitations. However, it is also a warning about the possible consequences of such a challenge. By giving fire, Prometheus violated the divine order, which led to severe punishment. The myth of Prometheus, which is about 3000 years old, was retold by the authors of Ancient Greece, in particular Hesiod (Hesiod), Aeschylus (Aeschylus, 2015) Plato (Plato, 1903) and Diogenes, so there are several versions of the famous myth, each of which is equally important for revealing this issue.

One version of the myth depicts Prometheus as the creator and sculptor of humanity (Nathaniel Hawthorne, 2015). Prometheus molded people from clay, mixing earth and water, and Athena endowed them with breath. Clay here acts as a metaphor for form and potential, and water as a symbol of life. Athena, the goddess of wisdom, played a key role in completing this act of creating people, endowing them with breath, that is, life and consciousness.

According to another version, Prometheus revived the people created by Deucalion and Pyrrha from stones. In the myth of Deucalion and Pyrrha, humanity is restored after the great flood (Nathaniel Hawthorne, 2015) Deucalion and Pyrrha, throwing the "bones to mother earth" (stones), create new people. According to some versions, it was Prometheus who helped revive these creations. His participation in this story emphasizes his role as a bearer of life and knowledge, constantly concerned about the survival and development of humanity.

These versions of the myth emphasize different aspects of Prometheus' role in mythology: his ability to create, his desire to give people life forces and support them in difficult moments. They also demonstrate the cooperation between the titan Prometheus and the gods, in particular Athena, which symbolizes the unity of the physical (clay, earth) and the spiritual (breath, consciousness) in the creation of a human. The mythological plot of Prometheus as the creator of people also concerns the relationship between people and the Olympians. People had to bring a sacrifice to the gods. According to custom, the best part of the sacrificial animal was brought to the gods, and the rest was taken from it by people. The large and fat half of the bull meant prosperity. Prometheus decided to divide the sacrificial bull into two parts, one of which consisted of meat, and the other, large one – of bones covered with fat. The titan deceived Zeus, offering him to make his choice. Zeus recognized the deception, but chose a pile of bones under the fat to have an excuse to punish humans and Prometheus. As punishment, humans were deprived of fire. But Prometheus stole fire from the gods and brought it to humans.

The myth of Prometheus, as told by Plato in the dialogue "Protagoras", is one of the most profound and meaningful stories of ancient Greek mythology. Its content raises fundamental questions

about the nature of a human, his role in the world and his relationship to the gods. In Plato's version, the gods entrust two brothers, the Titans, Prometheus and Epimetheus, with creating different types of living beings and endowing each species with the appropriate qualities and abilities. Epimetheus takes on this task, but insists on independently carrying out this creation, asking Prometheus to check the result after the work is completed. Prometheus supports his brother's opinion. Epimetheus carefully distributes abilities between different types of living beings, but suddenly finds that he has forgotten about humanity, leaving it completely defenseless, naked and weak. Epimetheus, acting hastily and unwisely (the name Epimetheus translates as "thinks in hindsight"), forgets to endow people with protective means and abilities. Prometheus, whose name means "thinks in advance", realizes his brother's mistake and seeks to correct it. Prometheus steals fire and gives it to people. This act of Prometheus provokes a whole series of undesirable consequences. In Plato's story, Prometheus and Epimetheus symbolize two sides of the same hypostasis, the opposition of two opposite poles, which are combined into one whole. The brothers worked on the creation of living beings separately, and Epimetheus, probably out of pride, decided to surpass himself, but since he was unable to look ahead (as his name suggests), he made a serious mistake. Thus, the distinction gives rise to delusion and evil. Prometheus and Epimetheus are two brothers of the same type who sought good, but fell into the trap of frivolity and mistakes. Since in Greek mythology the titans have always acted as symbols of the brute force of the Earth, which resisted Zeus, who personified the spirit, Prometheus and Epimetheus can be considered as the first manifestation of dualism.

*The difference between humans and animals***.** The myth of Prometheus emphasizes the fundamental difference between humans and animals. Epimetheus successfully distributed qualities between animals, ensuring balance and harmony in nature. The strongest animals also received certain restrictions, and the weakest ones such advantages that help them survive. Everything looked harmonious. A Human was the exception. Epimetheus, having distributed all the qualities and features between different species of animals, left nothing for humans. Prometheus, having stolen fire from the gods, gave the same humans great opportunities and privileges, after which people realized that they had the highest qualities in common with the gods: knowledge, intelligence, as well as a certain level of consciousness.

The theft of the sacred fire of knowledge by Prometheus is reminiscent of the original sin of the Book of Genesis (Old Testament). But in the myth of Prometheus, the original sin is committed not by a human, but by a Titan. This Titan (Prometheus) resembles the serpent-tempter of the Book of Genesis, especially in his cunning and uncentered character. Whatever happens, a Human accepts his new condition: from now on he must work to survive. He loses his spontaneous and natural character; he is condemned to live in effort, questions, doubts, shame and guilt.

In the myth of the theft of fire by Prometheus, fire symbolizes the fire of knowledge that allows us to model and transform Nature (agriculture, crafts, industry, architecture, etc.); it is not only about manual labor, but also about design and creativity. This knowledge is linked to consciousness: it goes beyond simple knowledge, it is dynamic, lively, like flame. This is the knowledge stolen from Hephaestus (god of fire, forging and metallurgy) and Athena (goddess of wisdom): here we find two aspects of knowledge: concrete and abstract. But since the fire of knowledge usually belongs to the gods, its uses are associated with the risk of anomalies. A poorly controlled fire can devastate everything in its path, destroying Nature, and a Human himself. Ultimately, the myth of Prometheus highlights the risk of imbalance and decentration associated with the human condition. Human has the sacred fire of knowledge, but is he worthy of it? To survive, human will have to reinvent himself, perhaps by making a new pact with the gods, i.e. practicing a new spirituality. Because the main obstacle to a Human's survival is a Human himself.

The archetype of fire expresses spiritual energy, full of deep meaning. However, it is not unambiguously associated with either good or evil. Fire can be both a weapon of the gods, a protection

for people, or a manifestation of elemental power, where the eternal struggle between good and evil takes place. Just as a human chooses his side in this confrontation, so the forces of nature can support either the creation and preservation of order, or destruction and chaos. In Rome, the goddess Vesta was dedicated to the cult of fire. A temple was built to her, where an eternal fire burned – a symbol of the stability of the Roman Empire. Care for this fire was the duty of the Vestals – priestesses who took a vow of chastity and celibacy, the violation of which was punishable by death. The Vestals had privileges, for example, they could free those convicted of execution. The fire of Vesta was renewed annually at the beginning of the calendar year, and altars dedicated to the goddess were even located in private homes, most often at the entrance to the house, in the so-called vestibule (where the word vestibule comes from). In Greek polises, the goddess Hestia, the patroness of the home, had a similar meaning. Despite belonging to the twelve Olympian gods, Hestia rarely became the heroine of myths. She and Vesta can be considered symbols of matriarchal elements that have survived in religions even in developed state societies. However, fire in antiquity was also associated with destructive power. In this context, it was embodied in the images of gods such as Ares, Hephaestus, and Vulcan. Ares symbolized destructive war, Hephaestus represented the art of blacksmithing and creating weapons, and Vulcan simultaneously personified the destructive power of fire and protected against fires (James Hollis, 2004).

In fact, the myth of Prometheus lays the foundation for an ambiguous relationship between humans and gods: Humans now possess a portion of the divine, which prompts them to turn to the gods and worship them: certain relationships are established between humans and gods. On the other hand, the status of human is based on errors and prohibitions, which can only provoke the wrath of the gods and the misfortune of humanity.

The myth of Prometheus becomes for Plato a powerful metaphor for the human desire for knowledge and perfection, as well as the challenges associated with this path. Plato in the dialogue "Protagoras" uses the myth of Prometheus as an allegory to explain the process of human formation. Civilization is presented as the result of efforts and mistakes. Humanity arises through overcoming its natural weakness. The fire of knowledge compensates for people's vulnerability, but at the same time imposes responsibility on them. This process symbolizes the active role of a human in creating culture and society, where mistakes become an incentive for improvement. Prometheus, who rebelled against the will of the gods, brings good to humanity, but disrupts cosmic harmony. This act embodies the ambivalence of progress: every achievement carries both creative and destructive potential. Thus, the myth emphasizes the need for a balance between development and preservation of harmony.

*Moral dilemma and freedom of choice***.** The story of Prometheus emphasizes the importance of choice and its consequences. Humanity has the freedom to create, but this freedom requires wisdom, self-restraint, and a sense of responsibility. Plato emphasizes that true progress is impossible without ethical reflection on actions.

The myth of Prometheus reveals deep philosophical and symbolic ideas that have remained relevant for millennia. Fire in the myth symbolizes not only warmth and light, but also humanity's ability to innovate, ingenuity and self-improvement. Plato emphasizes that fire is a gift from the gods, sacred and sublime, but also very dangerous. This aspect reflects the duality of progress: knowledge and technology can serve for good, but if misused, they turn into a destructive force.

Fire as a symbol of knowledge and technology. AI, just like fire, can be realized in two forms and represent an ambivalent essence – two forces that unite and divide society. Just as fire, which warmed in the cold, illuminated the path and with the help of which food was prepared, so AI began to perform key tasks of the modern world: to automate work, analyze data sets, diagnose diseases and optimize transport systems, etc. Both fire and AI make life easier, but their impact on modern life is much more significant. Fire has long ceased to be just a source of heat, turning into a symbol of communication and unification of people, on the one hand, and a means of their separation, on

the other. Artificial intelligence, like fire, connects people through global networks, but at the same time increases the gap between them: digital inequality and the threat of job losses are becoming a new reality. In every society, fire has always been opposed as "one's own" and "alien". Today, this same perception is reflected in AI: it is perceived as a blessing if it improves the lives of "one's own", but causes anxiety if it is associated with "foreign" interests – be it military developments or the achievements of foreign companies. This duality is especially clearly manifested in the symbolism of unification and division. Just as fire united ancient tribes, so AI serves as a technological bridge, connecting countries in common goals, starting from space exploration to the fight against climate change. However, in the same environment, it becomes a source of conflict: technological races, disputes over intellectual property rights, fear of the future – all this divides humanity. Since ancient times, fire has been used in rituals as a symbol of national or religious identity, whether it be sacrifices or torchlight processions. Artificial Intelligence, acting as an intangible entity, occupies a similar role in the modern world. Achievements in the field of high technology arouse national pride, becoming a symbol of scientific superiority. The French anthropologist Levi-Strauss spoke of fire as a kind of mediator between opposites (C. Levi-Strauss, 1947). Artificial Intelligence also fulfills this role, combining reality with virtuality, helping a person interpret complex phenomena and manage them (G. Berry, 2017). And, just as fire once changed human relations, AI opens up a new level of social interactions. It becomes a source of both challenges and opportunities, acting for humanity not only as a tool for development, but also a means that emphasizes the need to rethink its own principles.

It is worth paying attention to the relevance of another thesis noted by Plato. As noted above, people in the myth of Prometheus occupy a unique position between animals and gods. Deprived of natural protection, but endowed with the fire of knowledge, they are forced to independently create the conditions for survival. This vulnerability becomes the source of their creative potential. According to Plato, a human is a creature who shapes his destiny, relying on the knowledge and abilities received from the gods.

The relevance of this thesis about the special place of man in nature becomes obvious due to the change in the role of man in the world of technology. As in the myth of Prometheus, where man is deprived of natural protection, but endowed with the gift of the fire of knowledge, today humanity faces similar challenges. AI, as the "fire of Prometheus", provides unprecedented opportunities for expanding creative potential, but at the same time requires a person not only to adapt to new conditions, but also to bear responsibility for his actions. Modern technologies, in particular Artificial Intelligence, place a human in an intermediate position between the role of creator and dependent creature. People shape AI, investing their knowledge and intelligence in it, but at the same time are forced to take into account its impact on society, the economy and nature. This emphasizes the uniqueness of the human situation: we do not just use AI, but also determine the direction of its development, often overcoming our own vulnerability, as was the case with fire in the myth.

In addition, human vulnerability to technologies created by itself stimulates it to seek solutions that maintain a balance between development and risks. For example, the issue of regulating Artificial Intelligence is a reflection of the same struggle between limited resources and the need to create conditions for survival. As in the case of Prometheus, who brought fire to humans to compensate for their weakness, today AI is becoming a means to solve key global problems, such as climate change or overcoming epidemics.

The creative potential of a human, described in the myth, is revealed through the use of AI as a tool that helps to go beyond limitations. The idea of a human as a being who shapes his own destiny through knowledge received from the "gods" (in the modern context it is done through science and technology), remains extremely relevant. Artificial Intelligence allows us to implement ambitious projects, explore space, create new medicines, but at the same time poses new challenges. Thus, the

thesis about the unique position of a human in nature demonstrates that the vulnerability of the human being, its certain imperfection, compensated by knowledge and innovation, is a source of strength and progress. AI, as a modern "fire", provides humanity not only with new tools for creating conditions for survival, but also stimulates it to rethink its role in nature and society.

*Prometheus as a cultural hero***.** The image of Prometheus symbolizes sacrifice for the sake of humanity. He suffers for his gift, which raises the question of the price of progress and responsibility for knowledge. Unlike tragedians such as Aeschylus, Plato focuses on the ethical and philosophical meaning of myth, revealing dilemmas associated with the development of culture and civilization.

The relevance of the thesis about Prometheus as a cultural hero in the context of the use of artificial intelligence is manifested through parallels between sacrifice for the sake of progress and the challenges faced by modern humanity. Just as Prometheus, who brought fire to people, taking on the punishment of the gods, so modern innovators, scientists and societies as a whole are forced to make a choice between development and the risks that accompany the introduction of new technologies.

Artificial Intelligence, like a "new fire," promises humanity unprecedented opportunities – from medical breakthroughs to the automation of complex processes. However, its implementation raises questions about the price of such progress: job losses, threats to privacy, uneven distribution of technology, and even potential ethical dilemmas related to the autonomy of systems. All of this symbolizes the sacrifices that humanity is forced to make in order to move forward.

Like Prometheus, who gave humans the power to transform their existence, today's AI developers often find themselves in the role of bearers of enormous responsibility. The development and use of Artificial Intelligence systems require a deep awareness of how this knowledge can be used: for good or for harm. This provokes a public debate about the ethical framework of progress, similar to the questions posed to humans by Prometheus's act and the sacrifice that the hero made for the sake of the human good. Prometheus' sacrifice reflects the complexity of the price of progress. His punishment is a reminder that every step forward can have consequences. In the case of Artificial Intelligence, this is the risk of losing human control or even the emergence of unpredictable results when technology develops faster than the ethical norms and standards that regulate it can be formed.

Conclusions and perspectives for further research. *Parallels between myth and modernity:* The myth of Prometheus provides a deep symbolic understanding of technological progress and its consequences for humanity. Like Prometheus, who brought fire to people, Artificial Intelligence becomes a new "fire", opening up unprecedented opportunities for humanity. However, as in the myth, these opportunities are accompanied by risks and moral dilemmas, which pose an important choice for humanity: how to properly use these technologies for the benefit of all.

1. The Price of Progress. Just as Prometheus suffered a severe punishment for his gift, so too does humanity, which is introducing Artificial Intelligence into various spheres of life, facing questions of ethics, safety, and social consequences. The development of AI requires responsibility for its consequences, as these technologies can lead to significant changes in society, the economy, and even the very understanding of human nature.

2. The Dualism of Progress. The myth of Prometheus emphasizes the dual nature of progress: it can be both a blessing and a threat. Similarly, Artificial Intelligence carries with it not only opportunities for scientific and social development, but also potential dangers, in particular in the areas of automation, privacy, and control.

3. The role of a human in technological progress. Prometheus personifies a human as a creator, capable of shaping his destiny through knowledge. Today, the role of a human is to responsibly approach the development and application of technologies such as Artificial Intelligence, ensuring a balance between innovation and ethical norms.

4. The philosophical aspect of technology. The myth of Prometheus teaches us that technology should serve the good of humanity, but its use requires a deep understanding of the consequences and

moral principles. Modern technologies, including Artificial Intelligence, require not only scientific knowledge, but also a philosophical understanding of their impact on the future.

That is, the myth of Prometheus sheds light on the fundamental imbalance that exists in nature: human is endowed with a higher power, but it is a human who disrupts the general harmony. The current ecological crisis is a perfect illustration of this. Prometheus was punished, but what awaits those who create innovative systems, and do they possess the gift of foresight to mitigate the wrath of the gods?

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THEORY AND CONTENTS OF PUBLIC ADMINISTRATION

DOI https://doi.org/10.30525/2592-8813-2024-4-39

CRITERIA FOR MONITORING AND ASSESSING THE QUALITY OF ADMINISTRATIVE SERVICES (USING THE EXAMPLE OF THE CENTER FOR PROVIDING ADMINISTRATIVE SERVICES OF THE IRPIN CITY COUNCIL)

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Abstract. The article considers approaches to assessing the quality of administrative services provided by the Center for Providing Administrative Services of the Irpin City Council, and also analyzes the criteria that can be used for their monitoring. In modern conditions, ensuring citizens' access to quality services is an important task of public administration bodies, which has a decisive impact on the development of a democratic society and citizens' trust in government bodies. Assessing the quality of administrative services is a key tool for identifying strengths and weaknesses in the provision of services, ensuring their accessibility and efficiency, as well as for developing recommendations for further improvement. Current approaches to monitoring the quality of administrative services are analyzed, citing specific criteria such as speed of service, accessibility, level of citizen satisfaction, staff qualifications, technical equipment of the center and transparency of the services provided. Based on the analysis of the performance indicators of the Center for Providing Administrative Services of the Irpin City Council, a comparative review with other similar institutions was carried out, which allows identifying specific aspects that require improvement. The role of digital technologies in ensuring the accessibility of administrative services and automating processes, which contributes to reducing bureaucratic barriers and increasing the efficiency of service, is highlighted. Special attention is paid to the development of a methodological framework for assessing the quality of service in the Centers, in particular, determining the requirements for collecting and analyzing feedback data from citizens, which helps to systematically monitor user satisfaction and respond to their needs. A comprehensive system of criteria is proposed that can be used by other Centers for the provision of administrative services in Ukraine to improve the quality of administrative services. The recommendations can be adapted for regional and national centers for the provision of public services, contributing to the improvement of the administrative service system and increasing the level of citizen satisfaction with the services of state institutions.

Key words: administrative services, territorial communities, monitoring and evaluation, Center for the provision of administrative services, public administration.

Introduction. In the course of decentralization, a significant part of the responsibility for the creation of high-quality Centers for the provision of administrative services falls on local governments. One of the key priorities of this process is the development and improvement of the system for the provision of administrative services, as well as the formation of an optimal network of Centers. Recently, the situation with the provision of administrative services in Ukraine has been gradually improving due to the transfer of a significant amount of authority to local governments. This contributes to the creation of comfortable premises and appropriate infrastructure, in particular in territorial communities, which allows bringing services closer to citizens.

The success of this process largely depends on the vision and active participation of the leadership of local governments. Important aspects are the development of unified approaches and standards for

the creation of ASCs, such as a wide range of services, accessibility, high quality of service, approval of necessary documents, training of qualified personnel and ensuring the opening of territorial units and remote workplaces.

The provision of administrative services has become one of the priority areas of work of local governments. The creation of ASCs has had a positive impact on the quality of services, especially at the level of territorial communities. Today, there are examples of successfully functioning ASCs, both in large cities and in territorial communities. One such example is the ASC of the Irpin City Council. At the same time, many local governments still need to improve this work.

To assess the quality of services and the effectiveness of ASC activities, it is important to regularly conduct evaluations and self-assessments, involving public organizations, activists, representatives of authorities at various levels and independent experts in this process. Such an approach will help to obtain objective information about the level of services, which will become the basis for making management decisions aimed at improving their quality and meeting the needs of citizens.

Main text. Administrative services are public services provided by executive authorities, local governments and other entities with relevant powers and directly related to the implementation of government functions. The reform of the system of administrative service provision aims to achieve results that would be recognized by the public, which will contribute to increasing trust in government. According to international practices, an important step in improving the quality of services provided by state executive authorities and local self-government bodies is the development and implementation of standards and processes aimed at creating effective quality management systems. Modern approaches to public administration are focused on forming a flexible and effective system that meets market requirements and is focused on citizens as the main consumers of services.

The implementation of public administration reforms requires increasing the productivity of executive authorities and local self-government bodies, ensuring the quality of state functions, including the provision of administrative services. The priority is the introduction of standards for assessing the quality of administrative services provided to citizens.

Over the past ten years, Ukraine has made significant progress in the development of Administrative Service Centers and the introduction of digital tools for citizens' interaction with state institutions and local governments. These changes are taking place in the context of the global digitalization of public services, which contributes to reducing corruption, improving transparency, and increasing the convenience of access to public services. However, despite positive changes, Ukraine faces a number of challenges that complicate the improvement of the quality of administrative services, which leads to citizen dissatisfaction, delays in the provision of services, and the emergence of significant administrative barriers. According to the results of a study by the United Nations Development Program in Ukraine, only 55% of citizens are satisfied with the quality of administrative services, while in EU countries this figure exceeds 80%. According to the Cabinet of Ministers of Ukraine, the introduction of electronic document management has reduced the time for processing citizens' requests by 30%, which demonstrates the potential of digital solutions to increase efficiency (Bondar, 2023). Based on these data, it can be assumed that the integration of modern electronic platforms into the process of providing administrative services will increase the efficiency of interaction between citizens and state bodies and local authorities, reduce bureaucratic barriers, and improve the level of citizens' satisfaction with the services received.

In 2023, the Center for Providing Administrative Services of the Irpin City Council was visited by more than 150 thousand people. 36,527 administrative services were provided by ASC specialists; 28 thousand appeals from citizens were registered; more than 39 thousand people received consultations. Among the most popular administrative services: registration of real estate in the State Register of Property Rights; processing of citizens' appeals; registration and deregistration of the place of residence (Center, 2023; Report of the Chairman, 2023).

Despite the wide range of administrative services and their demand (as evidenced by the statistics of attendance at the ASN of the Irpin City Council), the ASN lacks a transparent system for monitoring the quality of administrative services.

In accordance with the Procedure for Monitoring the Quality of Administrative Services and Publishing Information on the Results of Monitoring the Quality of Administrative Services, approved by the Resolution of the Cabinet of Ministers of Ukraine dated August 11, 2021 No. 864, the main objectives of monitoring are to determine:

– the level of readiness of online and offline front offices to serve applicants;

– administrative services that require optimization;

– the state of compliance with procedures when providing administrative services;

– the level of satisfaction of citizens with the quality of services received (Issues of Monitoring Organization, 2021).

Among the key achievements, it is worth highlighting:

– creation of an extensive network of ASNs, in particular by replacing ASNs of district administrations with ASNs of local self-government bodies and effective distribution of state subventions for their development;

– consistent implementation of integration of administrative services of a social nature into the work of ASNs;

– improvement of software for maintaining registers of territorial communities by local self-government bodies;

– increase in the number of ASNs offering passport services, etc.

Among the main challenges and tasks that require attention:

– ensuring effective integration of administrative services into ASNs;

– coordination of new priorities for the development and restoration of the ASN network;

– guaranteeing the financial stability of the functioning and modernization of ASNs;

– full transition to the notified principle of declaring/registering the place of residence;

– return and joint use of previous and new equipment for issuing driver's licenses and registering vehicles, which will significantly increase the availability of equipment;

– increasing access to the profession of state registrar through the publication of test questions and regular testing of candidates;

– integration of certain tax services and services of the Pension Fund of Ukraine into the ASN;

– more effective use of various forms of mobile services.

We also note that we support the European principle of subsidiarity, according to which issues that can be effectively resolved locally should be within the competence of local authorities. Local governments in Ukraine have already proven their ability to provide citizens with high-quality administrative services, therefore the strategic direction of state policy should remain the delegation of basic administrative services to their competence (White Book, 2024).

The quality of administrative services can be assessed using methods used in the field of quality management. One of the most common methods is the management by objectives method, which involves assessing the goals achieved by a state body or civil servant, as defined in the quality policy. This approach includes constant monitoring and analysis of both quantitative and qualitative indicators of the implementation of the quality policy, as well as corrective and preventive measures to improve functioning and the formation of new goals based on the collected data.

The formation of a quality management system requires significant efforts from employees of executive bodies, but achieving results becomes easier if their goals are clearly defined. It is worth noting that this is not about creating a new quality management system, but about improving the existing system, focused on the quality of services and consistent with international standards.

The basis for the methodology for the quality provision of administrative services is the quality management system according to the DSTU ISO 9001:2015 standard, the main principles of which include customer orientation, leadership, staff involvement, a process approach, continuous improvement, data-based decision-making and relationship management. A process approach, based on understanding and managing interconnected processes, increases the effectiveness of the organization in achieving its goals, allowing for better control of the relationships between processes, which contributes to increased performance.

The process approach includes establishing procedures and their relationship, managing them to achieve planned results in accordance with the quality policy and strategic goals of the organization. This allows you to systematically meet requirements, evaluate processes in terms of creating added value, ensure efficiency, and improve processes based on the assessment of information and data. After determining the list of services and their consumers, it is necessary to establish appropriate quality criteria and service features for each service.

The provision of administrative services must be carried out in accordance with established standards enshrined in the regulatory and legal framework. These standards usually have a typical structure, which includes: general provisions; list of service recipients; list of required documents; description of stages of service provision; requirements for deadlines; grounds for refusal; description of expected result; information on payment or free of charge; requirements for performers; conditions for the place of service provision; work schedule; requirements for information support.

To determine the effectiveness of services, it is advisable to refer to the provisions of the Concept of Development of the System for Providing Administrative Services by Executive Authorities, which specifies the evaluation criteria. These criteria are aimed at improving the quality of services and include:

– territorial accessibility for consumers;
– convenient transport connections and signs;
– easy access to forms, in particular via the website;
– the ability to receive services in electronic format;
– organization of work on the principle of a “single window”;
– establishment of a convenient work schedule;
– simplified payment system;
– open access to all necessary information on service provision procedures;
– provision of high-quality consultations by specialists.

These standards and criteria contribute to improving the process of providing administrative services and increase their convenience and accessibility for citizens.

Creating comfortable conditions in the premises for consumers and compliance with ethical standards by performers are key aspects of the quality of administrative services. Another important criterion is the minimum cost of services, which should not exceed the real costs necessary to perform all procedural actions and should remain the same regardless of the place of service provision.

Compliance with these criteria is the key to the effective work of entities providing administrative services, as well as a guarantee of protecting the rights, freedoms and meeting the needs of consumers. Assessing the effectiveness of such services involves the analysis of:

– basic parameters of accessibility, organization and comfort of receiving services;
– problems that consumers encounter when receiving services;
– the degree of satisfaction with the results;
– financial costs of the consumer, including additional costs (for example, for copies or forms);
– discrepancies between regulatory and actual time costs.

For a comprehensive analysis of the operation of the service provision system, it is important to take into account internal and external factors, which are divided into objective and subjective. These include material and technical support, qualifications of performers, organization of work according to the principle of "single window", the degree of consumer satisfaction, the level of awareness, methodological support, as well as socio-economic conditions in the country.

A key aspect of the assessment is to take into account the opinions of consumers, since it is their needs that determine the need for the existence of services. Conducting sociological surveys, interviews with performers, analysis of documents, instructions and resource provision contribute to an objective assessment of service delivery mechanisms.

In addition, public monitoring plays an important role in improving the system. Without active participation of citizens and transparency on the part of local governments, which are gradually gaining more powers, improving the quality of administrative services is impossible.

Reforming the mechanism for providing administrative services requires fundamental changes aimed at increasing efficiency, transparency, accessibility and convenience for citizens. At the same time, it is important to rethink the relationship between local governments and the population, focusing on the interests of society and using modern communication technologies.

Public participation in the process of making administrative decisions can be implemented through advisory and consultative bodies, in particular public councils under public administration bodies, as well as through public expertise. The implementation of a system for monitoring and evaluating the effectiveness of administrative services creates opportunities for their systematic improvement. The results of such an assessment contribute to the transparency of administrative services and ensuring their accessibility, and also help to make more informed management decisions.

The main goal of public assessment is to improve the mechanism for providing administrative services, which, in turn, contributes to raising the standard of living of the population. In particular, public monitoring should solve the following tasks:

– minimize abuse by officials;

– analyze public opinion on problems in the service provision system;

– conduct an objective study of the work of government bodies, reducing the risk of a subjective approach;

– orient the provision of services to the real needs of citizens.

The results of monitoring are the basis for adjusting the activities of service providers, strategic planning and determining promising development directions. They should be publicly available to the public or individual interested groups of consumers.

Involving citizens in assessing the quality of administrative services yields a number of positive results:

– strengthening the protection of human rights and freedoms;

– improving the quality and efficiency of services;

– reducing the level of corruption;

– strengthening trust in government bodies;

– improving relations between the government and the community;

– forming a positive image of public administration bodies (Gryshchenko & Zamidra, 2024).

Thus, public participation in the assessment becomes an important tool for improving the system of administrative services and strengthening democratic principles in society.

Therefore, the current system for assessing the effectiveness of administrative services requires improvement and improvement of the quality of work of public administration bodies. Administrative services should be provided at a high level regardless of the circumstances, which requires the creation of appropriate conditions. In particular, this includes:

– improving the regulatory framework for the activities of service providers, which will contribute to establishing the dependence of the responsibility of performers on the level of consumer satisfaction and achieving expected results;

– implementing a quality management system in the activities of service providers to optimize the mechanism for their provision and increase the level of satisfaction of citizens' needs;

– improving the skills of performers who are directly involved in the process of providing services, through training programs and other activities;

– involving the public in assessing the effectiveness of the functioning of the mechanism for providing administrative services, creating conditions for public control and ensuring transparency;

– developing cooperation between institutions at the local level, in particular between legal entities and individuals, the business sector, non-governmental organizations and citizens interested in improving the quality of administrative services;

– implementing a people-centered approach to the activities of public administration bodies in order to ensure maximum accessibility and orientation of services to the needs of citizens.

Currently, the system for monitoring the quality of administrative services only takes into account the presence of a mobile ASC in the community, but does not analyze indicators of its performance or other mobile solutions. This makes it difficult to assess their effectiveness and demand depending on the conditions of application, since there is a lack of necessary information to form a general idea of their effectiveness.

After collecting and analyzing monitoring data, it is important to proceed to the creation of methodological recommendations that will help optimize the use of mobile solutions in the provision of administrative services to the population.

An important direction in improving the quality of administrative services is the introduction of digital technologies. In 2024, Ukraine is actively developing e-government platforms, among which the key one is the “Diya” portal, which provides access to more than 70 types of services online (Chernyshova, 2023). Digitalization contributes to a significant reduction in the time of service provision, increased transparency of procedures, and a reduction in the level of bureaucracy.

However, despite the progress achieved, there are problems with access to digital services related to insufficient Internet coverage and among the population with a low level of digital literacy. About 25% of citizens report difficulties in using electronic services due to technical problems or lack of relevant skills, which indicates the need for further investment in digital infrastructure and population training programs (Kalina & Maystrenko, 2023).

Key barriers in the field of administrative services of the Irpin territorial community include:

– limited integration of digital technologies: a significant part of administrative procedures remains paper-based, which creates difficulties for citizens;

– staff qualifications: insufficient professional training of ASC employees often leads to errors, duration of procedures and shortcomings in consulting;

– lack of uniform service standards: different regions and institutions apply different procedures, which complicates citizens' access to services;

– insufficient information support: lack of detailed information about services, their requirements and deadlines complicates the process for users;

– infrastructure problems: inconvenient working hours and insufficient technical support limit the availability of services in the villages of the community.

Digital technologies, such as electronic application systems and data processing automation, have the potential to significantly simplify and speed up administrative procedures (Bortnyk, 2023). The integration of online platforms increases the accessibility of services, the transparency of government activities, and the level of citizens’ trust in state and local authorities.

Another important aspect is the possibility of introducing personalized and interactive services for citizens. Using data analysis and artificial intelligence, public authorities can provide individually tailored services and recommendations that meet the needs of each citizen, making the service process more convenient and efficient (Monda, Feola, Parente, Vesci & Botti, 2023).

A separate aspect is data protection and confidentiality in government information systems. Since digital technologies involve the storage and processing of a large amount of personal data, it is important to ensure their reliable protection against unauthorized access and possible abuse. High standards of cybersecurity and encryption are necessary to build citizens' trust in digital administrative services. Thus, the use of digital technologies and e-government significantly improves the quality of administrative service provision, contributing to increased efficiency, accessibility and personalization of services (Fitz-Oliveira & Wasgen, 2023).

In view of the above, based on the experience of the Center for Administrative Services of the Irpin City Council, in modern conditions there is an urgent need to introduce comprehensive measures aimed at improving the quality of administrative services. In particular, it is necessary to:

– develop and implement unified service standards that will ensure the same level of service provision in all regions of the country;

– create effective feedback mechanisms with citizens to collect feedback and suggestions on the quality and efficiency of services;

– use digital technologies and e-government to automate and simplify administrative procedures;

– ensure transparency and openness of the activities of state institutions through public reporting and access to information on the quality of service provision;

– invest in staff training and motivation, as well as develop incentive systems that will encourage the provision of quality services;

– create online consultation and support systems that will enable citizens to receive consultations on administrative services via the Internet using various digital channels, such as real-time chats, e-mail, video conferencing, as well as specialized forums and mobile applications.

These recommendations are aimed at creating an effective, transparent and citizen-oriented system of administrative service provision that meets the modern requirements and expectations of Ukrainian society.

Conclusion. Thus, the main problems in the work of ASCs include insufficient funding, lack of unified service standards, uneven infrastructure development, bureaucratic obstacles, low qualifications and insufficient motivation of staff, limited transparency of procedures, lack of effective mechanisms for feedback from citizens, as well as technical problems, in particular, weak integration of digital technologies into traditional processes, which complicates access to services and reduces their quality. To improve the quality of administrative services, it is necessary to introduce uniform service standards that will ensure an equal level of services in all regions, create effective mechanisms for feedback from citizens to take into account their feedback, actively use digital technologies to automate administrative processes, ensure transparency of the activities of state bodies through public reporting and open access to information, and invest in improving the skills and motivation of staff employed in the provision of administrative services.

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DOI https://doi.org/10.30525/2592-8813-2024-4-40

NORMATIVE AND LEGAL FRAMEWORK FOR THE STRUCTURAL MODEL OF PUBLIC PARTICIPATION IN THE FUNCTIONING OF LOCAL AUTHORITIES

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Abstract. This article examines the normative and legal framework underpinning the structural model of public participation in the functioning of local authorities in Ukraine. Emphasizing the principles of transparency, accountability, and inclusiveness, the study analyzes key legislative acts, including the Constitution of Ukraine, the Law on Local Self-Government, and related regulations, that empower citizens to influence decision-making processes at the local level. The research highlights practical mechanisms such as public hearings, petitions, and participatory budgeting, while addressing challenges like formalism, low public awareness, and insufficient resources. The article proposes pathways to enhance citizen engagement, ensuring a more democratic and effective local governance system.

Key words: public participation, local authorities, normative framework, legal regulation, structural model, civic engagement, governance transparency, democratic processes.

Introduction. Public participation is a fundamental component of democratic governance, ensuring openness, transparency, and accountability of public authorities. In the context of establishing an effective system of local governance in Ukraine, the activation of public engagement becomes a crucial element in local decision-making processes. This necessitates the creation of an effective legal framework to regulate citizens' participation in the activities of local authorities, which should be seamlessly integrated into a specific model of public participation at the local level.

The purpose of the article. The purpose of this article is to clarify the fundamental principles embedded in Ukraine's legal framework concerning public participation in local-level public administration processes and to describe the structural model of citizen involvement in addressing local issues.

Results of the study. The successful implementation of administrative-territorial reform and decentralization of public administration requires the activation of public participation, maximum integration of the population into the decision-making process, and the development of mechanisms for direct democracy. Ukraine has established a legal framework for interaction between public authorities and civil society, as well as for involving citizens in addressing state and local issues. In particular, the Constitution of Ukraine guarantees all citizens the right to freedom of thought and speech, as well as the free expression of their beliefs (Article 34). Furthermore, the law secures citizens' right to participate in the governance of public affairs, take part in national and local referendums, and elect or be elected to bodies of state power and local self-government (Article 38). It is also established that citizens have the right to submit individual or collective written appeals or personally address public authorities, local self-government bodies, as well as officials and public servants, who are obliged to consider such appeals and provide a substantiated response within the timeframe established by law (Article 40) (Konstytutsiia Ukrainy, 1997).

The Constitution of Ukraine guarantees citizens' right to participate in public governance through several key aspects.

First, it ensures participation in elections and referenda. Article 38 of the Constitution states the citizens' right «to participate in the administration of state affairs, in nationwide and local referenda» (Konstytutsiia Ukrainy, 1997). This right is realized through:

– Electing authorities at the national and local levels. The Constitution guarantees citizens the right to be elected to representative bodies of power (Article 38). This ensures access to public governance not only through voting but also through direct execution of governmental functions;

– Participating in referenda on issues of national or local importance. The Constitution enshrines direct democracy as a fundamental principle of governance in Ukraine. It is implemented through referenda (Article 69), which allow citizens to directly resolve critical matters;

– The right to organize local self-government. Article 140 of the Constitution defines local self-government as a form of governance enabling territorial communities to independently address matters of local significance;

– The right to access information. Article 34 guarantees the right to freedom of speech and access to information. These provisions are essential for informed participation in public governance, as they ensure access to data on the activities of governmental bodies;

– The right to submit petitions. Citizens have the right to submit individual or collective petitions to governmental bodies (Article 40). This allows them to express proposals, complaints, or demands regarding the activities of state institutions;

– Public oversight. The Constitution provides citizens with the opportunity not only to participate in decision-making but also to oversee the implementation of these decisions. The main mechanisms of such oversight include:

– Monitoring the actions of governmental bodies through access to public information;

– Exercising the right to peaceful assembly (Article 39) as a tool for influencing governmental decisions;

– Judicial protection of citizens' rights in cases where state governance bodies violate the law.

Another important legal act is the Law of Ukraine «On Information» dated October 2, 1992. It regulates legal relations regarding the creation, collection, acquisition, storage, use, dissemination, protection, and safeguarding of information. In particular, the law defines the main directions of state information policy, namely:

– guaranteeing access to information for everyone;

– ensuring equal opportunities in the creation, collection, acquisition, storage, use, dissemination, protection, and safeguarding of information;

– creating conditions for the development of an information society in Ukraine;

– ensuring openness and transparency in the activities of public authorities;

– developing information systems and networks, as well as promoting e-governance;

– continuously updating, enriching, and preserving national information resources;

– ensuring the information security of Ukraine;

– fostering international cooperation in the information sphere and integrating Ukraine into the global information space (Zakon Ukrainy «Pro informatsiiu», 1992).

According to the Law of Ukraine «On Bodies of Self-Organization of the Population» dated July 11, 2001, the legal status, as well as the procedure for organizing and functioning of such bodies, is defined. An important principle of their activity is ensuring transparency and accountability. Among the key powers aimed at promoting public participation, bodies of self-organization of the population are entitled to:

– Submit proposals, in the established manner, regarding drafts of local programs for socio-economic and cultural development of the respective administrative-territorial units, as well as drafts of local budgets;

– Monitor the quality of housing and communal services provided to residents of buildings located within their operational area, as well as the quality of repair work in such buildings;

– Assist local council deputies in organizing meetings with voters, holding receptions for citizens, and performing other activities within electoral districts;

– Inform the population about their activities, organize discussions on draft decisions concerning important issues (Zakon Ukrainy "Pro orhany samoorhanizatsii naselennia", 2001).

When considering specific aspects of citizens' participation in the life and governance of territorial communities, it is important to note that only those mechanisms of public participation can be considered effective that ensure an appropriate response from the authorities and have certain legal consequences (Abramyuk, 2022). According to the Law of Ukraine «On Local Self-Government in Ukraine» dated May 21, 1997, these forms of participation include: local referendums, citizen meetings at the place of residence, local initiatives, public hearings, and self-government bodies (Zakon Ukrainy "Pro miseve samoriaduvannia v Ukraini", 1997).

This law guarantees territorial communities the right to participate in decision-making at the local level; however, it does not regulate the procedures for the implementation of these mechanisms. Specifically, it is stated that the procedures for conducting public hearings, general meetings, or local initiatives must be defined by the charters of territorial communities or separate provisions of local councils. Since most territorial communities do not have approved charters, this deprives a significant number of Ukrainian citizens of the legal means to influence decisions of local self-government bodies through established legal procedures.

The Law «On Local Self-Government in Ukraine,» adopted in 1997, regulates the activities of local self-government bodies and their interaction with the public. Its main goal is to create conditions for citizens to exercise their right to self-governance through direct participation or through elected representatives.

Citizens' participation in public administration is provided for by the following key provisions of the Law:

1. Public hearings (Article 13) – a mechanism that allows residents of a territorial community to discuss important issues of community development, including local council decision drafts. Local self-government bodies are required to take the results of such hearings into account.

2. Local initiatives (Article 9) – a way in which citizens can propose issues for consideration by the local council. This is an important tool for influencing decision-making processes.

3. General meetings of citizens (Article 8) – a form of direct democracy that allows residents to discuss and decide on important local issues.

4. Consultative and advisory bodies – structures established within local self-government bodies to consider public opinion in decision-making processes.

Public hearings are the most common mechanism for involving citizens in discussions on important issues. According to the law, hearings are held on the initiative of local councils, their executive bodies, or the residents of the community themselves. The hearings cover the following issues:

– development and approval of local programs;

– use of communal property;

– improvement of territories and environmental issues;

– distribution of the community budget.

It is important to note that the results of public hearings are advisory in nature, but their disregard without proper justification may trigger a negative response from the public.

Local initiatives allow citizens to formulate specific issues for consideration at a local council session. This mechanism enables the community to directly participate in shaping the agenda. To submit a local initiative, citizens must collect a certain number of signatures, as specified by the local coun-

cil's regulations. Importantly, the law does not establish uniform requirements for all communities, giving them the right to independently determine the procedure for submitting initiatives.

General assemblies are a form of direct democracy that allows residents to make decisions on vital community matters. The law grants the right to hold such assemblies within a multi-apartment building, street, or neighborhood, as well as at the community level. Decisions made at general assemblies are advisory in nature, but they often serve as the basis for corresponding decisions by the local council.

In the context of modern digitalization, Ukraine is actively implementing innovative tools for citizen participation based on the provisions of the law. For example, electronic petitions allow citizens to quickly address important issues with local authorities, or digital platforms for decision discussions that provide access to information about the work of local councils and the opportunity to participate in voting.

It is worth noting that in cities where the mechanisms for public participation have been established, these mechanisms are often more designed for the convenience of local government authorities than for citizens. The results of a study on the legal regulation of local democracy mechanisms, conducted by the Ukrainian Independent Center for Political Studies, show that in cities, the use of such forms of public participation as public hearings, local initiatives, and general citizens' meetings is effectively blocked. Among the identified shortcomings in the legal regulation of forms of public participation are:

1. Significant restrictions on the exercise of the right to local initiative: the large size of the initiative group, inflated requirements for the number of signatures required to submit an initiative for consideration by the council, and the absence of clear procedures for considering local initiatives.

2. The complexity of the public hearing procedure: significant limitations for initiating hearings, as well as an unreasonably large number of signatures required to initiate hearings.

3. Artificial requirements for initiating community meetings, such as the requirement for signatures from 10% to 1/3 of the total number of residents.

4. Vague definitions of the procedure for considering the decisions of hearings or local initiatives at local council meetings (Latsyba, 2019).

Thus, in Ukraine, there are significant discriminatory restrictions that greatly complicate, and sometimes even make impossible, the realization of citizens' rights to participate in decision-making processes. As a result, we observe, on the one hand, ineffective governance, illegitimate decisions that are not implemented, a general decline in public trust in key institutions of power, and on the other hand, the escalation of social conflicts and situations where the only tool for dialogue for citizens becomes street public protest actions.

Despite the broad legal guarantees of public participation, there are several challenges in Ukraine that limit its effectiveness, namely:

– Insufficient public awareness. Many Ukrainians are unaware of their rights or the mechanisms for participating in public administration, which reduces the activity of civil society.

– Formalism in the actions of government bodies. Some public authorities treat citizen participation as a mere formality, leading to the disregard of public opinion when making decisions.

– Limited access to information. Although legislation guarantees transparency, citizens often encounter bureaucratic obstacles when trying to obtain information.

– Uneven development of local self-government. In different regions of Ukraine, mechanisms for involving citizens in local governance are unevenly developed, creating an imbalance in the influence citizens have over local issues.

Public participation in the functioning of local government bodies is an important element of democratic development. It ensures transparency, accountability, and efficiency in the activities of local self-government bodies, facilitates dialogue between the authorities and the public, and strengthens

citizens' trust in state institutions. In order for this participation to be effective, a clear structural model must be implemented, which will include various mechanisms for citizen engagement and institutional forms of cooperation with the authorities. The key elements of the structural model of public participation can be described as follows:

1. Institutional component. The structural model should be based on legally established principles of public participation. In most countries, this component includes:

– Laws on local self-government;

– Acts regulating citizens' rights to access information and participate in decision-making;

– Legal and regulatory documents that define the procedures for conducting public consultations, hearings, petitions, etc.

2. Mechanisms for citizen engagement. An effective model should provide various ways for citizens to interact with local authorities. The main mechanisms include:

– Public hearings. These events allow residents to express their opinions on important issues such as urban planning, budgeting, and social programs.

– Consultative councils. These are bodies that bring together community representatives and authorities to discuss and develop joint decisions.

– Electronic petitions. These allow citizens to initiate certain changes or projects that must be considered by the authorities.

– Participatory budget. This tool allows citizens to participate in the formation and distribution of the community's budget.

3. Information support. A key component of the model is ensuring citizens have access to information about the activities of local government. This includes:

– Regular publication of reports;

– Creation of open registers of decisions and budgets;

– Operation of official websites of the authorities.

4. Training and development of competencies.

In order for citizens to effectively use participation tools, they must be provided with the necessary knowledge and skills. This can include educational programs, training sessions, and civic schools.

5. Monitoring and evaluating effectiveness.

The success of public participation should be constantly assessed through:

– Public opinion surveys;

– Analysis of the results of participation in solving specific problems;

– Regular review and adaptation of engagement mechanisms.

An effective model of public participation is based on the synergy of all its aforementioned elements. For example, public hearings become significantly more effective with proper informational support, and electronic petitions require clear procedures for review and response from the authorities. An important factor is also the integration of digital technologies, which simplify access to information and citizen engagement in decision-making processes.

Local self-government bodies play a key role in implementing the model of public participation. They must ensure:

– openness in decision-making processes;

– support for citizens' initiatives;

– transparent use of resources.

At the same time, it is important that local authorities are ready for constructive criticism and changes based on public initiatives.

Despite the advantages, the implementation of the structural model of public participation faces a number of challenges, namely:

– low level of citizens' awareness of their rights;

– lack of resources in local authorities;
– mistrust in governmental structures.

To overcome these challenges, it is necessary to stimulate citizens' activity, implement innovative approaches to interaction, and carry out reforms aimed at improving management efficiency.

Conclusions. The structural model of public participation in the functioning of local authorities is a necessary condition for the development of a democratic society. Its implementation contributes not only to solving the pressing problems of communities but also to the formation of a responsible and active civil society. To achieve success in this area, it is essential to ensure clear legislative regulation, a variety of participation mechanisms, informational transparency, and citizen education, which, in turn, will strengthen democracy at the local level.

The article was prepared as part of the grant project No. 2022.01/0144, «Implementation of the 'Public Participation 2.0' Concept for the Reconstruction of the City of Kharkiv During Wartime and Postwar Periods,» funded by the National Research Foundation of Ukraine.

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THEORY AND CHRONOLOGY OF HISTORY

DOI https://doi.org/10.30525/2592-8813-2024-4-41

MILITARIZATION OF YOUTH CONSCIOUSNESS IN TEMPORARILY OCCUPIED CRIMEA

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Abstract. The article examines the main legislative foundations and highlights the key practices of Russian policies on the militarization of children and youth in the temporarily occupied Crimea. It is demonstrated that the Russian Federation is implementing a targeted, systematic policy of militarizing the consciousness of Crimean children and adolescents in order to impose a Russian identity and cultivate «Russian patriots». The key institutions and other actors involved in the policy of militarization, which are engaged in military-patriotic education of Crimean children, are identified. These institutions aim to encourage Crimean youth to serve in the Russian army and fight in future wars on Russia's side. It is proved that the Russian authorities, alongside the use of several Soviet-era practices of militarizing consciousness, are introducing new ones that have a much greater effect (such as «carnivalization of war», oaths in churches, etc.). It is concluded that Russia's militarization policy on the temporarily occupied territories turns Ukrainian children into Russian hostages, forcing them to become part of the Russian military system.

Key words: militarization of consciousness, children, youth, Russia, Crimea, war.

Introduction. The problem of the militarization of societies remains relevant for a long time due to armed conflicts occurring in various parts of the world. The period of turbulence in which the world is immersed in the second decade of the 21st century increases the risks of both regional and global conflicts. The militarization of human consciousness has become an inseparable attribute of the policies of aggressive states aimed at achieving a range of goals: mobilizing the population, converting the economy to military tracks, and forming new ideological foundations (such as «a country surrounded by enemies», etc.). Youth has become one of the main targets of militarization policies, as it will replenish the ranks of the armed forces to continue aggressive wars. The militarization of youth consciousness is one of the key directions of Russian policy, which it spreads to the temporarily occupied Ukrainian territories, violating the norms of international humanitarian law. In the territories of Crimea and Donbas (the occupied areas of Donetsk and Luhansk regions), the occupying administrations tested a model of militarized education, which, since 2022, has been actively implemented in the occupied parts of Kherson and Zaporizhzhia regions. Therefore, analyzing Russia's policy of militarizing children's consciousness is crucial both in the context of future punishment for violations of international humanitarian law and for formulating strategies to counter Russian ideological influence in the process of de-occupation and reintegration of the temporarily occupied territories of Ukraine.

The issue of militarization in socio-political life in contemporary academic discourse is presented from various perspectives. Firstly, researchers emphasize the growing military factor across different spheres due to the gradual destruction of social order and peace, even in stable democratic states, primarily due to the threat of terrorism (the Breivik case in Norway is a striking confirmation of this argument). According to Evans (2017), this can lead to the increased role of militarized ideology

even in societies with a high level of democratic development. Kaucz (2022) suggests viewing the militarization of human behavior through the introduction of social control practices, which allow for a high degree of uniformity in society, the creation of relationships of dependency on the state, and obedience. Finally, a significant number of contemporary studies focus on the socio-cultural dimension of militarization in societies. For example, Shepherd (2018) draws attention to the growing popularity of military-style clothing, which, in her view, signals the normalization of militarism in everyday life. Researchers also highlight the cult of the body as one of the important elements of the militarization process in society, comparing practices of the past and present (Baker, 2020; McSorely, 2013). Western science, de facto, lacks its own case studies for analyzing the militarization of education; therefore, some researchers carefully analyze possible aspects of militarization in society in the context of military education (Woodward et al., 2017).

Therefore, in Western academic discourse, the topic of militarization of society is presented quite fragmentarily due to the absence of real, serious threats to society. At the same time, among Ukrainian researchers, this topic has not yet received widespread attention and is only represented by a few individual studies: Novikova (2023), Marchenko (2024). However, for Ukrainian scholarship, the Russian militarization of the consciousness of Ukrainian children represents a serious challenge and requires thorough research.

The aim of the study is to analyze the main methods and practices of Russian militarization of the consciousness of children and youth in the temporarily occupied Crimea. Achieving this aim requires addressing a number of **research tasks**: 1) conducting an analysis of the main normative and legal foundations of Russian youth militarization policy; 2) identifying key practices of militarized education in Russia and temporarily occupied Crimea; 3) analyzing the specifics of using memory politics for the militarization of the consciousness of Crimean children; 4) studying the impact of the full-scale Russian invasion of Ukraine on the processes of militarizing the consciousness of Crimean youth.

The main research approach is the **systemic approach**, which allows for the analysis of Russian militarization policy as a systematic process aimed at achieving a range of goals. The **institutional approach** helps analyze the role of key institutions in implementing the militarization policy in temporarily occupied Crimea. Among the **methods**, the following play a key role in our study: document analysis, which helps identify the normative and legal framework of the militarization policy; the narrative method, which enables the identification of key messages of Russian military propaganda presented in the Crimean educational process; and the case study method, which identifies the key practices employed by the occupying authorities in Crimea to spread militaristic ideas among children and youth.

Basic theoretical and practical provision. The gradual implementation of militaristic trends in Russia began in the first decade of the 21st century, but systematic work in this direction within the educational sphere started only after the occupation of Crimea, which became a catalyst for Russian militarization across all areas. As early as 2012, during a meeting with representatives of the executive authorities and society on the issue of patriotic education for youth in Krasnodar, Russian President V. Putin emphasized the importance of military-patriotic education for young people. In the «Strategy for the Development of Education in the Russian Federation until 2025», adopted by the Russian government in May 2015 (Strategiya razvitiya vospitaniya v Rossijskoj Federacii na period do 2025 goda, 2015), patriotic education is considered an important component of children's upbringing, with a particular focus on military-patriotic education, which is to be implemented through special state programs.

Thanks to the implementation of the relevant state program «Patriotic Education of Citizens of the Russian Federation for 2011–2015» (Pravitelstvo RF, 2010), a system of defense-sport camps was established, and a network of military-patriotic education centers began operating in almost all regions. Special emphasis was placed on promoting military service and the development of mili-

tary-oriented children's institutions. By the 2014/15 academic year, there were 177 cadet schools in the country, with 61,800 children enrolled.

The new patriotic education program proposed not only to continue but also to expand the relevant trends by «strengthening the prestige of military service» in the Russian army and law enforcement agencies, as well as developing the «practice of military units acting as sponsors for educational organizations». Funding for patriotic education doubled, rising from 777 million rubles (in the previous state program) to 1.7 billion rubles (Pravitelstvo RF, 2015). Thus, at the federal level, the militarization of children becomes one of the directions of Russian state policy, which is reflected in the actions of the occupying administrations in Crimea.

In December 2014, the «Republic of Crimea» (the Russian name for the occupied Autonomous Republic of Crimea) adopted «The Strategy for the Development of Education in the Russian Federation for the Period Until 2025» (Ministerstvo obrazovanriya, nauki i molodezhi Respubliki Krym, 2014), which defines the main goal as the formation of patriotic feelings and consciousness among the citizens of the Russian Federation in the people of Crimea.

The achievement of this goal, along with the implementation of patriotic values, is proposed through the development of military-patriotic education and increasing motivation for military service, as well as providing the people of Crimea with knowledge about defense and training in the principles of military service. Therefore, in Crimea, the strengthening of the military component of patriotic education can be observed at the normative level even earlier than in Russia. The occupying administration of the peninsula begins actively introducing various Russian militaristic practices into the educational and upbringing system.

In December 2022, patriotic education will receive official legislative recognition in the «Republic of Crimea» («Zakon Respubliki Krym O patrioticheskom i duhovno-nravstvennom vospitanii v Respublike Krym», 2022). An important component of such education is military-patriotic upbringing in the context of involving youth in military service («increasing motivation»).

The main directions of Russian policy on the militarization of children can be summarized as follows: 1) the incorporation of military values from an early age through the family – primarily in the context of implementing a policy of memory; 2) militarization of education at various levels – from kindergarten to military training in schools; 3) the development of the system of secondary military education; 4) the introduction of extracurricular military activities (summer military-sport camps/ military camps) and militaristic organizations (Yunarmiya, Cossacks); 5) the militarization of leisure for the people of Crimea (military-themed holidays, military toys, and attractions).

The key structures involved in implementing Russia's policy of militarizing consciousness under the guise of patriotic education are primarily three federal ministries: the Ministry of Defense, the Ministry of Education, and the Ministry of Sports; as well as the Crimean occupation structures: the «Ministry of Education, Science, and Youth», the «Ministry of Sports» and the «State Committee for Youth Policy» through which military-patriotic events (festivals, military-sports games, etc.) are organized. An important role in these processes is played by the Russian Orthodox Church, under whose patronage summer camps are also organized, and its priests participate in the ceremony of dedicating children to the «Cossacks».

Militarization of consciousness in Russia is closely linked to the formation of the cult of the «Great Patriotic War» – the Russian version of World War II, which in September 1939 was initiated by the joint invasion of Poland by Hitler and Stalin. This is why both the Soviet and, later, the Russian government date the beginning of World War II from the German invasion of the USSR in June 1941. The appropriation of the joint victory of the Anti-Hitler Coalition by the Russian government allows for the introduction of the notion of «the possibility of repeating» the war for new victory. As a result, war begins to be perceived in Russian, and in some places in Crimean society, as a «holiday». With this purpose in mind, «Victory Day», celebrated on May 9 in Russia, transforms into a show where

both children and adults dress up in military uniforms from that era. Therefore, war is transformed from a tragedy into a carnival, a game, a farce, which, in fact, «can be repeated». Thus, Crimean families take family photos in military uniforms from those times, complete with weapons as props. For many parents, such photos are no different from New Year's photoshoots in a Santa Claus costume. It should be noted that Russian militarization practices have surpassed Soviet practices, where military uniforms were used in a limited format, emphasizing the child's status – honor guards were dressed in school uniforms, not military uniforms (Horiunova, 2024: 195).

The apotheosis of this carnival is the march called the «Immortal Regiment», which quickly transformed from a public initiative to honor the memory of fallen relatives into a propaganda campaign with no connection to the politics of memory. Surprisingly, the carnival essence of this event was aptly demonstrated in 2015 by the Crimean «prosecutor» N. Poklonskaya, who marched at the forefront of the procession carrying an icon of the Russian Emperor Nicholas II (Horiunova, 2024: 193).

Quite often, in these columns, parents march with small children dressed in Soviet military uniforms, who are sit in prams converted into «tanks» or «planes». Undoubtedly, this «carnivalization» causes people to forget the horrific consequences of World War II, while instead, a rather attractive image of war forms in the minds of the youth – one that will inevitably end in victory. «The grandchildren and great-grandchildren of the victors cannot lose» – this narrative has dominated Russian, and consequently Crimean, media discourse since 2014. It takes on particular significance after the full-scale invasion of Ukraine, the quintessence of which is the propagandistic cliché «Kyiv in three days», meaning the quick conquest of Ukraine.

In addition to May 9th, military events in the cities of Crimea took place quite frequently until 2022: during state holidays or even on city days, there were exhibitions of weapons, meetings with military personnel, various military-sport competitions, and so on. Therefore, photos of children on tanks or during gunfire with combat firearms became an integral part of such events (Horiunova, 2024: 197-199).

Militarization of consciousness is promoted through children's entertainment and toys. After the occupation, on playgrounds, car rides are replaced by tanks, and in 2022, in Sevastopol, a tank track opens instead of a children's car track. The number of toy weapons increases in children's stores. Even balloons on the peninsula are turning khaki in color.

Another important component of the militarization of children's consciousness is implemented through educational policy, starting from preschool institutions. In the kindergartens of the peninsula, until February 23 (the day of the Soviet Army in the USSR and Defender of the Fatherland Day in Russia) and May 9, performances were held with children dressed in military uniforms and with mock weapons. Often, «combat veterans» – veterans of the Soviet intervention in Afghanistan or participants of the war against Ukraine. All these actions are aimed at instilling certain narratives in young minds and at the heroization of Russian soldiers.

These same traditions continue in secondary schools, where, in addition to various extracurricular theatrical militarized events, significant influence on children's consciousness is exerted during the educational process. In 2014, Russia developed a «unified cultural and historical standard» with the concept of «primordial Russian Crimea». Accordingly, in Russian history textbooks, which were used to teach children in Crimea, the attempt to annex the peninsula is described as the «reunification with Russia» through the «free will of Crimeans», which allegedly occurred as «a result of the change of power in Ukraine after the Maidan, which led to an illegitimate Ukrainian government that threatened Crimeans with oppression». In the methodological recommendations for teachers, these theses were recommended to be supported with quotes from Vladimir Putin, such as «Crimea has always been Russian», or «the Crimean Spring» brought liberation to Crimeans from the «oppression of Ukrainization» (Yaremchuk & Smyrnov, 2023).

After the full-scale invasion of Ukraine, Russian educational rhetoric becomes more aggressive, which is reflected in a new history textbook of Russia authored by former Minister of Education V. Medinsky. In this textbook, new themes are added to the traditional ones – such as «SVO» (Special Military Operation) and «Ukrainian neo-Nazism», where Russian aggression against Ukraine is justified as a «necessity to protect Russia». The textbook propagates the Russian myth of «the creation of Ukraine as an anti-Russian project by the Austrian General Staff during World War I», and also spreads information about «NATO advisors» who allegedly «prepared Ukrainians to attack Donbas». The text also features claims about «U.S. biolabs» and «Ukraine's desire to acquire nuclear weapons» (Tsentr stratehichnykh komunikatsii, 2023).

Several sections of the textbook have titles where Ukrainians are directly positioned as «Nazis»: «Ukrainian Neonazism» and «Ukraine – an ultranationalist state», with the main reason for the Russian occupation of Crimea being described as «preparation for aggression against Russia and plans to place a NATO base» on the peninsula. «Our fleet was supposed to be expelled from its 250-year-old base city. Sevastopol was meant to become a NATO naval base» (Tsentr stratehichnykh komunikatsii, 2023).

Thus, such theses are aimed at achieving two key objectives: to instill in Crimean children a sense of hatred towards Ukraine as a «Nazi state» and to foster the desire to «defend Russia with arms in hand». With the start of the «Special Military Operation» (SVO), Crimean schoolchildren are involved in supporting the «defenders» – children are forced to bring personal hygiene items, socks, and other «necessary» things for Russian soldiers. A significant part of the educational process becomes regular meetings between students and «heroes of the SVO» – Russian soldiers involved in the aggressive war against Ukraine. During these meetings, in addition to stories about the «heroism of Russian soldiers», high school students are actively encouraged to join the ranks of the Russian armed forces.

Russian aggression against Ukraine is also reflected in the formation of new foundations for the policy of memory: streets are named after the «heroes of the SVO», plaques are placed on the schools where they studied, and schools feature «hero desks». Often, there is an attempt to merge the soldiers of the World War II with the participants of the aggressive war against Ukraine. For example, in a Sevastopol school, alongside the first desk dedicated to Hero of the Soviet Union S. Neustroev, another one was added in honor of the school graduate K. Vitoptov, who was kiled in the Kherson region. Sevastopol propagandists created a wonderful legend about a Russian soldier who «fought against Nazism from the first day of the special operation» and «heroically died while covering his comrades and saving the lives of 600 soldiers» (Horiunova, 2024: 200). This approach allows for the merging of the WWII and Russia's current aggressive war against Ukraine, demonstrating a «continuity of generations», as if Russian soldiers are repeating the feats of their ancestors.

Since 2022, «SVO soldiers» have been involved in the educational process in schools – they conduct military training lessons. The central role in this is played by the Crimean Institute of Postgraduate Education, which is responsible for retraining teachers.

A key role in encouraging Crimean children to join the ranks of the Russian military is played by specialized military educational institutions – cadet schools and classes, the number of which is constantly increasing in Crimea. It is worth noting that the first cadet corps, established based on the Ukrainian Ministry of Defense's Naval Lyceum, began its educational process in the fall of 2014. It was created under the personal patronage of Putin, who signed the relevant decree on March 20, 2014 – just before the final formalization of Crimea's annexation by the Federation Council. In 2016, it was incorporated as a branch of the Nakhimov Naval School in St. Petersburg (its second name is the Sevastopol Presidential Cadet School), designed for 840 cadets who study for 7 years (starting from the 4th grade).

In the temporarily occupied Crimea, cadet schools and classes have been opened by other law enforcement agencies – the Investigative Committee, the Russian Guard, and others, each with varying durations of training. Some accept students from the 5th grade, while others only admit older students. The occupying administration has even established cadet groups in preschool institutions – one kindergarten already has three such groups where children are taught strict discipline and military drills. In total, 128 cadet classes from various law enforcement agencies have been opened in Crimea, with approximately three thousand children undergoing training (Ukrinform 2023, May 24). This constitutes 1.3% of all students in Crimean general education schools, but a significant portion of graduates from these institutions continue their education at military academies. (Krymska pravozakhysna hrupa, 2020).

An important role in the implementation of militarization policy is played by the Crimean Patriotic Center (Krympatriotcenter), as well as youth movements such as Yunarmiya, the «First Movement», «Orlyata», and others, which are intended to fill the free time of Crimean children with military training. The main task of the Krympatriotcenter is popularizing military service among young people through a variety of activities – ranging from meetings with military personnel to organizing summer camps where children of different ages and genders are taught military skills.

Yunarmiya is a youth movement created in 2016, based on the structure of the Soviet-era organization DOSAAF (Voluntary Society for Assistance to the Army, Aviation, and Navy) and under the patronage of the Russian Ministry of Defense. It unites children and teenagers aged 11 to 18, combining sports, military, and technical training. Since 2022, members of the movement have been involved in drone management. According to Ukrainian researchers, the main goal of the organizers of this movement is to harness the potential of youth for future wars, which has led Ukrainian experts to compare Yunarmiya to the Nazi Hitler Youth. In 2022 Russian Defense Minister S. Shoigu issued an order to monitor the situation regarding the potential human reserve from among the members of Yunarmiya (Yaremenko, 2022).

In July 2022, a new state-sponsored children's movement, «The Movement of the First», was institutionalized in Russia, which can be seen as a revival of the Soviet Pioneer movement («First» is a translation of the word «Pioneer»). The movement is under the patronage of the Russian president and aims to organize the leisure activities of teenagers «based on traditional Russian spiritual and moral values». Notably, in September 2024, the head of the movement was appointed to be A. Orlov, a «hero participant of the special military operation», which reflects the nature of the «values» that this organization will instill in children.

In Crimea, the first chapter of the movement appeared in December 2022 at the secondary school of the international children's camp «Artek». The «Firsts» actively recruits children from newly occupied Ukrainian territories, promising them benefits for admission to Russian universities. In 2024, this organization was sanctioned by the US and the EU for its involvement in the deportation of Ukrainian children and their forced re-education.

Russian Cossack units are also involved in the patriotic upbringing of children in Crimea, having played an important role in the process of the peninsula's occupation. According to Ukrainian researcher Siedova (2020), the initiation into the «Cossacks» combines both secular and religious elements, which is intended to strengthen the emotional impact on the child, preparing them to give their life «for Putin and Russia, as once 'for the Tsar and the Fatherland». When a child becomes a «Cossack» in the church, they are given a uniform and kiss the cross, creating a very strong subconscious impression. «In my opinion, this is even more frightening than 'Yunarmiya», the researcher points out (Siedova, 2020).

Given the recreational potential of the peninsula, Crimea has become a venue for various military-patriotic gatherings, camps, and festivals, which involve local children and youth. During such events participants in the armed aggression against Ukraine speak to the attendees about their «strug-

gle against Ukrainian Nazis to defend the Motherland». The spread of these narratives instills in children's minds rigid concepts dividing the «friends» (Russian soldiers, who are supposedly defending Russia) from the «enemies» – «Ukrainian Nazis» and the «collective West», which «wants to destroy Russia». This creates conditions for the preparation of «ideal soldiers» for Putin's wars.

It should be noted that all of these actions by Russia are violations of international law, primarily the Geneva Convention on the Protection of Civilian Persons in Time of War: Article 51 prohibits propaganda and coercion to enlist in the army of the occupying country (Geneva Convention relative to the Protection of Civilian Persons in Time of War, 1949). The Convention on the Rights of the Child guarantees the right to preserve a child's identity, prohibiting the assimilation of culture, interference with the practice of religion, or the imposition of a foreign language (Convention on the Rights of the Child, 1989). However, Russia openly disregards these norms of international law, taking advantage of the weaknesses in the current international system.

The results of the influence of this propaganda are difficult to track in the context of occupation. However, it should be noted that over the course of 10 years, Russia has conducted 18 conscription campaigns, drafting 44,500 young Crimeans into military service (Ukrinform, 2023, December 12). At the same time, the number of those refusing to join the Russian army has been increasing each year. While between 2014 and 2019, 82 criminal cases were opened in Crimea for refusing military service, in 2020, there were 81 cases in one year, and in 2021, 112. As of the end of 2022, the total number of such cases was 423, or approximately 1% of the total number of conscripts (Krymska pravozakhysna hrupa, 2023).

With the onset of the full-scale war against Ukraine, a record number of people left Crimea, which may also indicate the desire of Crimeans to avoid mobilization. In 2022, 32,800 people left Crimea, which is 27–30% higher than the figures of previous years (Krymskij statisticheskij sbornik, 2023). In the absence of data on the number of Crimeans fighting against Ukraine, we use the obituary database from the Krym.Realii portal to understand trends. As of November 2024, 920 people had been buried, of which 130 were under 25 years old (not including career military personnel), accounting for 14% (Krym.Realii, 2024). At the same time, the most active phase of militarization of children's and youth consciousness in Crimea has occurred in recent years, so we will only be able to assess its results in a few years.

Discussion. Thus, when considering the impact of militarization on public life within the framework of contemporary academic discourse, one cannot help but agree with Shepherd (2018), who warns that the incorporation of certain military practices into everyday life (fashion, culture) changes people's perception of war – it begins to be seen as a normal occurrence, rather than a tragedy.

However, Russian militarization of the consciousness of both its own citizens and the residents of temporarily occupied Ukrainian territories has a much more serious mental effect. By using a policy of memory, the Russian authorities combine the cult of war and victory, assuring Russians that «as descendants of the victors, they cannot lose». This creates a foundation for Russia's aggressive wars.

The educational format of this policy is particularly dangerous because the Russian authorities use various methods to raise soldiers for future wars. By applying these practices in the temporarily occupied territories of Ukraine – initially in Crimea and Donbas, and since 2022, in the occupied areas of Zaporizhzhia and Kherson regions – Moscow aims to radically change the consciousness of children, forcing them to abandon their Ukrainian identity and become «true Russians», ready to give their lives for the «new Motherland». Moreover, the implementation of digital technologies in the process of militarizing consciousness deserves attention from researchers, as it could significantly increase the impact of Russian propaganda on children and youth. Investigating all aspects of this process is important not only for holding the Russian authorities accountable for violations of international law but also for understanding the scale of the Kremlin’s preparations for new aggressive wars in Europe. Modern Russia poses a threat not only to neighboring countries but to the entire democratic world.

Conclusions. The return of Putin to the position of Russian president is accompanied by significant changes in the approaches to educating the younger generation, with particular attention being paid to patriotic upbringing, emphasizing its military component. After the occupation of Crimea, the processes of militarization of children's and youth consciousness accelerate, covering the occupied Ukrainian peninsula as well. The Russian authorities are also changing their tactics, spreading militarization across nearly all stages and aspects of a child's life – from the family and preschool institutions to schools and extracurricular activities. This policy has a systematic character, with a number of state institutions involved in its implementation, which will receive significant government funding. The main goal of this policy for all of Russia becomes the active promotion of military service among children and adolescents, while in the occupied territories, it aims at re-educating Ukrainian children into «patriots of Russia» and erasing their Ukrainian identity.

With the onset of Russia's full-scale invasion of Ukraine, Russian policies of militarizing children's consciousness have become more aggressive and all-encompassing. Educational institutions are being used as platforms for spreading Russian narratives, in which Ukraine is presented as a «Nazi state», and Western democracies are portrayed as «enemies of Russia». The educational work in schools focuses on promoting Russian propaganda stereotypes aimed at engaging children and youth in paramilitary groups and participation in military-sporting events (training camps, military-patriotic games, etc.). A number of public organizations also play an important role in this process, actively recruiting young people into their ranks (Yunarmiya, «Firsts»).

Thus, the Russian authorities use certain Soviet practices of militarizing consciousness (such as the glorification of «heroes of the SVO», the incorporation of military elements into the educational process, and the militarization of sports activities), while also implementing new forms that have a cognitive impact on consciousness and prepare children for war from birth. All of this has an extremely negative effect on children in the temporarily occupied territories, who become hostages of Putin's regime.

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DOI https://doi.org/10.30525/2592-8813-2024-4-42

IMAM BAGHAWI'S MASABIH AL-SUNNAH AND AZERBAIJANI HADITH SCHOLARS

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Abstract. The main objective of the article is to consider some issues related to the analysis of the works of Imam al-Baghawi "Masabih al-Sunna" and Azerbaijani hadith scholars. After the spread of Islam in Azerbaijan, along with works on secular sciences, many works on Islamic science also appeared. One of these works is the work of Imam al-Baghawi "Masabih al-Sunna", which occupies a special place in the history of Islam.

Method and methodology of the study. Such methods as comparative analytics of the content of these sources and their comparative analysis using content analysis and comparative analysis were used. The study used the methods of traditional source study methodology, historical comparative approach and typological analysis, as well as theoretical and comparative analysis of handwritten copies of al-Baghawi's work "Masabih al-Sunna". The methods of historical and logical expediency, theoretical generalizations, analysis, synthesis, induction, deduction and others were also used.

Novelty. The research materials can be used in future scientific research, especially in the field of Hadith studies. The results, substantiated theoretical provisions can contribute to the development of Azerbaijani Hadith studies and scientific research on individual topics in this field.

Conclusion. The author notes that the manuscripts are of great historical and spiritual importance. The manuscripts of the work "Masabih al-Sunna" are stored in many libraries around the world, including the M. Fuzuli Institute of Manuscripts of the National Academy of Sciences of Azerbaijan. Also, as an object of scientific research, it retains its relevance in our time. It is noted that in places where the Islamic religion was taught, Bagavi's work became one of the reliable and respected sources in the field of Hadith studies. It is no coincidence that this work retains its significance in the modern scientific field of Hadith studies.

It is emphasized that one of the main factors that attracts our attention is the role of this work among medieval Azerbaijani Hadith scholars. It should be noted that Waliaddin Khatib at-Tabrizi was the main one of them, who was a leading scholar in the field of hadith, fiqh, tafsir and other Islamic sciences.

Key words: Hadith, Baghawi, Azerbaijan, Masabih al-Sunnah, Islam, sectarianism, hadith, book, Quran, sunnah.

Introduction. It is known that Azerbaijanis were among the first nations to accept Islam on a large scale after the Arabs. Historical sources indicate that just seven years after the death of the Prophet Muhammad (PBUH), in 639, the vast majority of the population of the cities of Khoy and Salmas embraced Islam. Azerbaijan, which was the gateway to the north for the Caliphate, was of great strategic because it bordered the Khazar Khaganate, which had fought wars with the Arabs for centuries. For this reason, both the Rashidun, Umayyad, and Abbasid caliphs were interested in the spread of Islam in this region. To ensure the security of the northern border of the Caliphate, Arab tribes were massively relocated to Azerbaijan. This policy of resettlement accelerated the spread of Islam among the Azerbaijanis. In the following centuries, Islam rapidly spread in Azerbaijan and became the common religion of the population, the majority of whom had previously followed Zoroastrianism, and a certain part of them worshiped Christianity. The emergence of religious unity not only strengthened the political integrity of Azerbaijan but also served as a driving force for scientific and cultural progress. During the Abbasid Caliphate, Azerbaijan's major cities were distinguished by the vibrancy of

their scientific and cultural life. Even during the period of the Caliphate's weakening and the rise of separatist tendencies, this vitality did not diminish; on the contrary, one might say it even strengthened. During the period of the Caliphate's decline, rulers of Azerbaijani states such as the Ravadids, Salarids, Sajjids, Shaddadids, and Shirvanshahs, who were formally dependent on Baghdad, were interested in the economic-commercial as well as the scientific and cultural development of the cities they governed. The cities where commercial and economic revival and progress were observed soon began to attract the intellectual potential of the country as well. This, in turn, led to the establishment and development of scientific and educational institutions in these cities. For example, the city of Barda, which classical Arab geographers referred to as the "mother of Arran," was the administrative center in northern Azerbaijan during the Caliphate period. The city's administrative and political significance soon gave a boost to its commercial and economic development. This development continued until the middle of the10th century, when the Russians turned Barda into a ruin. The fact that scholars with the "Bardai" epithet lived during the 8th–10th centuries supports our idea that economic and commercial revival inevitably contributed to scientific and cultural progress. Similarly, the fact that scholars with the "Nakhchivani" epithet lived mostly in the 12th–13th centuries, during the Atabeg period, and scholars with the "Ganjavi" epithet lived in the 10th–11th centuries, during the rule of the Shaddadids, serves as further evidence. These two cities were the capitals of the aforementioned states. Additionally, we will later observe that Azerbaijani scholars engaged in scientific activities outside the country were drawn to various countries at different times. For example, until the 11th century, the intellectual centers of Baghdad were a major attraction for the scholarly community in the Muslim East, but in the following period, scholars, scientists, and artists increasingly turned to cities like Bukhara, Nishapur, and Samarkand. The cities mentioned were major urban centers of the Samanid dynasty, which paid great attention to science and culture. After the Mongol invasion, the regions of Egypt and Syria, under the rule of the Mamluks, as well as the scientific and cultural centers in the Ottoman lands in later centuries, attracted scholars and thinkers from all corners of the Islamic world. (Nasirov, 2011: 8–9).

Islamic Hadith Science. After the spread of Islam, numerous works related to Islamic sciences, alongside secular sciences, emerged in the regions where the religion had taken root. In particular, after the spread of Islam, many works were written on religious sciences such as fiqh, hadith, tafseer and others, which became even more necessary due to the widespread expansion of Islam. The work which began in the early periods grew significantly in later stages. Particularly, many works related to hadith and hadith studies, which is considered one of the two primary sources of Islamic law, were written. One of these works is the "Masabih as-Sunnah" by Imam al-Baghawi, which holds a unique place in Islamic history. This work became one of the main sources for many creative examples of this genre. Thus, when we look at the science of hadith and the hadith scholars, we can observe that, after the 5th century of the Islamic calendar (Hicri), renowned hadith scholars from around the world benefited from these valuable works. Imam al-Baghawi, in particular, was one of the most famous scholars of his time in various fields, including fiqh, hadith, tafseer, literature, and other sciences. He studied fiqh under Qadi Hussein bin Muhammad and became his most talented student. He also met and learned from many other scholars, such as Abu Bakr al-Sayrafi, Abu al-Fadl al-Hanafi, Abu al-Hasan al-Shirazi, and many others, and narrated hadiths. Scholars like Abu Mansur al-Atari, Abu al-Najib al-Suhrawardi, Abu al-Makarim Fadlullah al-Nuqani (or Nawqani), and others also learned from him. Imam al-Baghawi was a prominent scholar of his time, the mufti of the Muslims, a great tafseer, and an authority in hadith science. He also made a significant impact in the field of Qur'anic recitation (qira'at).

Al-Baghawi and his work "Masabih as-Sunnah". One of al-Baghawi's most significant contributions to the fields of hadith, and tafsir, aside from his works such as "Sharh al-Sunnah," "Masabih as-Sunnah," "at-Tahzib," and "Ma'alim at-Tanzil," is undoubtedly his "Masabih as-Sunnah." In this

work, al-Baghawi carefully selected hadiths from reliable sources and organized them into a collection. His method of compiling hadiths in this way has similarities with other famous hadith compilations in Islamic history, such as Ibn al-Asir al-Jazari's "Jami' al-Usul" (h. 606 / 1209AD) and al-Nawawi's "Riyad al-Salihin" (h. 676 / 1277AD).

The renowned scholar Katib Chalabi (h. 1067 / 1677AD) praised the work, stating, "The most beautiful of the works written in a compendium style is al-Baghawi's 'Məsabih.'" The organization of the work is highly praised, as the hadiths are gathered and placed in their appropriate sections. Another scholar remarked, "Even if one tried to rearrange any section, they could not find a more suitable place for it than al-Baghawi did," further highlighting the excellence of the work's structure.

In the introduction to his work Masabih as-Sunnah, al-Baghawi states that he wrote the book to assist those who are obedient to Allah, aiming to benefit them in their understanding of hadith. He emphasizes that, while compiling the hadiths, he refrained from extending the chains of transmission ("sanad"), as the term "sanad" in hadith terminology refers to the chain of narrators who transmit a particular hadith (in linguistic terms, "sanad" means "support" or "foundation" – G.I.). Instead, al-Baghawi focused on the narrations of the hadith imams and avoided including the names of the earliest narrators in his work.

Al-Baghawi also mentions that he pointed out weak hadiths in his work, and explicitly states that he excluded mawdhu'(fabricated) hadiths and munkar (rejected) hadiths – the latter being those hadiths narrated by a disreputable narrator who contradicts a trustworthy one (munkar refers to hadiths that are unacceptable or denied – G.I.). This careful approach further highlights al-Baghawi's commitment to ensuring the authenticity and reliability of the hadiths he included in his compilation.

Al-Baghawi organized his work Masabih as- Sunnah according to a system of chapters (babs) and outlined his methodology in a brief introduction to the work. As stated in the introduction, he structured the book by categorizing hadiths into two main categories: "Sihah" and "Hisan," based on their sources. If a hadith was narrated by both Bukhari (h. 256 / 870AD) and Muslim (h. 261 / 875AD), or if one of them narrated it, al-Baghawi included it under the "Sihah" category. On the other hand, hadiths narrated by other hadith imams such as Tirmidhi (h. 279 / 892AD), Abu Dawood (h. 275 / 888AD), and others were categorized under "Hisan".

Azerbaijani Hadith Scholars and the Work ***Masabih as-Sunnah.*** The widespread memorization, teaching, and extensive commentaries and glosses written on Masabih as-Sunnah by numerous hadith scholars in the Islamic world testify to the great significance of this work. Additionally, throughout various periods, prominent hadith scholars from around the world have written commentaries and glosses on this book. One of the key factors that draws our attention is the role this work played among Azerbaijani hadith scholars during the Middle Ages. To demonstrate the importance of Masabih as-Sunnah among Azerbaijani scholars, we would like to highlight several distinguished hadith scholars from Azerbaijan.

One of the most prominent representatives of Azerbaijani hadith scholarship, and one of the leading scholars in the fields of hadith, fiqh, tafseer, and other Islamic sciences of his time, was Valiaddin Khateeb al-Tabrizi. His full name was Muhammad ibn Abdullah al-Khateeb al-Tabrizi, with the kunya Abu Abdullah and the title Valiaddin. Unfortunately, the exact date of his birth is unknown, but it is reported that he passed away in 749 AH / 1347 CE.

There is limited information available about the life of Valiaddin al-Tabrizi, but it is known that he studied under Hasan ibn Muhammad Tayyibi. Valiaddin al-Tabrizi added supplements and commentaries to Imam al-Baghawi's Masabih as-Sunnah and gave it the title Mishkat al-Masabih. He completed this work in 737 AH (1336 CE). Several commentaries have been written on his Mishkat book, the most notable being Ashiat al-Lama'at by Abdulhaqq Dehlawi. This work was published in four large volumes.

Valiaddin al-Tabrizi also authored a separate book titled al-Ikmal fi Asma' al-Rijal, which was published alongside Mishkat. The importance of al-Tabrizi's Mishkat in Azerbaijani hadith scholarship is significant, as it continues to hold a crucial place in the tradition of hadith studies in Azerbaijan. The author's work is not only related to the science of hadith but also extensively covers the fundamental issues of the disciplines of theology (kalam) and fiqh. To address these issues and provide scientific analysis, he refers to hadiths related to the topic and quotes them in various chapters.

The author begins the book with a preface, where, after praising Allah and sending salutations upon the Prophet (PBUH), his family (Ahl al-Bayt), and companions (Sahabah), he discusses the significance of Abu Muhammad Hussein bin Mas'ud al-Baghawi's "Kitab al-Masabih." He then talks about the commentary he wrote on this book. Khateeb al-Tabrizi points out that "Kitab al-Masabih" not only has a very rich set of sources but also cites hadiths narrated by prominent scholars, including Muslim bin al-Hajjaj al-Nishapuri, Abu Abdullah Malik bin Anas, Muhammad bin Idris al-Shafi'i, Abu Abdullah Ahmad bin Hanbal, Abu Isa Muhammad bin Isa al-Tirmidhi, Abu Dawood Sulayman bin Ash'ath al-Sijistani, Abu Abd al-Rahman Ahmad bin Shu'ayb al-Nasa'i, Abu Abdullah Muhammad bin Yazid bin Majah, Abu Muhammad Abdullah bin Abd al-Rahman al-Darimi, Abul Hasan Ali bin Umar al-Daraqutni, Abu Bakr Ahmad bin Husayn al-Bayhaqi, Abul Hasan Razin bin Muawiyah al-Abdari, and others who have cited hadiths in their works. The author stated that he compiled the work Mishkat al-Masabih based on the chapters of Baghawi's book. Thus, Mishkat al-Masabih was published in three volumes (first edition in 1381/1961, second edition in 1399/1979) in Damascus and Beirut. In the first volume, the author dedicated sections to the chapters on "Kitab al-Iman" (Book of Faith), "Kitab al-Ilm" (Book of Knowledge), "Kitab al-Tahara" (Book of Purification), "Kitab al-Salat" (Book of Prayer), "Kitab al-Janazah" (Book of Funerals), "Kitab al-Zakat" (Book of Charity), "Kitab al-Sawm" (Book of Fasting), and "Kitab al-Fadhail al-Quran" (Book of the Virtues of the Quran), and he cited hadiths related to these topics from the most reliable sources. In the second volume, the chapters include "Kitab al-Da'wat" (Book of Invitations), "Kitab al-Manasik" (Book of Rituals), "Kitab al-Buyu' (Book of Transactions), "Kitab al-Faraiz wa al-Wasaya" (Book of Obligatory Acts and Wills), "Kitab al-Nikah" (Book of Marriage), "Kitab al-Itq" (Book of Emancipation), "Kitab al-Iman wa al-Nuzur" (Book of Faith and Oaths), "Kitab al-Qisas" (Book of Retaliation), "Kitab al-Hudud" (Book of Punishments), "Kitab al-Imara wa al-Qada" (Book of Governance and Judiciary), "Kitab al-Jihad" (Book of Struggle), "Kitab al-Sayd wa al-Zabah" (Book of Hunting and Slaughter), "Kitab al-Atima" (Book of Food), "Kitab al-Libas" (Book of Clothing), "Kitab al-Tibb wa al-Ru'a" (Book of Medicine and Dreams). The third volume includes "Kitab al-Adab" (Book of Etiquette), "Kitab al-Riqaq" (Book of Softness of the Heart), "Kitab al-Fitan" (Book of Trials), "Kitab al-Qiyama wa Badi al-Khalq" (Book of Resurrection and the Beginning of Creation), "Kitab al-Fadhail wa al-Shama'il" (Book of Virtues and Characteristics), and "Kitab al-Manaqib" (Book of Praiseworthy Traits). In the first volume, the author cites hadiths related to the conditions of Islam, the fundamentals of faith, branches of faith, and so on.

Another prominent Azerbaijani hadith scholar was Qazi Imadeddin Ahmad. He was from a lineage of qazis from the city of Ardabil. His family possessed letters written by the Rashid caliphs, Umar ibn al-Khattab and Ali ibn Abi Talib, in their own handwriting, which were preserved and passed down through generations. Qazi Imadeddin Ahmad was a student of Shihab al-Din Suhrawardi (d. 1198) and the hadith scholar Abul-Khayr Qazwini (1118–1194). He had listened to the multi-volume hadith collection Sharh al-Sunnah by Muhyiddin Husayn Baghawi (d. 1122) from Abul-Khayr Qazwini.

Another prominent Azerbaijani hadith scholar was the great scholar Allama Taj al-Din Abu'l-Hasan Ali ibn Abdullah ibn Abu Bakr al-Ardabili. He was a jurist belonging to the Shafi'i school of thought. Born and raised in Ardabil, he later moved to Tabriz, where he studied in the city's madrasas. He then traveled to the city of Shahrizur in Iran for further education, where he lived for a while. Afterward, he returned to Azerbaijan and studied in the madrasas of Maragheh and Sultaniyyah, gain-

ing knowledge in various fields from the scholars there. He learned hadith from Qutb al-Din Mahmud al-Shirazi and Shams al-Din ibn al-Mu'azzin, Arabic philology and fiqh from Rukn al-Din al-Hadisi, rhetoric and eloquence from Nizam al-Din al-Tusi, philosophy and logic from Sayyid Burhan al-Din Ubaydullah, theology from Ala al-Din Numan al-Khwarazmi, arithmetic, geometry, and astronomy from Kamal al-Din Hasan Isfahani, algebra from Salah al-Din Musa, and fiqh from Shaykh al-Zaman Siraj al-Din Hamza al-Ardabili.

He had also studied the works of Muhyiddin Husayn Baghawi (d. 1122), Sharh al-Sunnah and al-Masabih, under Sheikh Fakhr al-Din Carullah al-Jandarani (Safedi, 407–408). Salah al-Din Safedi mentions that Taj al-Din Ali al-Ardabili read the works of prominent Azerbaijani Sufis such as Sheikh Rukn al-Din Sucasi, Sheikh Qutb al-Din Abhari, and Sheikh Shihab al-Din Omar Suhrawardi, and continued their spiritual legacy.

After completing his studies, Taj al-Din Ali al-Ardabili travelled to Baghdad. After staying there for some time, he made a pilgrimage to the Hejaz for Hajj. Following his pilgrimage, in 722 AH (1322 CE), he went to Egypt, where he became the head of the al-Husamiyya Madrasa in Cairo. This madrasa was founded during the reign of Sultan Mansur Seyf al-Din Qalawun (1279–1290) of the Mamluk Sultanate, under the leadership of the Turkish-origin statesman Hüsam al-Din Toruntay who also had a madrasa built during that period, which became known by his name – G.İ.) and he served as the head of the madrasa. During his time, he was recognized as one of the leading scholars in the fields of fiqh, method of fiqh, interpretation, hadith, and Arabic philology in the Mamluk state of Egypt. In addition, he possessed deep knowledge in the sciences of medicine, astronomy, mathematics, geometry, and logic. Many students attended his lectures at the al-Husamiyya madrasa.

Taj al-Din Ali al-Ardabili was the author of several works on various scientific fields. One of these was Sharh al-Kafiyya (the full title of this work is: Mabsut al-Ahkam fi Tashih ma Yatallaq bi-l-Kalim wa-l-Kalam min Sharh al-Kafiyya Ibn al-Hajib), a commentary on the work of Ibn Hajib Duwayni. Another work written by him was Hashiyah ala Sharh al-Hawi al-Saghir (al-Hawi al-Saghir is a work on Shafi'i fiqh by Sheikh Najm al-Din Abdul-Ghaffar Qazwini, d. 1266). Mukhtasar 'Ulum al-Hadith li Ibn al-Salah is another work by Taj al-Din Ali al-Ardabili on the science of hadith. He was also the author of Tazkirah fil-Hisab, a work on mathematics. The scholar passed away in the month of Ramadan in 746 AH (January 1346) in Cairo.

One of the prominent Azerbaijani scholars of hadith was Allama Izz al-Din Yusuf ibn Ibrahim al-Ardabili, who was a Shafi'i jurist. He was considered one of the renowned scholars of his time and became famous for the works he authored. Among his notable works is Anwar li Amal al-Abrar, a book on fiqh, which has been extensively commented upon, with many glosses written on it. One of the copies of this work is preserved in the manuscript collection of the Institute of Manuscripts of the Azerbaijan National Academy of Sciences. Additionally, copies of Anwar li Amal al-Abrar are found in the National Library of Paris, the National Library of Egypt in Cairo, and the King Saud University Library in Riyadh. In Turkey, over ten copies of the work are preserved in the National Library of Ankara, the Konya BYEK, and the Diyarbakir IHK.

Another of Allama Izz al-Din al-Ardabili's works is a three-volume commentary on al-Masabih by al-Baghawi. Izz al-Din al-Ardabili lived in Ardabil for a long time before moving to Egypt, where he received great respect and honor from the Mamluk rulers. He was also a skilled calligrapher and poet, known for composing beautiful poetry. Ibn Hajar al-Asqalani noted that Izz al-Din Yusuf ibn Ibrahim al-Ardabili was known in his time as "Shaykh al-Mashriq" (the "Shaykh of the East") (Ibn Hajar, 128). The scholar passed away in Egypt in 779 AH (1377 CE).

One of the hadith scholars who wrote a commentary on Imam al-Baghawi's Masabih al-Sunnah was Abu'l-Fath Muhammad ibn Dawud ibn Yusif al-Tabrizi. He was a hadith scholar belonging to the Shafi'i school of thought. The famous hadith scholar Abu Muhammad Hussein al-Baghawi (d. 1122) wrote a commentary titled Sharh al-Mushkilat al-Masabih on Masabih al-Sunnah, which he com-

pleted in 680 AH (1281 CE). Based on this, it can be concluded that Yusif al-Tabrizi's death occurred after 1281 CE (Nasirov, 2011: 316).

Another Azerbaijani hadith scholar who left a deep impact on Islamic knowledge, particularly in the field of hadith studies, was Sheikh Rukn al-Din Abu Yazid Muhammad ibn Ahmad ibn Muhammad ibn Hilal ibn Ibrahim al-Ardabili. He was a jurist of the Shafi'i school and became well-known in Cairo under the kunya Abu Yazid. He was born around 801 AH (1399 CE) in Ardabil. According to Shams al-Din al-Sakhawi's notes, Rukn al-Din Muhammad al-Ardabili was a tall, large-bodied, and healthy man.

He received his initial education in his homeland, studying Arabic with Mawlana Mahmud al-Marzbani. He then travelled to Anatolia, where he studied in one of the madrasas in Sivas and became a student of Afzal al-Din Iznikini. From him, he learned Hanafi fiqh and its methodology. He also learned theology from Muhammad al-Ayzjani. Afterwards, he travelled to the Ottoman lands and became a student of Shams al-Din al-Fanari (Shams al-Din Fanari Efendi, who was the first Sheikh al-Islam of the Ottoman Empire from 1424–1431). Under his guidance, he studied works such as Sharh al-Mawaqif, Sharh al-Maqasid, and Kashshaf. Later, he moved from Anatolia to Egypt and became a student of Ibn Hajar al-Asqalani (d. 1449) in the Barquqiyya Madrasa in Cairo.

After completing his studies, Rukn al-Din Muhammad al-Ardabili taught for some time at the Qawsiyya Madrasa in Cairo. Subsequently, the Mamluk Sultan of Egypt, Zahir Sayf al-Din Chaqmaq (1438–1453), appointed him as a teacher at the Masjid Khan Madrasa in Hebron, Palestine. However, due to the jealousy of the teacher Ibn al-Khayr al-Zaftawi, Rukn al-Din Muhammad al-Ardabili fell out with him and left the madrasa.

Rukn al-Din Muhammad al-Ardabili was the author of several works on fiqh and other fields of knowledge. Some of his notable works include Tahrir al-Fatawa fi Sharh al-Hawi, Murshid al-Ibad fil-Awqat wa al-Awrad (Baghdadi, 97), Sharh al-Minhaj al-Asli, Sharh al-Hawi, and Sharh al-Masabih al-Sunnah. He served for a period as an official in the Mamluk state of Egypt before traveling to India. After his arrival in India, there is no record or news about him, as noted by his contemporary Shams al-Din al-Sakhawi. Taking into account his birth date and the death dates of his contemporaries, it can be inferred that the scholar passed away in the late 15th century (al-Sakhawi, 21).

Among the great scholars of hadith, the name of Sheikh Badr al-Din Muhammad ibn Badal ibn Muhammad al-Tabrizi Ardabili holds a special place. He was a Shafi'i scholar, a reader of the Qur’an, and a Hafiz of the Qur'an. Badr al-Din Tabrizi was a scholar with profound knowledge of Arabic language and literature. He was well-versed in works such as Qayt al-Nihayah on recitation and tajwid by Abu Muhammad al-Shatibi, Minhaj al-Wusul on fiqh methodology by Nasir al-Din al-Bayzawi, Tawali al-Anwar on theology, and Sharh al-Masabih al-Sunnah on hadith sciences. In Egypt, a great number of students gathered to attend his lectures. His death date is unknown, but he lived in the 15th century (al-Sakhawi, 54).

One of the prominent Azerbaijani muhaddiths who made a significant contribution to the work Masabihus-Sunna is Qari Ibrahim ibn Ahmad ibn Muhammad ibn Ahmad Ardabili. He was both a scholar and a qari. He was born in 687 AH (1288 CE). To continue his studies, he went to Mecca, where he listened to the Cami'ul-Usul by Najm al-Din al-Tabari. He also studied al-Masabih (Masabihus-Sunna by Husayn ibn Masud al-Farra al-Baghawi, who passed away in 1122), a work on hadith, under the guidance of Taqi al-Din al-Zafarani. Several commentaries have been written on this work, one of which was authored by Sheikh Taqi al-Din Abdulmumin ibn Abu Bakr al-Zafarani. Ibrahim ibn Ahmad Ardabili also studied al-Shifa with Jamal al-Din al-Matarri. He was a student of Abdulrahman ibn Omar al-Qababi, from whom he received authorization in Quranic tajwid and recitation. Additionally, he was a physician (Ibn Hajar, 4).

One of the most prominent representatives of Azerbaijani leading scholar in the fields of hadith, fiqh, tafseer , and other Islamic sciences during his time was Allama Hussein ibn Hasan al-Husseini Khalkhali. Allama Hussein Khalkhali, a descendant of Imam Hussein (a.s.), lived during the reigns of Sultan Murad III (1574–1595) and Sultan Mehmed III (1595–1603) in the Ottoman Empire. He was a well-known mufassir, philologist, theologian, and astronomer. Allama Hussein Khalkhali was a student of Mirza Can Shirazi. He was the author of several works written in Arabic, Persian, and Turkish on various scientific subjects, including Hashiya ala Sharh al-Aqa'id al-Azudiyya, Sharh al-Da'irat al-Hindiyya, Hashiya ala Anwar al-Tanzil, Miftah fi Hall al-Masabih, Risala fi al-Mabda' al-Awwal, Sifatihi, Sharh al-Kafiyya li Ibn al-Hajib, Risala fi Tahiqq al-Waqt al-Zawal, Hashiya ala Risala fi Isbat al-Wajib, and Hashiya ala Sharh al-Davvani li-Tahzib al-Mantiq, among others. The scholar passed away in 1014 AH (1605 CE) (Zirikli, 351). Hundreds of copies of Allama Hussein Khalkhali's works are preserved in manuscript collections in libraries in Turkey.

During the rule of the Ilkhanids (1256–1353), one of Azerbaijan's renowned Shafi'i jurists, hadith scholars, literati, and theologians was Shams al-Din Muhammad ibn Muzaffar Khalkhali. Known by the title "Khatibi," Shams al-Din Khalkhali was the author of several works in various fields of knowledge. Among his notable works are Tanzir al-Masabih, Sharh Mishkat al-Masabih, Sharh Muntahi al-Sul wa al-Amal fi Ilm al-Usul, Sharh Miftah al-Ulum, and Sharh Talkhis al-Miftah. The scholar passed away in 745 AH (1344 CE) in Arran. One of the rare manuscript copies of Sharh Talkhis al-Miftah is preserved in the Afyon Gedik Ahmed Pasha Municipal Library in Turkey, while a copy of Sharh Miftah al-Ulum is kept in the Köprülü Manuscript Library in Istanbul (Nasirov, 2011: 426).

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DOI https://doi.org/10.30525/2592-8813-2024-4-43

PRIEST OMELYAN KOVCH IN THE NATIONAL MEMORY: BETWEEN A RELIGIOUS SYMBOL AND A NATIONAL HERO

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Abstract. The article explores the role of priest Omelyan Kovch in Ukrainian national memory, analyzing his figure as both a religious symbol and a national hero. Omelyan Kovch, a priest of the Ukrainian Greek Catholic Church, is known for his spiritual feat and heroic service during World War II, in particular for saving Jews from Nazi persecution, which led to his imprisonment and martyrdom in the Majdanek concentration camp. The article examines various aspects of his activities, including his participation in interfaith dialogue, his contribution to the preservation of the national identity of Ukrainians, and his international recognition as the «Righteous Among the Nations». The author examines the historical and cultural factors that influenced the formation of the image of Kovch as a symbol of Christian humanism and a moral example for modern Ukrainian society. The article analyzes the processes of beatification and commemoration of Kovch, revealing how his figure is integrated into the modern Ukrainian national discourse.

Key words: Omelyan Kovch, national memory, Ukrainian Greek Catholic Church (UGCC), Holocaust in Ukraine, church service, righteous man.

Introduction. Omelyan Kovch is a unique figure in the history of Ukraine and the world, but his figure remains relatively understudied in world scientific literature. Basically, research on him is concentrated in the works of Ukrainian and individual Western historians and religious scholars, as well as within the scope of topics devoted to the Holocaust, spiritual resistance during the Second World War, and inter-ethnic relations.

In world scientific literature, interest in Omelyan Kovch is primarily related to his role in the protection of Jews during the Holocaust. Research on this topic is partially reflected in works devoted to the actions of individual Christian figures who risked their own lives to save the Jews. Historians note that Kovch is an example of a priest who did not limit his activities only to a spiritual mission, but showed an active humanitarian position.

A large part of the research concerns his activities in the Majdanek concentration camp, where he continued to support the prisoners, provided them with moral support and even in extremely difficult conditions performed his duties as a priest. Researchers emphasize that Kovch represents an example of high moral stability, which in the context of global history places him next to other religious and public figures who resisted the Nazi regime.

From the point of view of cultural and interethnic dialogue, Kovch is often mentioned in works that consider the models of coexistence of Ukrainians, Jews and Poles in the territory of Western Ukraine.Thanks to his activities in favor of the Jews, modern studies study Kovch in the context of Ukrainian-Jewish relations and their difficult historical past, which contributes to the formation of a more objective approach to the common history.

Despite the importance and uniqueness of this figure, there is still a lack of thorough academic works at the international level, as well as translations into other languages. Therefore, the figure of Omelyan Kovcha has a significant potential for further research, especially within the framework of the themes of spiritual courage, humanism and protection of human rights during catastrophic historical events.

The purpose of the article is to research and analyze the role in the historical memory of Omelyan Kovch as a clergyman and a righteous man who became a symbol of moral stability and self-sacrifice under extreme historical circumstances.

The main part. The task of this study is to reveal the significance of Omelyan Kovch's activities for the Ukrainian and world community, as well as to find out how his legacy affects modern ideas about inter-ethnic tolerance, humanism and spiritual resistance to evil.

This article also aims to systematize existing research on Omelyan Kovch, to find out how much his figure is integrated into national and international historical memory, and to identify key aspects contributing to the popularization of his legacy as a moral reference point in modern society.

Research material and methods. The material for the study of the figure of Omelyan Kovch in historical memory is archival documents, personal letters, eyewitness accounts, memories of contemporaries, as well as scientific articles, monographs and other works devoted to the topic of the activities of clergy during the Second World War. Considerable attention will be paid to the analysis of documents related to his activities in the parish and the Majdanek concentration camp, as well as materials from museums and memorial complexes, where information about Kovch is presented. Works on Ukrainian-Jewish relations and Omelyan Kovch's place in this topic will serve as an additional source.Research methods include: historical-biographical method – to reconstruct the life path of Omelyan Kovch, to determine the main stages of his spiritual and public activity and the context in which he acted; content analysis of textual sources, which allows to single out key aspects of his activities, statements and motivations that influenced the formation of his image in historical memory; comparative analysis – to compare the activities of Omelyan Kovch with other spiritual figures who actively opposed the Nazi regime, as well as to determine the uniqueness and common features in the behavior of clergymen in similar historical conditions; a sociological approach to the study of historical memory – to analyze how different groups (Ukrainians, Poles, Jews) preserve the memory of Omelyan Kovch and in what ways his figure is included in collective memory.

Such a comprehensive approach makes it possible to objectively analyze the place of Omelyan Kovch in historical memory and to determine the key factors contributing to the preservation and popularization of his heritage in modern society.

Results and their discussion. Omelyan Kovch was born on August 20, 1884, in the village of Kosmachi, Kosiv District, Hutsul Oblast, in the family of a clergyman. He was educated at the Roman College of Saints Sergius and Bacchus. Studied theology at Urbanian University. At first he worked in Galicia, and later in Bosnia. In the middle of the First World War, he returned to Galicia. In 1919, he joined the Ukrainian Galician Army as a military chaplain, where he served with the soldiers of the Berezhansky Kuren and remained there until the end of the existence of the Ukrainian Galician Army (Zelisko, 2014: 309).

In 1922, Omelyan Kovcha was appointed parish priest in the city of Peremyshlyany in the Lviv Region. About 5,000 residents lived in the city, most of whom were Jews, while there were about 1,000 Ukrainians, most of whom were Polonized. Father Omelyan Kovch quickly became an active participant in the religious and public life of local Greek Catholics. Thanks to his efforts, the temple was restored, the «Prosvita» building and the cooperative were built. Every year, on the initiative of O. Kovcha, a number of events were held in the city, including Eucharistic conferences, district congresses, Plast and the youth organization actively developed. On the initiative of Omelyan Kovch, a house was bought in Przemyśl, where a kindergarten was opened, which later became the center of Maids and Studite sisters under the guidance of Sister Maria-Fanka Lyakhir. Amateur groups, church and high school choirs were also organized under the auspices of Omelyan Kovch. Even then, his active participation in the public and cultural life of the Greek-Catholic community caused concern of the Polish authorities, and he was imprisoned several times and interned in the Lviv Monastery for

his social activities. Kovcha's residence was frequently searched, about 40 times between 1925 and 1934 alone (Lytvyn: 2012, 95).

When Soviet power came to Western Ukraine in 1939, Father Omelyan Kovch continued to defend the rights of Ukrainians and awaken their national consciousness.

At the end of 1941 mass arrests began, NKVD officers arrested people on Sunday after church services and took them to an unknown destination. At the same time, there was an attempt by the special services to capture Omelyan Kovch himself and his family, then they were saved by a sudden raid by German aircraft, which helped the priest's family to escape and hide for a while. After that, the NKVD started a hunt for Father Kovch, promising a reward of 5,000 for him. rubles However, the local population did not betray the priest, on the contrary, people hid Father Kovch and his family until the Bolsheviks left the Przemyśl region (Berezanska, 2019: 167).

However, after the departure of the Bolsheviks, the Germans entered these territories and began to establish their occupation regime here. First of all, they began to destroy the Jews, who made up the vast majority of the city's population. It was during this period that Father Kovch began to actively save Jews in various ways. One of them was baptism, he baptized about 2000 Jews. Omelyan Kovch even wrote a letter to Hitler in which he condemned the mass murders of Jews and demanded permission to visit Jews in the ghetto. The reaction to this was the arrest of the priest. Kovcha was imprisoned in Lviv prison. At that time, family, friends and higher Greek Catholic clergy, in particular Metropolitan Andrey Sheptytskyi, made significant efforts to free Father Kovch. Thanks to Andrei Sheptytskyi's petition, he could be released, but on the condition that he refused to provide further assistance to the Jews. Father Kovch did not sign such a statement, so he remained in prison (Stasiuk, Hnidyk, 2018: 70).

In August 1943, Father Omelyan Kovch was transported to the Majdanek concentration camp near Lublin. Omelyan Kovch, prisoner № 2399 of Majdanek, worked with everyone else in the camp, but after hard physical labor, he still served as the pastor of the terrible factory of death. He secretly celebrated the Holy Liturgy, confessed the prisoners, blessed with holy water the remains of the prisoners who were to be burned. In February 1944, Father Omelyan was admitted to the camp hospital and died there, and his body was burned in the crematorium on March 25, 1944. In one letter to his relatives, he wrote: «Pray for those who created this concentration camp and this system. They are lonely who need prayers... May the Lord have mercy on them» (Sambirsko-Drohobytska yeparkhiia).

So even such a brief description of the life path and activities of Father Omelyan Kovch gives good reason to assert the need to honor such figures in the historical memory of today. I would like to dwell in more detail on the ways in which the memory of O. Kovch is preserved.

First of all, these are, of course, church honors. On June 27, 2001, during the historic visit of Pope John Paul II to Lviv, Mykola Charnetsky and Omelyan Kovch were canonized as blessed Ukrainian new martyrs. Since then, every year, believers celebrate the Day of the Hieromartyr Bishop Mykola Charnetsky, 24 co-martyrs and Hieromartyr Omelyan Kovch on June 27 (according to the Julian calendar).

In the fall of 2008 The Synod of Bishops of the UGCC proclaimed Blessed Hieromartyr Omelyan the Patron Saint of Pastors of the UGCC. On April 24, 2009, in Kyiv, on the territory of the construction of the Patriarchal Center of the UGCC, the solemn proclamation of Omelyan as the Patron Saint of Pastors of the UGCC took place (Zelisko, 2014: 311). As the patron saint of the clergy, Omelyan Kovch embodies the ideal of a priest who puts love for his neighbor, devotion to his calling, and the courage to defend human life and dignity, even in the most difficult circumstances. The proclamation of Omelyan Kovch as the patron saint of pastors has a deep symbolic and practical meaning for the UGCC. This recognition is intended to remind all pastors of the importance of serving people, which goes beyond confessional, national, and social barriers, and calls for imitating his sacrifice and openness. As the patron saint of pastors, the Ark is a model of moral responsibility and deep humanity,

which is especially relevant in the modern world, where the church faces new challenges. The figure of the Ark inspires the clergy to support people in difficult times, become a moral guide for them, and preach the universal values of humanity and dignity.

In many churches of the Ukrainian Greek Catholic Church, services are held every year in honor of Omelyan Kovch, where priests pray to him as a patron and intercessor before God. His memorial day becomes not only a moment of remembrance, but also an opportunity to rethink the mission of the church and the role of priests in modern society. The proclamation of Omelyan Kovch as the patron saint of UGCC pastors is an important step in preserving and spreading his legacy, which calls for mercy, spiritual stability and devotion.

In May 2012 In the city of Przemyślany in the Lviv Region, the Forgiveness of the clergy and laity of the UGCC was held, dedicated to the memory of the Blessed Holy Martyr Omelyan Kovch. It was attended by the bishops of the Ukrainian Greek Catholic Church led by the Head of the UGCC His Beatitude Svyatoslav Shevchuk. The dedication and opening of the monument to Omelyan Kovch was held. In the city Przemyśl residents in 2002 a memorial plaque was also erected in honor of Omelyan Kovch (Lytvyn, 2012: 99).

In March 2009 the «Sources of Spirituality» center of the Lviv Archdiocese of the UGCC organized a pilgrimage of clergy and laity to the memorial complex-museum «Majdanek» (former concentration camp) on the territory of Poland, on the occasion of the opening of a memorial tablet (in stone and bronze) dedicated to the blessed holy martyr Omelyana Kovcha and accepting the ashes and transferring them to the cathedrals of each diocese. The initiator of the perpetuation of the memory of Fr. Father Stefan Batruh gave the prayer. The commemorative tablet is a commemoration of father Kovch's will, in which he urged not to discriminate between people of different nationalities. Inscribed on the tablet are the words: «Here I see God – a God who is the same for all of us, regardless of our religious differences». People's Artist of Ukraine Ivan Samotos embodied the idea of a commemorative plaque to Omelyana Kovcha in bronze and stone (Gazeta.ua, 2019).

April 27, 2009 from Majdanek to Odesa, the ashes of many people burned by the Nazis were brought. Due to the fact that it was impossible to find the real relics of blessed Omelyan Kovch, the leadership of the UGCC decided to consider these ashes as the relics of the blessed martyr (ZAXID. NET, 2009).

A monument to Father Kovch was also opened in Lublin, Poland, on October 4, 2021. The opening ceremony of the monument was attended by a delegation from Ukraine, which included Minister of Foreign Affairs Dmytro Kuleba, representatives of the Polish government and local self-government, the Ukrainian community, and journalists from both countries.

Before that, a divine service was held in the Lublin Cathedral under the chairmanship of the head of the UGCC, His Beatitude Sviatoslav, and candles were lit in the «Majdanek» concentration camp museum in memory of those killed in the concentration camps during the Second World War. The official opening ceremony of the monument took place with the participation of Ukrainian platoon soldiers and Polish scouts, military guards. In his address at the ceremony, the then Minister of Foreign Affairs of Ukraine, Dmytro Kuleba, read a letter from President Volodymyr Zelenskyi, in which it was noted that the figure of Omelyan Kovch became «a unifying force for the Ukrainian and Polish peoples, an example of how valuable mutual support and mutual respect are regardless of nationality and religion». The head of the Ukrainian state also expressed hope that the sacrifice of Omelyan Kovch will be properly appreciated, and his memory will be honored by awarding the title of Righteous Among the Nations. In turn, the letter of the President of Poland Andrzej Duda, which was also read, expressed the hope that this monument will become a place of meetings and joint prayers for Ukrainians, Poles, Germans and representatives of other nations (Ukrinform, 2021).

The image of Omelyan Kovch appears on icons in many churches of Ukraine, as well as in church communities of the diaspora. The iconographic image of Omelyan Kovch is designed to depict him

as a symbol of spiritual courage, self-sacrifice and moral fortitude, focusing on his mission of serving people regardless of nationality or religion.

The image of Omelyan Kovch in church iconography has its own special symbolic features. Koch is often depicted in traditional priestly garb, reflecting his service as a Greek Catholic priest and bearer of the faith. In his hands he can hold the Gospel or a cross, symbols of his spiritual mission and testimony of faith (Sambirsko-Drohobytska yeparkhiia).

Icon painters pay special attention to the face of the Ark, emphasizing his calm but determined expression. In some icons, he is depicted with rays of light or a nimbus, which indicate his blessed status in the church and sanctity of life.

Some of the icons include symbols connecting Omelyan Kovch with the Majdanek concentration camp, where he died. Sometimes the iconographic compositions use images of barbed wire or sad prisoners, which remind us of the context of his martyrdom. Such details reflect the conditions in which Kovch carried out his mission. In a number of iconographic images, Omelyan Kovch appears surrounded by people of different nationalities, which reflects his role as a defender of those who suffered from Nazi persecution. In some icons, Omelian Kovch is depicted alongside symbols that indicate his connection to the Jewish people, such as the Star of David or other signs symbolizing the friendship and support he gave to the Jews during World War II. This feature makes his iconography particularly relevant for the inter-ethnic and inter-religious dialogue that is developing in modern Ukraine.

The name of Omelyan Kovcha's father is also preserved in the memory of descendants thanks to the naming of toponymy objects in his honor, in particular in May 2012. Lviv City Council renamed the street Vynnytsia on the street at. Omelyana Kovcha. There is also Omelyana Kovcha Street in the city of Peremyshlyany. And even in Lublin, Poland, at the intersection of Armiya Kraiova and Ivan Paul II streets, you can see the street named after Father Omelyan Kovch (Berezanska, 2017: 126).

The Pidvolochysk Local Lore Museum (Ternopil Oblast) is also named in honor of Omelyan Kovch, because before the First World War O. Kovch was a pastor in Pidvolochysk. The institution was actually created from scratch in 2011 on the initiative of collector B. Didenko. In addition to the exhibits illustrating the history of the region, the museum exhibits a rare edition of the Bible – a life-time edition of the Bible translated by Ivan Puliu. And the Bible itself, presented by Patriarch Filaret. The museum has a communist-era hall and a political prisoner's cell. And two halls are dedicated to the national liberation struggles of the 1940s and 1950s (Vandzeliak, 2017).

The European Council of Ukraine awarded Omelyan Kovch the title «Righteous of Ukraine» in 1999. The awarding of the title «Righteous of Ukraine» became part of the official recognition of Omelyan Kovch as a symbol of inter-ethnic tolerance and spiritual leadership. His activities have been noted both in Ukraine and abroad: in 2008, Israel also added his name to the list of «Righteous of the World» for his heroic defense of Jews. This title emphasizes Omelyan Kovch's contribution to saving the lives of many people and serves as a reminder of the power of faith, humanism, and moral courage that he embodied even in the most dire circumstances (Zelisko, 2017: 311).

In 2010, the Committee to Commemorate the Blessed Hieromartyr Omelyan Kovch was founded. His Beatitude Lubomyr Husar was appointed honorary chairman. The head of the committee is state and public figure Ivan Vasyunyk. The activities of the Committee are carried out under the patronage of the Head of the Ukrainian Greek Catholic Church His Beatitude Sviatoslav Shevchuk. The Committee's efforts are aimed at promoting the implementation of the ideas of the blessed hieromartyr Omelyan Kovch for the sake of inter-ethnic, inter-denominational and inter-religious dialogue, fostering tolerance and mutual understanding in society, popularizing socially useful and charitable activities. The Committee annually awards the Father Omelyan Kovch Award, founded in 2010, to outstanding individuals for a significant contribution to the cause of ecumenical dialogue, a personal example of sacrifice and humanism, and heroic deeds, for example in 2023 four Ukrainian military

chaplains, a paramedic from Azovstal, and the Polish people became laureates of the Father Omelyan Kovch international award for outstanding humanitarian contribution (Relihiino-informatsiina sluzhba Ukrainy, 2023).

Cherishing the memory of the blessed hieromartyr Omelyan Kovch, the UGCC established a distinction for clergy. By decrees of September 3, 2024 Father and Head of the Ukrainian Greek-Catholic Church His Beatitude Sviatoslav proclaimed the Order of the Blessed Hieromartyr Omelyan Kovch, established by the Synod of Bishops of the UGCC, as well as its Statute.

This distinction will be awarded to clergymen of the UGCC for outstanding services in priestly service, pastoral activities and promoting the spread of Christian values.

«Cherishing the memory of the blessed hieromartyr Omelyan Kovch, the Synod of Bishops of the UGCC, which was held in Zarvanytsia on July 2–12, 2024, decided to establish the Order of the blessed hieromartyr Omelyan Kovch as the highest award of the Father and Head of the UGCC to honor clergymen for special merits (Resolution № 17)», the Decree states proclamation of the order (Ukrainska Hreko-Katolytska Tserkva, 2024).

According to the Statute, «The Order of the Blessed Hieromartyr Omelyan Kovch is one of the honorary awards of the Father and Head of the UGCC, established to award clergymen of the UGCC for outstanding merit in priestly service, for unparalleled pastoral zeal, for an active position in spreading Christian values in society, for achievements in evangelistic and missionary Church activity, for self-sacrifice in philanthropy, for success in ecumenical and interreligious dialogue, as well as for other important achievements that the awardee contributed to the successful implementation of the Church's mission in the modern world» (Ukrainska Hreko-Katolytska Tserkva, 2024).

In 2017 with the financial support of the «Renovabis» charitable foundation and the head of the Committee for Commemoration of the Blessed Hieromartyr Omelyan Kovch Ivan Vasyunyk, the book «Father Kovch's Ark» was published (Kruk, 2017).

The publication tells about the life and activities of a priest of the Ukrainian Greek Catholic Church, who is considered a disciple and associate of Metropolitan Andrey Sheptytskyi. The book tells about the period of Father Kovch's life during his service as a parish priest in Przemyślany. It is emphasized that he always stood up for the persecuted and the persecuted, regardless of their ethnic origin and religion, for which he suffered from various authorities. Stories about the priest's life alternate with reports from the places where he lived and served. The publication contains numerous archival and contemporary photographs. The book is designed for everyone who is interested in the struggle of Ukrainians for freedom and human rights, the history of Ukraine, as well as moral and ethical problems of today.

Also, the figure of Omelyan Kovch is highlighted through scientific research by domestic historians and the publication of scientific articles that analyze in detail the life of Omelyan Kovch, especially his spiritual activity during difficult historical events and his heroic participation in the rescue of Jews. For example, the article by S. Lytvyn «Parish Priest Maidanenko – Father Omelyan Kovch» describes in detail the life path and religious activities of Father Kovch. The researcher notes the personal courage of Omelyan Kovch during his service in Przemyślny, where he created cultural centers and openly opposed the Polonization measures of the Polish authorities. This allows for a better understanding of his desire to preserve the Ukrainian identity among the community, involving people in the national awakening through reading rooms «Prosvit», cooperatives and other cultural initiatives that he initiated (Lytvyn, 2012).

In the article L. Zelisko «Omelyan Kovch: Life and Spiritual Deed» reveals the meaning of the life of Father Omelyan Kovch as a living example of high human culture, mercy, service to the ideals of Christianity, the importance of his influence on the moral and spiritual consciousness of pastors of the Christian Church (Zelisko, 2014). I. Berezanska's research reveals both the issues of the biography and activities of Omelyan Kovch in general, and analyzes the features of the pastoral and public activ-

ities of the Greek Catholic priest of the city of Przemyshlany in the Lviv region, Omelyan Kovch, in the interwar period. The author's special attention is focused on his activities under various occupation regimes: Polish, Soviet and German (Berezanska, 2019).

In the article I. Stasyuk and I. Hnidyk gives specific facts of the personal contribution of Fr. Omelyana Kovcha in enriching the spiritual heritage of Ukraine. The authors reviewed the life path of Fr. Omelyana Kovcha shows his practical steps to improve the situation of the Ukrainian Greek Catholic Church. His attitude to preaching as an important element of keeping the faithful in the bosom of his native Church and raising its authority is highlighted. His vision of the mission of helping the needy is shown. The authors find out why father Omelyan Kouch died and forever etched himself in human memory as a spiritual giant and a role model for many generations (Stasiuk, Hnidyk, 2018).

The mentioned scientific articles demonstrate the multifaceted character of Omelyan Kovch, who was not only a priest, but also an active fighter for spiritual and national ideals, which is still revered as an example of humanity and sacrifice.

Regarding mentions of Father Kovch in the media space, the documentary film «The Priest of Majdanek» (2005) is worth noting first of all, which tells the story of the blessed holy martyr Omelyan Kovch, who until the last day of his life confessed and administered communion to the prisoners of the «Majdanek» concentration camp in of Poland According to the director and author of the film's script, Grzegorz Linkowski, the idea was to show the quintessence, the idea of Father Kovch's activities, because this is not a historical film, but a documentary. The film «The Priest of Majdanek» aims to show Omelyan Kovch as an outstanding spiritual leader who showed exceptional courage and self-sacrifice in the conditions of Nazi terror. This is a documentary that seeks to portray Kovch's moral strength and unwavering faith, which became an example for many. The film deeply reveals Kovch as a priest who not only fulfilled his spiritual duties, but also fought for the human dignity and life of his parishioners, regardless of their nationality or religion. He actively helped Jews, exposing himself to danger and eventually ended up in the Majdanek concentration camp. In this context, the film emphasizes his universal values – love for neighbor, mercy and willingness to sacrifice oneself (Fundacja Kultury Duchowej Pogranicza w Lublinie, 2013).

The director emphasizes Omelyan's personal resilience, which remained steadfast even in the concentration camp, where he continued to serve and provide moral support to other prisoners. This makes his image more recognizable in modern historical memory, as he appears as a person who fulfilled his duty to God and people to the end.

«The Reverend Majdanek» also touches on the topic of Ukrainian-Jewish relations, showing Kovcha as an example of tolerance and mutual understanding. During the occupation, he saved Jews, which gives the film a special significance in view of the difficult moments in Ukrainian-Jewish history. Koch appears as someone who sought understanding and unity, regardless of the enmity that divided the nations at that time.

The film uses documentary footage, photographs and eyewitness accounts to convey the atmosphere of the tragic events and Kovch's personal story. Emotional interviews with people who were familiar with his activities or who survived the Holocaust add authenticity and depth. They show how this priest left a mark in people's memory thanks to his courage and sacrifice.

In addition to the above-mentioned film, the figure of Omelyan Kovcha is mentioned in the modern media space also through coverage in Ukrainian and foreign media publications. In particular, leading Ukrainian publications such as «Ukrainian Pravda» (Vozniak, 2012) and «The Day» (Marukhniak, 2020) publish articles about Omelyan Kovch, especially on the eve of his death anniversaries or during important religious holidays. For example, articles on these resources often emphasize the role of Kovch as a righteous man who risked his life to save Jews during the Holocaust, and as a symbol of Ukrainian spiritual resistance.

In social networks, the figure of Omelyan Kovcha is mentioned in numerous thematic posts, especially on the days of remembrance of the victims of the Holocaust. Ukrainian public organizations, in particular the Ukrainian Institute of National Remembrance, publish information materials and biographical articles about Kovch, telling about his contribution to the protection of Jews and highlighting his activities in the Majdanek concentration camp.

The memory of Omelyan Kovch is revered not only in Ukraine, but also in international religious circles. In 2009, Omelyan Kovch was declared the patron saint of Greek Catholic priests, and on the anniversary of his death, regular prayer services are held, which is often reported by Catholic media such as the «Vatican News». During such events, his figure is remembered as a symbol of sacrifice and love for one's neighbor.

The media space also mentions the activities of educational and memorial projects dedicated to Omelyan Kovch. For example, exhibitions and lectures dedicated to Kovch's life, especially in the context of Ukrainian-Jewish relations and the Holocaust, are periodically held in Lviv and Kyiv. Such events are often reported by cultural and educational publications such as «Zaxid.net» (Kovalenko, 2024) or «Gazeta.ua» (Gazeta.ua, 2019).

The figure of Omelyan Kovch is actively covered abroad, especially in the media specializing in the history of the Holocaust and intercultural relations. Events commemorating Kovac have been held in Poland and Israel, and have been covered by Polish publications such as «Gazeta Wyborcza» and «Israel's The Times of Israel». Thanks to such publications, Kovch gained recognition as a «righteous man» and became a symbol of compassion and moral responsibility.

The mention of Omelyan Kovch in the media space focuses on his spiritual strength, determination and willingness to help his neighbor regardless of the circumstances, which made him an outstanding example of a spiritual leader and righteous man in Ukrainian historical memory.

Conclusion. Omelyan Kovch is an important figure for the historical memory of Ukraine and the world, especially as a symbol of moral courage and humanism. His activity went down in history as an example of international solidarity. The scientific study of the life of Omelyan Kovch reveals the significance of his role in Ukrainian society and the church hierarchy. Scientific works and historical research on his biography allow a deeper understanding of the phenomenon of priestly service in the conditions of totalitarianism and war. In the media space, Omelyan Kovch is highlighted as a heroic figure who combines spirituality and humanistic principles. Attention to this figure in mass media and social networks helps spread knowledge about his contribution among young people and contributes to the formation of a positive image of Ukraine in the international context.

Veneration of Omelyan Kovch at the state level, including awarding and installation of memorial signs, contributes to the strengthening of national memory and education of patriotic values. State initiatives support the dissemination of information about it as part of the cultural heritage of Ukraine.

Further prospects for honoring Omelyan Kovch include the development of educational and cultural initiatives dedicated to his figure, including school programs, lectures and museums. In addition, projects for international recognition and cooperation with museums, memory institutes and other organizations preserving the memory of the Holocaust are promising.

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DOI https://doi.org/10.30525/2592-8813-2024-4-44

THE USE OF OPERATIONAL METHODS BY THE STATE SECURITY COMMITTEE (KGB) FOR REPRESSION AGAINST THE UKRAINIAN DISSIDENT MOVEMENT IN THE MID-1970S

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Abstract. The article analyzes the extrajudicial informal methods of the State Security Committee`s (KGB) struggle against Ukrainian dissidents after the "second wave of arrests" in the mid-1970s. The following secret methods are distinguished: the use of fictitious agents, operational control over the behavior of dissidents, their compromising to like-minded people, the use of external surveillance services, covert searches, auditory control of premises, video equipment and hidden microphones. The author concludes that the use of informal methods by KGB officers has had a significant impact on reducing the intensification of the Sixties human rights movement. Numerous KGB agents, who were recruited in the dissidents` close circle, played an important role in the processes of gathering information about dissidents and operational control over their behavior. As a result of moral pressure from KGB officers, some dissidents were forced to speak in the press condemning their views, which was later used by the system to discredit the dissident movement and its individual members. Almost complete control over the personal life and activities of the objects of the "Block" case was carried out due to the frequent use of "letter measures" – the service of external surveillance, covert searches, auditory control of premises, the use of hidden microphones and video equipment.

Key words: Ukrainian dissident movement, State Security Committee (KGB), "second wave of arrests", secret agents, compromising, repression.

Introduction. The State Security Committee (KGB) under the Council of Ministers (CM) of the Ukrainian Soviet Socialist Republic (Ukrainian SSR) was a key tool of the Soviet regime in the confrontation with the Ukrainian national movement of the 1950s and 1980s. Through the efforts of the KGB, control over Soviet society and the struggle against dissent within the totalitarian system was exercised. Ukrainian dissidents were subjected to constant pressure, "prevention" and repression by the KGB, which resulted in two waves of arrests among the intellectuals in 1965–1966 and 1972–1973. In the Valentyn Moroz`s essay "Report from the Beria Reserve" written during his imprisonment in the Mordovian colonies, author called the KGB "a refrigerator in which the spiritual development of society was frozen for several decades." (Moroz, 1975: 47–48) The KGB`s repressive activities became particularly intense in the 1970s, when the republican department was headed by Vitalii Fedorchuk. During their work, KGB officers used a number of unofficial, so-called operational methods to ensure comprehensive control over the dissident environment, which served as a significant complement to judicial repression. The declassification of the documentation of the former KGB archives enabled a comprehensive scientific study of this aspect of the activities of the Soviet secret service. The complete declassification of the documentation of the former archives of the KGB in accordance with the laws on decommunization (2015) made possible a comprehensive scientific study of this aspect of the activities of the Soviet secret service.

The study of the secret methods widely used by the KGB against the Ukrainian national movement is just beginning in modern historiography. A valuable analysis of the Ukrainian dissident movement

in the 1970s and the repressive policy of the Soviet regime against its participants can be found in the works of modern Ukrainian historians Heorhii Kasianov (Kasianov, 1995), Anatolii Rusnachenko (Rusnachenko, 1998), Yurii Danyliuk and Oleh Bazhan (Danyliuk, Bazhan, 2000), Borys Zakharov (Zakharov, 2003). The monograph of Serhii Plokhy on the murder of Stepan Bandera (Plokhy, 2016), which reveals the specifics of the use of KGB agents in the 1950s, is a landmark. Taras Kovalevych's investigation (Kovalevych, 2019–2021) presents the use of secret KGB employees against the Ukrainian national movement based on the analysis of the dissidents' memories. Certain aspects of the confrontation between the Soviet special services and Ukrainian diaspora organizations are revealed in the articles of Ruslan Siromskyi and Volodymyr Kachmar (Siromskyi, 2019; Siromskyi, Kachmar, 2022). The confrontation between the KGB and foreign centers of the Organization of Ukrainian Nationalists (OUN) became the subject of an article by Yaroslav Antoniuk and Volodymyr Trofymovych (Antoniuk, Trofymovych, 2021). However, the important aspects of the problem related to the KGB's use of secret extrajudicial methods of struggle against the participants of the resistance movement in the Ukrainian SSR in the 1970s remained almost unnoticed by researchers of Ukrainian dissidence.

Main part. The aim of the article is a comprehensive and objective study of the operational methods of the KGB, which were used in the fight against Ukrainian dissidents in the mid-1970s. The tasks of the research are the analysis of the activity of the network of agents and informants of the KGB, the study of the peculiarities of the use of the external surveillance service, the characteristics of the use of methods of compromise, secret searches, wiretapping of homes.

Materials and research methods. The source base of the article was made up of the documents of F. 16 of the Sectoral state archive of the Security Service of Ukraine (SSA SBU). There are informational and analytical materials of reports and special messages of the leadership of the KGB under the CM of the Ukrainian SSR addressed to republican or all-Union power centers. The article examines the KGB's repressive actions against Ukrainian dissidents in the chronological period from spring 1973 to autumn 1976, from the trials of the movement's leaders Ivan Dziuba, Ivan Svitlychnyi, Yevhen Sverstyuk, Viacheslav Chornovil to the creation of the Ukrainian Helsinki Group (UHG). The methodological basis of the article was the principles of objectivity, historicism, comprehensiveness, continuity, as well as a complex of general scientific and special historical methods.

Results and their discussion. During the "second wave of arrests" of Ukrainian dissidents in 1972–1973, the Soviet regime dealt a severe blow to Ukrainian sixties human rights activists. The leaders of the movement, Ivan Svitlychnyi, Yevhen Sverstiuk, Vasyl Stus, Mykola Plakhotniuk, Zinovii Antoniuk, Yevhen Proniuk, Vasyl Lisovyi in Kyiv, Viacheslav Chornovil, Ivan Hel, Mykhailo Osadchyi, Iryna and Ihor Kalynets, Stefania Shabatura in Lviv were arrested and sentenced to various terms of imprisonment. Resistance members who remained at large were forced to significantly reduce or even completely suspend anti-regime activity, production and distribution of self-published literature (HDA SBU. F. 16. Spr. 1035. P. 165). The situation of constant pressure and total control by the KGB led to the transition of most members of the Sixties human rights to the tactics of "Valenrodism", which provided for temporary abstinence from active activities, taking measures to save themselves and like-minded people from repression in order to continue the fight in better times (HDA SBU. F. 16. Spr. 1035. P. 166–167). After the "second wave of arrests", Borys Antonenko-Davydovych, Yurii Badzio, Mykhailyna Kotsiubynska, Leonida Svitlychna, Ivan Rusyn and Oksana Meshko became the leaders of the Kyiv dissident community, Mykhailo and Bohdan Horyn, Atena Pashko, Liubomyra Popadiuk – of the Lviv dissident community; Opanas Zalyvakha and Raisa Moroz from Ivano-Frankivsk were in contact with them (HDA SBU. F. 16. Spr. 1035. P. 167).

During 1973–1976, the KGB leadership under the CM of the Ukrainian SSR continued the massive pressure on Ukrainian dissidents who remained at large as part of the "Block" group operational development case. The main goals of the KGB were to sever contacts between the objects of the case,

to strengthen discord among them, to prevent them from resuming active anti-regime activities, to compromise them in front of like-minded people and the Ukrainian public, and to isolate them from contacts with the Ukrainian diaspora. The KGB paid special attention to coercion to cease the activities of dissidents, "in whose behavior there was a departure from nationalist positions." (HDA SBU. F. 16. Spr. 1035. P. 166, 177)

In the fight against the circle of Sixties human rights activists, the secret service used a whole range of methods, which can be divided into judicial and extrajudicial, and the latter into official and unofficial (secret). Judicial methods include the detention of dissidents, their arrest, interrogation and conviction under Art. 187–1 and 62 of the Criminal Code (CC) of the Ukrainian SSR. Extrajudicial official methods include preventive measures, warnings, dismissals, expulsions from public organizations or the Communist Party. At the same time, the use of out-of-court unofficial (secret) methods by the KGB became widespread:

- use of fictitious agents;
- operational control over behavior;
- moral pressure and compromising in front of like-minded people;
- watching of objects on the street and in public transport ("NN" – external surveillance; in KGB jargon "Nikolai Nikolaevich");
- secret searches (measure "D" – "Dmitrii");
- auditory control of the premises with the help of wires and radio channels (measure "T" – "Tatiana");
- observation indoors with optical and video equipment (measure "O" – "Olga");
- the agents' use of microphones hidden in their clothes for eavesdropping during communication with objects (measure "S" –"Sputnik").

Due to the fact that after the "second wave of arrests" members of the Sixties human rights circle significantly reduced and limited their dissident activities, during 1973–1976 the KGB under the CM of the Ukrainian SSR preferred extrajudicial methods. Judicial repression was used less frequently than during the "second wave of arrests". In particular, during January 1974 – March 1975, only 8 objects of the "Block" case were repressed under Art. 187 of the Criminal Code of the Ukrainian SSR ("the spread of knowingly false fabrications that defame the Soviet state and social order") or on fabricated charges of committing criminal offenses. For part 2 of Art. 62 ("anti-Soviet agitation and propaganda") only Ivano-Frankivsk dissident Oksana Popovych was convicted (HDA SBU. F. 16. Spr. 1043. P. 81).

In the mid-1970s, the involvement of fictitious agents by KGB officers to obtain valuable information about dissidents and to monitor their activities became widespread. As a rule, close friends, acquaintances or even relatives of the objects of the "Block" case and their contacts were recruited. Quite often, already recruited KGB agents specifically got acquainted with dissidents, pretended to be like-minded and tried to gain trust. As of June 1974, 105 people had been recruited as KGB agents from among the contacts in the "Block" case (HDA SBU. F. 16. Spr. 1035. P. 184); by March 1975 – another 53 (HDA SBU. F. 16. Spr. 1043. P. 81); by November 1975 – another 28 (HDA SBU. F. 16. Spr. 1047. P. 74); by August 1976 – another 28 (HDA SBU. F. 16. Spr. 1054. P. 126). In total, from 1971 to August 1976, KGB officers had managed to attract 227 contacts of the "Block" case as agents (HDA SBU. F. 16. Spr. 1054. P. 126). Agents under the code names "Ovid", "Vasyliev", "Yaroslavna", "Rubin", "Harmash", "Yantarskyi", "Edelveis", "Andrii", "Prokopenko", "Roman", "Corespondent", "Ivan", "Tyshchenko", "Arsen", "Denysov", "Doroshenko", "Diana", "Myroslava", "Dniprovskyi", "Antuan", "Pershyi", "Student", "Author", "Karpenko" were the most active in Kyiv and Kyiv region; "Romanov", "Anzhelika", "Halychanka", "Kristiana", "Lubomyr", "Maxym", "Piatnytskyi", "Victoria", "Nadia", "Perov", "Haidai" – in Lviv and Lviv region. At the end of 1973 and the beginning of 1974, judging by the materials of the report notes, the KGB officers recruited as an agent Halyna Chubai – the wife of the object of the "Block" case, Lviv poet Hryhorii Chubai

(HDA SBU. F. 16. Spr. 1035. P. 180). Active efforts were made to recruit agents from among the wives of dissidents who were in prison.

The agents provided KGB officers with valuable information about the dissidents' activities and intentions, and controlled the distribution of samizdat among them. In particular, through the efforts of agents "Rubin" and "Garmash" in late 1973, the KGB found out that O. Meshko kept at home illegal self-published documents (HDA SBU. F. 16. Spr. 1035. P. 168). At the turn of 1973–1974, agent "Ovid" informed the KGB that B. Antonenko-Davydovych had written an article criticizing the Soviet reality and handing it over to M. Kotsiubynska (HDA SBU. F. 16. Spr. 1035. P. 167). In early 1975, agents "Perov" and "Victoria" entered into the trust of M. Horyn, the leader of Lviv dissidents; they reported to the KGB information about M. Horyn`s work on memories of his imprisonment called "My Christ" (HDA SBU. F. 16. Spr. 1043. P. 70–71).

In the first half of 1974, agents were involved in gathering information about persons whom the KGB considered involved in resuming the publication of the self-published magazine "Ukrainian Herald": agent Anzhelika worked with Liudmila Sheremetieva, "Victoria" and "Nadiia" – with Liubomyra Popadiuk, "Vasyliev" – with Atena Pashko (HDA SBU. F. 16. Spr. 1043. P. 71). In November-December 1974, agents "Ovid" and "Vasyliev" received information from Yu. Badzio and B. Antonenko-Davydovych that editorial office of the "Ukrainian Herald" was located in Lviv (HDA SBU. F. 16. Spr. 1043. P. 71). In addition, KGB agents recruited in the Mordovian colonies one of the imprisoned friends of Zoryan Popadiuk, the leader of the underground organization Ukrainian National Liberation Front (UNVF), as an agent "Travnevyi". After his release from prison, agent "Travnevyi" entered into trust with L. Popadiuk, Z. Popadiuk`s mother. As a result of the agent's meeting with L. Popadyuk organized by the KGB, the officers received information about the latter's alleged involvement in the transfer of the "Ukrainian Herald" issues abroad and her contacts with the magazine`s publishers (HDA SBU. F. 16. Spr. 1043. P. 72–73).

Many agents worked with one of Kyiv dissident leaders, literary critic and publicist Yurii Badzio. Agent "Yantarskyi", who entered into the trust of Yu. Badzio, was instructed to assist him and mediate in maintaining contacts with like-minded people in order to identify, verify and intercept the samizdat (HDA SBU. F. 16. Spr. 1035. P. 171). At the end of 1974, agents "Vasyliev" and "Ovid" were introduced on the instructions of the KGB into the operation of the literary critic, and they began to enjoy his full confidence. The publicist began to tell them about his plans to prepare a monograph with a theoretically justified demand for the separation of the Ukrainian SSR from the USSR and the corresponding program of action (it was about the book "The Right to Live"). In early March 1975, Yu. Badzio even suggested that agent "Vasyliev" write one of the sections of this monograph on the situation of Ukrainian literature in the Ukrainian SSR. At the same time, the dissident asked agent "Ovid" to find him a reliable typist who would be engaged in printing labor (HDA SBU. F. 16. Spr. 1043. P. 65–66). Thanks to the activities of KGB agents, officers established reliable operational control over Yu. Badzio`s actions and had every opportunity to prevent the dissemination of his treatise "The Right to Live" through samizdat.

Quite often, agents were used to influence and exert moral pressure on the objects of the "Block" case and their contacts in order to deliberately stop their dissident activities. In particular, such influence was exerted on Ivan Honchar by agents "Roman" and "Korespondent", on Hryhoriy Kochur by "Ivan" and "Tyshchenko", and on Viktor Ivanysenko by "Arsen" and "Denysov" (HDA SBU. F. 16. Spr. 1035. P. 175). Mathematician Viktor Bondarchuk, who sympathized with the Ukrainian dissident movement and signed letters to the authorities in support of it, under the influence of KGB agent "Karpenko" in early 1975 agreed to verbally condemn his own activities, speaking to colleagues at the Institute of Cybernetics of the Ukrainian SSR (HDA SBU. F. 16. Spr. 1043. P. 77). Poet from Vyshhorod (Kyiv region) Volodymyr Komashkov cut off contacts with the Sixties human rights community after conversations to agent "Prokopenko". In

January 1975, he assured the KGB that he would no longer engage in dissident activities (HDA SBU. F. 16. Spr. 1043. P. 78).

One of the KGB`s strategic goals was to prevent contacts between dissidents and members of the diaspora who tried to promote the development of the Ukrainian national movement in the USSR. By order of the KGB, recruited agents under the guise of members of the resistance movement often contacted Ukrainian tourists, citizens of Western Europe and America, who sought to establish contacts with the Sixties human rights community. For example, in March 1974 agent "Myroslav" had a meeting with a Ukrainian tourist from Canada, Z. Barchynskyi; the KGB took steps to intercept and control this channel of communication between dissidents and the diaspora. The following month, KGB agents "Dniprovskyi", "Antuan", and "Pershyi" met with a tourist from Canada A. Semotyuk, a member of the External Representation of the Ukrainian Supreme Liberation Council (ZP UHVR). In April-May 1974, US citizen A. Chornodolsky had meetings with agent "Ostap" in Odesa and agent "Victoria" in Lviv (HDA SBU. F. 16. Spr. 1035. P. 186–188). In all cases, the KGB tried to establish contacts between the agents and Ukrainians who came from abroad in order to consolidate further contacts of agents with Ukrainian diaspora organizations. This measures created the preconditions for establishing operational games with these organizations.

KGB officers often tried to provide operational control over the behavior of dissidents through the use of agents and technical means. The main purpose of the special services in this case was to prevent open protests and intensification of actions undesirable for the authorities by individual members of the resistance movement. For example, in October 1973, the KGB organized I. Rusyn`s business trip from Kyiv to the Chernivtsi region, where full control over his behavior was ensured through a pre-prepared intelligence environment. As a result, I. Rusyn`s use of "nationalist" expressions during conversations was recorded, and three slanderous statements were received against him from citizens (HDA SBU. F. 16. Spr. 1035. P. 172). The KGB exercised full control over I. Dziuba`s behavior after his "repentant" statement and his release from prison in October 1973. A few months later, in December 1973, M. Kotsiubynska sent a letter to I. Dziuba calling him to return to the dissident movement. The process of passing the letter through postal channels was monitored by the special services and its handing over to the critic was organized at a time when a KGB officer was next to him. In this situation, I. Dziuba had no choice but to pass the letter to the officer (HDA SBU. F. 16. Spr. 1035. P. 168).

At the behest of KGB officers, agents sometimes stopped dissidents` "undesirable" actions by simply persuading them during the conversation. In particular, in early 1975, B. Antonenko-Davidovych handed his acquaintance, the Moscow writer A. Kuznetsov, a pamphlet "Purge", dedicated to the period of Stalin`s repressions. The transfer was made by one of the Kyiv writer`s close acquaintances, KGB agent "Ovid". During a conversation with A. Kuznetsov, he persuaded the latter not to publish or distribute the pamphlet in order "not to worsen the already difficult situation of Antonenko-Davidovych." (HDA SBU. F. 16. Spr. 1043. P. 69) Thus, the secret service managed to limit the distribution of anti-Soviet work without its seizure and publicity. In addition, confidence to agent "Ovid" among dissidents has increased, his intelligence positions were improved.

A fairly common method of the KGB`s struggle against the Ukrainian Sixties human rights group was to discredit its members in front of like-minded people. Some members of the dissident movement came under moral pressure from the KGB and were inclined to write papers or articles in the press condemning their past activities or ideology of "Ukrainian bourgeois nationalism." KGB officers, in turn, made every effort to disseminate the published materials among members of the resistance movement and abroad, among the Ukrainian diaspora. Such steps by individual dissidents, carried out under KGB pressure, were generally negatively perceived by other members of the movement. There were open accusations of collaboration with the secret service, which certainly played in favor

of the KGB, as it led to the split and fragmentation of the movement, the separation of compromised dissidents from other members of the resistance.

In particular, I. Dziuba, under the control of the KGB, wrote and published the works "Faces of the Crystal", "Experience of World Historical Significance", a number of articles in which he condemned his national-communist views set out in the work "Internationalism or Russification?" and openly supported the official concept of building a "single Soviet people" in the USSR (HDA SBU. F. 16. Spr. 1047. P. 68). Among the Sixties human rights activists, these publications were perceived as evidence of the "final fall" of I. Dziuba and his departure from the dissident movement (HDA SBU. F. 16. Spr. 1043. P. 77). In April 1974, Zinovia Franko published in the newspaper "News from Ukraine", which was the mouthpiece of Soviet propaganda for the Western Ukrainian diaspora, a review of "Spots can not be washed away" on the book "Swastika on cassocks", directed against the Greek Catholic clergy in Western Ukraine (HDA SBU. F. 16. Spr. 1035. P. 180). One of the leaders of Lviv dissidents, M. Kosiv, was forced to write an article in the spirit of Soviet propaganda, "The Uniate Church is the enemy of the reunification of Ukrainian lands", which provoked a rather sharp reaction from S. Shabatura and Iryna Kalynets (HDA SBU. F. 16. Spr. 1043. P. 78). KGB officers persuaded some representatives of the Ukrainian creative intelligentsia who supported the objects of the "Block" case or published "ideologically unsustainable" works, in particular writers Ivan Chendei, Viktor Korzh, and Borys Kharchuk, to similar publications in the press (HDA SBU. F. 16. Spr. 1035. P. 185).

Sometimes, KGB officers simply framed individual members of the resistance movement in order to discredit, carrying out operational and investigative actions in such a way as to cast suspicion on them in cooperation with the secret service. For example, in December 1973, a few days after M. Kotsiubynska sent a letter to I. Dziuba in order to return him to dissident activities, she and O. Meshko were searched. The KGB deliberately acted in such a way as to give the impression that I. Dziuba had made a denunciation of his friends (HDA SBU. F. 16. Spr. 1035. P. 168).

After the "second wave of arrests", the KGB used "letter measures" against dissidents with considerable intensity. The purpose of their application was complete control over the life and activities of the objects of the "Block" case and their contacts, gathering information about the content of conversations between dissidents, their production and distribution of self-published literature, and so on. As a rule, they were used in combination with the use of agents and various operational and technical means.

For example, the external surveillance service ("NN") was used in the process of monitoring Cherednychenko`s couple during 1974–1975, whom the KGB suspected of involvement in the production of № 7–8 of the magazine "Ukrainian Herald" (HDA SBU. F. 16. Spr. 1043. P. 67). In early 1975, the same service supervised the mother of political prisoner Zorian Popadyuk, Liubomyra Popadiuk, around the clock, who collected information on the arrests and expulsions of individual students at Lviv University to the West. On March 8, 1975, "NN" officers recorded L. Popadyuk`s visit to Moscow and her meeting with one of the close acquaintances of Russian dissident leader Andrei Sakharov. L. Popadiuk knew about the constant surveillance of her by the KGB. Therefore, trying to pass a statement in defense of Ukrainian women political prisoners to Moscow dissidents, she changed her appearance a bit, put on a wig and borrowed outerwear from her acquaintances for the trip (HDA SBU. F. 16. Spr. 1043. P. 72–73).

Dissidents could not feel free even during outdoor recreation. In the summer of 1975, the wife of political prisoner I. Svitlychnyi, Leonida Svitlychna, Yurii Badzio, and his wife, Svitlana Kyrychenko, literary critic Viktor Ivanysenko, and chemist Henrikh Dvorko were vacationing in the Gomel region of the Byelorussian SSR on the Pripyat River. A group of "NN" employees equipped with operational equipment was sent there under the guise of tourists. The KGB managed to overhear several conversations of vacationers about the situation of Ukrainian political prisoners in prisons and camps. The

presence of the KGB agent "Kolosov" among dissidents on vacation greatly facilitated the task of the "NN" service (HDA SBU. F. 16. Spr. 1047. P. 54).

Secret searches (measure "D") were carried out by KGB officers in dissidents` apartments when they were not at home. The purpose of such searches, as a rule, was to check one or another information about the activities of dissidents, search for banned literature and self-publishing. Sometimes, for a period of time after a secret search, official searches were conducted in the same premises, during which previously found materials were seized, which were later used as evidence of the "anti-Soviet" activities of the suspects.

In particular, in the first half of 1974, with the help of measure "D", KGB officers received confirmation of the fact that M. Kotsiubynska kept anti-Soviet pamphlets written by B. Antonenko-Davydovych in her apartment (HDA SBU. F. 16. Spr. 1035. P. 167). During a secret search at the workplace of Ju. Smyrnyi, a fireman at the plant "Sokil" in Kyiv, who had acquaintances with Yu. Badzio, O. Meshko and B. Antonenko-Davydovych, it was discovered that he kept banned literature from an old pre-Soviet edition. In this way, the information about Yu. Smyrnyi`s intentions to create a secret public library for the free study of philosophy and other social sciences was confirmed (HDA SBU. F. 16. Spr. 1047. P. 57–58).

In 1975, a close acquaintance of V. Ivanysenko, Oleksa Stavytskyi, a former researcher at the Institute of Literature of the Ukrainian SSR Academy of Sciences, was suspected of authorship of some of the materials published in the "Ukrainian Herald" magazine. In order to create favorable conditions for the measure "D" in two rooms of his apartment, which was intended for rent, two secret KGB officers were accommodated. As a result of a secret search, the forbidden literature and manuscripts of O. Stavytskyi, his personal diary with records about I. Svitlychnyi and other objects of the "Block" case were found and photographed (HDA SBU. F. 16. Spr. 1047. P. 61).

The secret search was successfully used by KGB officers in the process of identifying the editorial board of the "Ukrainian Herald", which was restored in 1974 (№ 7–8). In September 1975, as a result of operative measures, Roman Nakonechny, a Lviv resident and deputy director of art store, came into the KGB`s field of vision. He acted as an intermediary between the publishers of the illegal magazine, O. Shevchenko and S. Khmara. As a result of the measure "D" held in his apartment, I. Dziuba`s treatise "Internationalism or Russification?", 30 postcards with handwritten texts of anti-Soviet content and unmanifested photographic film were found. After the film was shown in the laboratory of the Lviv KGB department, it turned out that the typewritten text of the № 9 of the "Ukrainian Herald" had been filmed on it. Apparently, the film was intended for transmission abroad and subsequent publication and distribution of a new issue of the magazine. In order to prevent such a development, KGB officers secretly replaced the photographic film with another, specially made in the laboratory. The new film was completely identical in appearance to the removed one, but it was impossible to show photos from it (the signs of camera malfunction were simulated) (HDA SBU. F. 16. Spr. 1047. P. 65–66). Thus, as a result of the use of a secret search, the next issue of the "Ukrainian Herald" was never published.

Often the measure "D" was used in combination with the work of the agency. In particular, at the end of 1975, KGB agent "Zygmund", who worked with L. Popadyuk and A. Pashko, received information that they had a significant number of self-published documents intended for transfer abroad. According to "Zygmund"`s denunciation, these materials were stored in balls with groats in the apartment of their mutual acquaintance Maria Hel, the wife of political prisoner I. Hel. During a secret search, 12 handwritten documents made by prisoners D. Shumuk, V. Romaniuk, M. Osadchyi, B. Rebryk, S. Karavanskyi, I. Hel and others were indeed found in cellophane bags covered with groats. In January 1976, M. Hel brought these manuscripts to Moscow and handed them over to human rights activist Lyudmila Alekseeva. As most of these materials had previously been published

abroad, the KGB gave an instruction not to obstruct their transmission in order to consolidate the agency`s position among dissidents (HDA SBU. F. 16. Spr. 1054. P. 115–116).

Dissenters, of course, knew about the possibility of secret searches in their premises. Yurii Badzio kept up to 10 special tags in his apartment, which allowed him to record traces of a possible secret search (HDA SBU. F. 16. Spr. 1054. P. 110). Quite often dissidents tried not to keep samizdat or other compromising materials in their apartment, fearing both secret and official searches. Thus, in the first half of 1976, during the event "D" at the apartment of O. Meshko in Kiev, KGB officers failed to find the manuscript of her voluminous human rights work (HDA SBU. F. 16. Spr. 1054. P. 114).

The main task of the measure "T" (auditory control of the premises with the help of wires and radio channels) was to listen to conversations between dissidents in their homes. In particular, at the end of 1975 it was decided to equip the apartment of the already mentioned Ju. Smyrnyi with the necessary equipment for the measure "T" in order to clarify the nature of his conversations with the readers of the secret public library, which he planned to organize (HDA SBU. F. 16. Spr. 1054. P. 111). The conversations of the Cherednychenkos couple, Yu. Badzio, O. Meshko, Vitaliy and Oles Shevchenko, and others were also controlled in a similar way (HDA SBU. F. 16. Spr. 1054. P. 110–118). Often, through the efforts of the agency, the KGB did everything possible to ensure that conversations between dissidents took place in apartments equipped with the necessary listening equipment. Since the object of the case "Block" K. Storchak spent most of 1976 in the hospital due to illness, the content of his conversations with visitors was monitored by the KGB through auditory control of the ward by measure "T" (HDA SBU. F. 16. Spr. 1054. P. 113).

Observations in the premises with the help of optical and video equipment (measure "O") and the use by agents of microphones hidden in clothes during communication with objects (measure "S") played a supporting role in the process of gathering information about dissidents. Measure "O", in particular, was used by KGB officers during operational actions related to the investigation of the appearance of № 7–8 of the illegal magazine "Ukrainian Herald". During 1975–1976, the Kyiv apartment of the Cherednychenkos couple, as well as the housing of Yu. Badzio and S. Kyrychenko, were equipped with video equipment (HDA SBU. F. 16. Spr. 1054. P. 110). A microphone hidden in his clothes was used by a KGB agent "Vasyliev", in February 1975 during conversations with A. Pashko, trying to obtain information about the resumption of the publication of the "Ukrainian Herald" (HDA SBU. F. 16. Spr. 1043. P. 71–72). Apparently, these measures did not become widespread as of the mid-1970s due to the lack or imperfection of the necessary operational and technical means.

Conclusions. Thus, the use of operational methods by the KGB in the fight against Ukrainian dissidents in the mid-1970s in the "Block" case was quite intense and had a significant impact on reducing the activity of the dissident environment after the "second wave of arrests." Numerous KGB agents, who were widely recruited in the dissidents' close circle, played an important role in the processes of gathering information about dissidents and operational control over their behavior. As a result of moral pressure from KGB officers, some dissidents were forced to speak out in the press condemning their views, which was later used by the system to discredit the dissident movement and its individual members. Almost complete control over the personal life and activities of the objects of the "Block" case was carried out due to the frequent use of "letter measures" – the service of external surveillance, secret searches, auditory control of premises, the use of hidden microphones and video equipment. We consider a more detailed and thorough analysis of each of the above-mentioned secret methods of the KGB based on a comparison of archival documents with the memories of dissidents, as well as establishing the real names of KGB agents who acted against members of the resistance movement, and study of special service measures against Ukrainian political prisoners in places of deprivation of liberty and diaspora organizations in Western countries to be promising directions for further research.

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DOI https://doi.org/10.30525/2592-8813-2024-4-45

SOVIET PRISONERS OF WAR DURING THE SECOND WORLD WAR: PSYCHOLOGY OF SURVIVAL

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Abstract. Captivity for an individual is a complex moral and psychological phenomenon which goes beyond the usual experience. The article deals with the complex phenomenon of military captivity in terms of the moral and psychological experience of Soviet prisoners of war in German detention facilities on the Eastern Front during the Second World War. The author analyses the moral and psychological impact of the Soviet state on its own soldiers, in order to prevent them from capitulating; the activities of German military intelligence and camp administration related to the impact on captured people. The article also reveals the methods of indoctrination and recruitment of the Red Army soldiers and importance of leadership among prisoners of war. Although general patterns of behavior during interrogation and detention have been identified, special attention is paid to unique perception of captivity for each individual prisoner of war. It depended on the circumstances of capture, the attitude of the German authorities, the conditions of detention and duration of captivity.

Key words: prisoners of war, Second World War, captivity, camps, Red Army, propaganda, indoctrination, collaboration.

Introduction. The genesis of the war captivity in the history of wars is not linear. The concept of «captivity» is etymologically close to the concepts of a «lack of freedom», «slavery», «dependence on someone». In the context of the military history of the twentieth and twenty-first centuries military captivity has acquired clear association with such concepts as «violence» and «fear» (Shyrobokov, 2018: 149).

At the time of the Napoleonic Wars, despite of the size of armies and the number of prisoners of war, there was no international practice of establishment of special detention camps, instead, in order to exclude a prisoner of war from further participation in hostilities, he was bound in honour not to fight again (Shyrobokov, 2019: 185). It was after the conflicts of the nineteenth century when international law was set in and became a ground for modern rules for prisoners of war handling. During the First World War captivity took on the form and meaning that we have nowadays. The phenomenon of «camps for prisoners of war» appeared – they were places to keep a significant number of captured people from further participation in the struggle.

In 1914–1918 the first mentions of psychological problems, experienced by prisoners of war, also appeared. A mental disease called «Der Stacheldraht-Psychose» in Germany – barbed wire psychosis – became widespread among prisoners of war. In the opinion of researcher T. V. Minaieva, it was caused by detention of large groups of people together, uncertainty about the duration of their captivity and restriction of space by barbed wire that led to a significant number of mental disorders, hallucinations and aggressive behaviour among captured people (Minaieva, 2013: 26).

In the Russian army during the First World War the representatives of the General Administration of the General Staff tried to identify the reasons for mass abandonment of the battlefield and develop active countermeasures with this regard. Insufficient training of soldiers, active actions of the enemy and the lack of an effective propaganda system were given as causes for capitulation. It was proposed

to resist the mass escape through «[…]*destruction of those who capitulate with the fire of their own machine guns*» (Shyrobokov, 2019: 184). The so-called «civil war» within the territories of the former Russian Empire changed the conventional attitude towards captured people – executions and abuse were typical for all parties to the conflict. However, the Red Army soldiers who managed to escape from the White Guardists' captivity immediately returned to the ranks of the army without any difficulties. It was due to the limited human resources of the Bolsheviks as well as the practice of application of former prisoners' experience on the battlefield. Over time the attitude of the Soviet state towards its own prisoners of war has significantly deteriorated. In particular, it was legally formalized that the families of the Red Army soldiers who capitulated were not entitled to any material support from the state, and all officers who allowed the capture of their subordinates had to be brought to criminal liability (Criminal Code of the RSFSR, 1926).

Main part. The Second World War was cruelly done – to destroy armies and nations. On the Eastern front totalitarian states opposed each other, where terror was the standard for their own citizens, so it was not surprising that captured people from any other countries were treated terribly during their captivity.

The purpose of this research is to analyze the peculiarities of moral and psychological detention of Soviet prisoners of war in German camps during the Second World War, to study psychological reactions of prisoners of war and to project them onto the historical reality of German captivity.

Research material and methods. The purpose of research was achieved with the use of generally accepted scientific methods of analysis, synthesis, hypothesis as well as special historical methods: historical and comparative, historical and typological, historical and systemic, and elements of historical anthropology and psychohistory.

We know very little about the behaviour of Soviet prisoners of war under such conditions. During the war and over a protracted period afterwards only official assessments of all events and actions of captured people have been recognized. In Soviet times the topic of captivity was a taboo not only within the framework of historical or psychological researches, but also in memorial literature.

The Soviet scientific community did not study the moral and psychological aspects of detention of captured people in terms of the experience of the Second World War. The first special works on military psychology appeared in the USSR only in the 1950s and 1960s. The problems of post-war researches demonstrate that the Soviet authorities were not interested in research of the psychoemotional experience of captured people in order to prevent psychological trauma during subsequent conflicts. In particular, in the opinion of psychologists of these times, the main motivational factors of the Red Army soldiers were to be: love and devotion to the Motherland, hatred of enemies and comprehension of the justice of social ideals (Osiodlo, 2016: 95). There was no sign of any personal feelings of an individual concerning retrieval of his or her own life. Moreover, the Soviet propaganda disseminated the thesis that suicide was advisable as an alternative to capitulation. A good example of such psychological programming is the brochure by M.F. Brychev «*A Soldier of the Red Army does not capitulate*!», which called for: «*...fight until your last breath, die for the Motherland, but do not succumb to the enemy alive*!» (Brychev, 1941: 26).

In contrast to Soviet researchers, the Western explorers in the field of war psychology paid considerable attention to the peculiarities of an individual's mentality under conditions of forced detention. After the war there were several in-depth studies, based on the research of practical experience of detention of prisoners of war. The significant contribution to the study of the psychology of captivity, in reliance on the examples of the Second World War and the Korean War, was made by neurophysiologist J. Kornhuber (1961) and professor of sociology V. Landen (1949).

The national scientific heritage in the field of captivity psychology is represented by the works of Yu. M. Shyrobokov (2020) and V. V. Apalkov (2023), who, in addition to historical examples, use the experience of the Russian-Ukrainian war of 2014–2024. Unfortunately, there is currently no compre-

hensive psychohistorical research which would reveal psychological characteristics of the detention of the Red Army soldiers in German captivity during the Second World War.

The source base of the research is the minutes of interrogations of Soviet prisoners of war by the German military intelligence (hereinafter referred to as – Abwehr) as well as minutes of interrogations of repatriates by the Soviet security, defence and law enforcement agencies. Important information about the moral and psychological state is contained in such sources of personal origin as memoirs of former captured people: P. M. Palii, V. M. Vashchenko (Palii & Vashchenko, 1987), V. A. Novobranets (2009), F. Ya. Cheron and I. A. Luhin (Cheron & Luhin, 1987). The attitude toward the sources of personal origin should be objective – in recorded testimonies for the German intelligence agencies all captured people often tried to demonstrate loyalty to their captors, and for the Soviet ones – to represent themselves as victims of circumstances. In the memorial literature the authors who survived captivity tried to represent themselves as captured by the enemy and trapped in a bind. However, subject to all of the above mentioned peculiarities, these sources allow us to stray away from a macrohistorical view of this issue and get unique evidence that allows us to humanize the history of military captivity during the Second World War.

Results and their discussion. At first glance, captivity is very similar to imprisonment or any other restriction of freedom of movement. However, a closer look reveals certain peculiarities. Military captivity is a legal, internationally recognized method of detention of captured people that occurs as a result of military actions, not according to judicial sentence. Prisoners of war are protected by the status of "combatant" and should not be prosecuted for violence, committed on the battlefield. Prisoners of war are permanently kept either within the occupied territories of their country or within the territory of the country which detain them. A typical feature of POW camps is the throngs of people that makes it impossible to hold any captured person alone. Another characteristic is an organization of a self-governing administration which is usually agreed with the camp administration rather than appointed. The most important difference of military captivity is the absolute uncertainty of its duration. Usually, for the vast majority of military personnel, captivity ends only after cessation of hostilities.

German captivity, which held, according to various estimates, from 2.8 to 5.7 million Soviet citizens (Otto & Keller & Nagel, 2008: 558), was characterized by cruel treatment of captured people, «justified» by racial theories and relevant regulatory enactments; the targeted policy of indoctrination and forced labour. The peculiarities of detention of prisoners of war in Germany were determined by the governmental policy of the Third Reich – the war for survival, declared by A. Hitler; the activities of the Ministry of Propaganda and Public Education, headed by J. Goebbels; the activities of the special unit «Vineta» (the organization was specialized in sabotage and propaganda operations within the occupied Eastern territories); the excessive demand for labour force for German enterprises since the end of 1941 and inaction of the Wehrmacht High Command regarding Soviet prisoners of war (Dolhoruchenko, 2021).

It was this kind of military captivity into which large numbers of Red Army soldiers were taken as prisoners. Researchers determine miscalculations of the military and political leadership of the USSR, the low level of training of servicemen, powerful German propaganda and the depressed morale of soldiers and commanders to be the reasons for mass capture of the latter (Pastushenko, 2021).

In order to ensure that the Red Army soldiers acted according to the algorithm «*to die, but not to capitulate»*, the Soviet state took a number of measures. Firstly, before the war, Article 193 was included in the USSR Criminal Code, which declared the punishment for capitulation as «*the highest measure of social protection*», which was translated from NKVD euphemisms and meant execution with confiscation of all property. In the Soviet propaganda captivity was equivalent to high treason (Brychev, 1941: 26). This article was massively applied after the end of the Soviet-Finnish war. As a result of repatriation 5.5 thousand servicemen were returned to the SSR, 5.1 thousand soldiers of

whom were convicted according to the above mentioned article. The Soviet state escalated punishment to the greatest extent after the tragic events on the Eastern Front in the summer of 1941. Infamous order No. 270 not only provided for punishment for the officers, mentioned in it, but also authorized any Red Army soldier to «*destroy by all means*» those who wanted to capitulate («Order No. 270 of the Supreme High Command General Headquarters of the Red Army dated 16 August 1941», 1988: 26-28).

The Soviet government also openly gave the idea of captivity: «*Those who are captured will suffer, be tortured and possibly die*!». As General M.D. Borysov testified: «*The senior Russian officer corps does not believe in propaganda stories about the abuse of Russian prisoners of war by the Germans. Ordinary soldiers, who are fed with this propaganda, believe in it»* (Vernehmung des Kommandierenden Generals des VII Garde-Kav. Korp., 1943). The USSR did not take any steps to improve the situation of its citizens in any manner. According to the reports of the International Red Cross, the USSR did not even organize a commission to exchange data on how many Red Army soldiers had been captured (Report of The International Committee of the Red Cross on its activities during The Second World War, 1948: 116-118).

In the 1930s Germany's political leaders negotiated with the army command concerning the specifics of the military propaganda, both within its own armed forces and against enemy armies. In 1938 the Ministry of Public Education and Propaganda, headed by P.-J. Goebbels, agreed to cooperate with the Wehrmacht High Command (Oberkommando der Wehrmacht, hereafter referred to as – OKW) that included training of the relevant propaganda groups. In 1940 the agency began preparations for the war against the USSR – the main tasks of the information and psychological influence were defined as follows: intimidation of the enemy, increase of anxiety for the fate of the relatives, intensification of the mood of defeat of the Red Army, creation of a positive image of captivity, incitement to voluntary capitulation and desertion.

The German propaganda agencies were entrusted with the task of using all available means to influence the enemy's consciousness and will, applying lies and provocations. In particular, the "Suggestions of compiling leaflets for enemy troops" stated: «*If we succeed in gaining the enemy's trust by throwing mud on our Führer and his associates [...], and if we succeed in penetrating [...] the souls of the enemy soldiers, [...] this will be more than the most convincing sermon about the Bolshevik danger [...], which will not be perceived by the enemy soldier*» (Qualter, 1962: 113-114). Germany successfully made a psychological play before the outbreak of hostilities and later only improved its best practices.

Capture is the first stage of captivity. The peculiarity of this process on the Eastern Front was that capture was preceded by a long encirclement with frequent air raids. During active military actions, especially during offensive operations, soldiers and officers usually think little about captivity, although it is included in the triad of the greatest fears of military personnel «injury-capture-death» (Apalkov, 2023: 68). This is due to the peculiarity of the human mentality: to displace unpleasant possibilities of the future from the mind. We find evidence of this in papers of F. Ya. Cheron: «*...I never had a thought of capitulation. I think that others of my age, that is, under 25 years of age, did not have a deliberate decision to capitulate. [...] neither soldiers nor commanders knew what to do. The only order was: a Soviet soldier must fight to the last bullet and keep the last one for himself. No one ever dared to think about capture»* (Cheron & Luhyn, 1987: 29). For many military personnel, captivity was a surprise and they were not mentally prepared for it. An example of such a state of shock can be the moment of capture of Colonel V. M. Vashchenko, who suffered a plane crash and was discovered by Waffen SS units immediately after landing (Palyi & Vashchenko, 1987: 245).

Only during the long encirclement and before capitulation there were talks about captivity and decisive individuals made appropriate decisions, as at the time of shock a significant number of soldiers were in a state of stupor and apathy and preferred to leave their fate to someone else.

Unfortunately, active propaganda of suicide as the only solution in a situation of imminent captivity led to suicides among Soviet military personnel at the first stage of captivity. Confirmation of this fact can be found in the interrogation of Colonel F. H. Havrylov: «*...The entire regimental headquarters was captured. [...] The commander of the front, Kyrponos, shot himself on 19 September 1941»* (Artyzov, 2015: 216) and Major General O. Ye. Budykho: «*Major General Podlas, the commander of the 43rd or 53rd (actually 57th) Army, shot himself during his capture, along with the chief of staff*» (ib., p. 524).

The main motivation for capitulation was a direct threat to life, in a small percentage of cases, capture was caused by an inability to resist due to injury, and a significant number of captured people indicated a despair and lack of self-confidence in a hopeless situation as a reason for capture (Shyrobokov, 2016: 315). Capture in a battle, after several days of wandering around or being wounded, led to the fact that the prisoners were at the limit of their physical abilities. The very act of capitulation is a shock that often forced soldiers to become submissive in the hands of their captors. This stage of captivity is characterized by a lack of time for reflection, as the enemy was disarming the prisoners and escorting them to assembly facilities. Anyone who showed signs of hesitation or delay could be shot onsite (Lunden, 1949: 725).

Perception of captivity depended: firstly, on the soldier's expectations and attitude toward the war; secondly, on the specific situation. Here are polar examples of psychological reactions of Soviet servicemen. A former Red Army soldier, who hid himself under the pseudonym I. A. Luhin, who was captured during an unsuccessful attack in Kharkiv Region in 1942, described his feelings as follows: «*When the excitement of the first hours of captivity subsided a little, an unexpected reaction occurred – everyone was overcome with a sense of relief. It seemed as if the enormous weight that had been pressing on our shoulders for many years had finally disappeared, and we squared our shoulders for the first time in our lives*» (Cheron & Luhyn, 1987: 298). On the other hand, P. M. Palii experienced completely different emotions: «*There is a huge difference between the feelings of a person, captured in a large mass, when hundreds or thousands of soldiers, being in a desperate situation, throw down their weapons and raise their hands, and the feelings of one person [...] In any case, transition of a soldier to the position of a prisoner is accompanied by a psychological shock, but this shock is much more tangible and painful for a loner than for «one among many*» (Palyi & Vashchenko, 1987: 68-69). The active influence of Soviet propaganda can be traced in V. M. Vashchenko's reaction: «*I only asked to be shot as soon as possible so that I would not suffer. I was afraid that I would be tortured, because when I saw the SS signs on the soldiers and officers, I decided that I would certainly be shot because of my refusal from provision of answers to military questions»* (ib: 246).

The second stage of captivity was transportation of the prisoner to the place of detention. According to V. Lunden's observations most prisoners at this stage hid their main fear of unknown things and what would happen next. They remained silent, showing no interest in anything (Lunden, 1949: 726). According to former combatants, prisoners of war were always a problem for any unit, especially during manoeuvres for further deployment of hostilities. The presence of prisoners required a large number of guards, but taking advantage of the shock and physical fatigue of the prisoners, German troops reduced the number of security teams to a minimum. At the stage of transportation, excessive cruelty towards prisoners (officially defined by the OKW directives (Anordnungen des Oberkommandos der Wehrmacht für die Behandlung sowjetischer Kriegsgefangener, 1941a), which the escorts did not hesitate to demonstrate, created an atmosphere of fear and tension. The places of permanent detention, where prisoners of war were sent after their collection and initial segregation of the sick ones, Jews and commissars from the bulk of the prisoners, could be located at considerable distances from the line of combat, so the way to them was often called the «death march». In many cases, during transportation of prisoners, they were not provided with food and water, were not

allowed to rest for long periods of time, and those who wandered behind or broke ranks were shot. The consequences of violence at the second stage of captivity with regard to the moral and psychological aspect were loss of confidence in future, chaos of consciousness and lack of self-confidence. Creation of an environment of fear and dependence on convoys was typical of the initial stages of military captivity that was used to facilitate control over a significantly larger number of prisoners (Shyrobokov, 2018, p. 151).

The next stage of captivity was the first interrogation of a prisoner of war, during which Abwehr representatives, who were present in every POW camp, usually tried to receive operational information, military secrets and compromising materials concerning the Soviet military and political leadership or other captured people. It was at the moment of interrogation when the maximum psychological pressure was exerted and various approaches were applied: disarming friendliness, an atmosphere of relaxation, gradual transition to conversation and skillful use of available information.

For example, according to the interrogation report of General P. P. Ershakov, during the interrogation the latter «[…]*has repeatedly tried to establish trust in his words, tried to make an impression of a kind and friendly person, and even managed to make himself cry, taking advantage of the influence of alcohol»* (Vernehmungs-Ergebnisse, 1943). In such a case, Abwehr representatives obviously used a relaxed atmosphere as an interrogation method. The notes to the interrogation report of General M.T. Romanov state that he «[…] *made a pleasant impression, behaved with dignity during dinner and looked like a well-groomed man»* (Vernehmung des russischen Generals Michael Timofejewitsch Romanoff, 1941) that also hints at the relatively positive atmosphere in which the prisoner was given an opportunity to eat. Major General M. D. Borysov was another prisoner who was clearly not intimidated during the interrogation by German military intelligence. According to the interrogation report, the general «[…] *made statements without any restraint, his manner of behaviour was self-confident, he spoke with particular pride about his promotion and the achievements of the units he commanded»* (Vernehmung des Kommandierenden Generals des VII Garde-Kav. Korp., 1943).

Interrogations of Soviet generals contain information about how they perceived captivity. Since the Soviet government considered all prisoners to be traitors, a large majority of prisoners felt disappointed and ashamed for a desire to save their own lives. General M.T. Romanov, after encirclement of Mohyliv, was wounded and spent some time in Borsuki Village in civilian clothes. According to the orders of the German administration, all military personnel had to come to the local commandant's office. Concerning the question of a representative of the «Center» Army Group why the general had not done so, he answered: «*Would you have capitulated as an officer? Generals do not capitulate*» (ib.). General K. Ye. Kulikov gave a transparent answer about the attitude of the Soviet authorities towards captured officers and his own feelings about captivity: «[…] *Previously, in the tsarist army, an officer could receive a reward for escaping from captivity, but now officers who return, such as two of his friends, are sentenced to 10-year imprisonment for staying within the enemy territory and this is presented as a reward! Since he was captured, there is no hope for him anymore»* (Vernehmung des Generalmajors Kulikow, 1941).

In view of the interrogation records of some prisoners of war, it can be concluded that the interrogators were, among other things, interested in the morale of the Red Army soldiers. Questions of this nature are contained in almost all interrogation records of high-ranking Soviet officers. Most information about this issue can be found in the interrogation of Colonel N. T. Tikhomirov. In addition to information about depression among the military community as a result of the defeats of 1941, we can find an interesting statement: «*There is an unofficial order according to which officers should not move on the frontline during the battle, but only move in marching ranks in order to preserve the officer corps. The modern commander uses this order for his own benefit, staying behind, that is noticed by every soldier, causing a decrease in morale»* (Beilage Nr. 2 zu Bericht Nr. 104 – Gr. Schattenfroh,

1941b). A breach of such ties is a special feature of captivity and prolonged stay in detention facilities, that is the fourth stage – adaptation in a POW camp.

Arrival at the camp was a kind of transition from bad things to worse ones. At this stage all captured people experienced a crisis of faith, loss of reputation and prestige. The psychological effect of Bolshevik propaganda was coming to an end, and the prisoners began to realize the level of power of the German administration. Sometimes, military subordination collapsed on the battlefield, but mostly the hierarchy of commander-soldier relations disappeared in places of detention. This is due to the fact that many soldiers accused their commanders of becoming prisoners of the enemy. For example, V. A. Novobranets thought so about Commander I. M. Muzychenko: « […] *I could not forgive him for running away before the decisive battle for the breakthrough. He fled in one of the last tanks which would have helped the soldiers to a certain extent during the attack. [...] When I met him, I had a great temptation to express my opinion with regard to him as a person and a commander»* (Novobranets, 2009: 314).

The best situation in captivity is when formal and informal leaders are the same. Unfortunately, it was extremely difficult to preserve such a division of responsibilities in German captivity. We can distinguish a number of reasons for such a situation. Firstly, one of the OKW directives stipulated mandatory separation of officers from ordinary soldiers (Anordnungen des Oberkommandos der Wehrmacht für die Behandlung sowjetischer Kriegsgefangener, 1941a). Secondly, the apathy of commanders due to stress after capture. Thirdly, representatives of the command staff could receive better conditions in the officers' camp (Betr.: Behandlung sowjet. angeblicher Offiziere ohne Ausweis, 1943). Fourthly, the unwillingness of the senior command staff to cooperate with the camp administration.

In captivity the boundaries in the system of relations between an officer and soldier are smoothed, and many conflicts are violently resolved by prisoners. The refusal of the Red Army generals to participate in administration of prisoners' lives had its reasons. Such leadership was supposed to be a link between the prisoners' collective (expecting lenient treatment and improved conditions of captivity) and the administration (expecting its demands to be met). The situation becomes very difficult when the leadership is expected to implement harsh and inhumane measures. The refusal to implement such decisions of the German administration led to the replacement of disobedient prisoners, while complete obedience also did not yield positive results for most prisoners. Researcher P. M. Palii stated: «*If in the autumn of 1941 they [generals] had not been confused, had not hidden behind their ranks like snails in shells, but had resolutely and persistently started talking to the German camp administration, using the authority of great military leaders, recognized by the Germans as well, it is likely that the conditions of existence of captured people in many camps could have been improved. In any case it would have been possible to prevent the internal administration of these camps from falling into the hands of adventurers and scoundrels...*» (Palii & Vashchenko, 1987, p. 168). In the light of the foregoing, this consideration is only an assumption. Instead, the content of the researcher's statement confirms the thesis that under difficult conditions of survival there are often people who, for their own benefit, seek to become a leader and defend it by all means, including denunciation or transfer of opponents to dangerous work. The captors also practiced changes in the place of detention of prisoners of war to prevent generation of comradeship and to put captured people against each other.

Under difficult conditions of military captivity, when the vast majority of Red Army soldiers were prone to infantile dependence and willingness to obey authority, leadership played a crucial role in the lives of captured people. A positive example of preservation of formal and informal leadership is General D.M. Karbyshev, who supported prisoners in the camps and did not defect to the enemy's side, although he has repeatedly received such proposals. «*Karbyshev enjoyed great respect, authority and love in the camp. When he was walking through the camp, he was greeted by standing at atten-*

tion» (Novobranets, 2009, p. 362). The opposite example can be brigade commander I. H. Bessonov, who, while staying in the Hammelburg camp, where high-ranking Soviet officers were kept, organized the «Anti-Bolshevik Political Center», i.e. became an informal leader for Red Army soldiers who had anti-Soviet sentiments.

It was collaboration and indoctrination that became the focus of the German administration's actions in the POW camps. The variety of methods to influence Red Army soldiers was considerable.

Hunger is a strong life instinct which overrides moral and social values. The German administration used it as the easiest way to subdue the masses of captured people. Due to their dystrophy they were unable to show active physical resistance, and a promise to give food encouraged collaboration. Physical violence, explained by both the fact of war and hate propaganda, served as punishment and intimidation as well as made captured people want to avoid it by all means. Soviet prisoners were planned to be detained according to significantly lower standards compared to Western prisoners. The number of camps, prepared for detention of Red Army prisoners, was much smaller than the number of prisoners required. The threat to life and health due to unacceptable climatic and sanitary conditions caused an expected desire to offset the above mentioned factors. The use of Soviet prisoners of war for labour was different: involvement in agriculture, military industry or enterprises with difficult working conditions. Being engaged in work could either provide opportunities for survival or condemn them to a brutal death. Cooperation with the administration gave hope that the prisoner could be engaged in light types of work that could help him survive.

The natural reaction of mentality to any physical abuse is emotional dullness. Such a specific adaptation of the mental system is, to a certain extent, a correct reaction which allows to avoid exhaustion. However, prolonged dulling absorbed the personality of captured people: feelings in such cases were dulled as well as suffering and inflicting pain on other prisoners had no limits that led to moral degradation.

The analysis of psychological impacts demonstrated the reasonableness of psychological treatment in the forms of indoctrination and political re-education (Apalkov, 2023, p. 75). The consequence of such actions was a change from a hostile attitude towards Germany to a neutral or even favourable attitude towards their own enslavers. We distinguish the following psychological means of influence:

1. Organization of lectures among captured people with proposals of collaboration. This type of influence was successful, as the lecture material contained a lot of anti-propaganda/propaganda stock phrases. It is worth noting that resistance to such agitation was easier to implement due to the fact that the lectures were held in front of a large number of prisoners of war and group resistance was easier to be organized. Generation of a resistance system during such lectures in the Hammelburg camp was mentioned by V. A. Novobranets in his memoirs (Novobranets, 2009, p. 354).

2. The technique related to a search for weaknesses in the system of beliefs, intimation of the necessary participation in mental activity which does not contradict the moral principles of the prisoner. Such an impact began with minor demands with their gradual increase as the prisoner started to cooperate. A spectacular example of this technique application was the so-called historical office, in which Soviet military commanders were proposed to describe the campaign record of their unit.

3. Information isolation is one of the easiest methods to influence the mentality of captured people. The arrival of new prisoners to the detention facilities caused an outbreak of inquiries about the state of the front. The defector M. T. Tikhomirov stated that the news about their home, rather than agitation, had the greatest impact on the morale of the Red Army soldiers. If a soldier's home was occupied, he no longer feel a need to resist (Beilage Nr. 1 zu Bericht Nr. 104 – GH Schattenfroh, 1941). A yen for home and family as well as a lack of an opportunity to notify relatives of their fate caused intense emotional stress.

A lack of information about the Soviet victories also increased despondency and encouraged soldiers to collaborate. A lack of reliable information about the date of their release was a huge burden for prisoners of war. The terrible result of the information vacuum was an act of resistance in the Mauthausen death camp. On 2 February 1945 an escape attempt was made by 419 Soviet prisoners of war, 300 of whom were returned after the end of the search operation and only 57 of them were alive. The desperate prisoners had no information about the approaching end of the war and their relatively imminent release from the camp on 5 May 1945 (Kaltenbrunner, 2012, p. 448).

The Third Reich successfully used the totalitarian nature of the regime to monopolize propaganda in the country, and even more successfully – in places of detention of captured people. The most effective system of propaganda during the war on the Eastern Front was indoctrination through collaborator prisoners. They created pro-German organizations in the camps, showing by their own example that adhering to the enemy would save them from the danger of dying in captivity and make sense of their continued existence. A spectacular example of successful indoctrination is M. T. Tikhomirov (former commander of the 1281st Battalion), who, according to the German documents, managed to transfer 1,500 Red Army soldiers to the enemy during one raid behind the front line. Such methods were applied, firstly, because the language barrier between the propagandist and the target audience disappeared; secondly, the credibility of such an agent was much higher than that of the German security agencies, and thus, anti-Soviet agitation was more effective. The German intelligence made the following conclusion: «*This serves as proof that even senior Soviet officers can be recruited by the German people, despite the fact that they were previously members of the All-Russian Communist Party and supporters of the Stalinist regime*» (Beilage Nr. 3 zu Bericht Nr. 104. Vernehmungs-Ergebnisse, 1941).

The ultimate goal of all methods is to force people to commit actions which are beneficial to the country of the enslaver. Academician M. M. Burdenko, a colonel general of the medical service, described his experience of meeting liberated Soviet prisoners of war in the following manner: «The enjoyment of seeing liberated people was overshadowed by the fact that there was a numbness on their faces [...] the suffering they had experienced had put a sign of equality between life and death. I had been keeping an eye on those people for three days – the psychological stupor has not changed» (Shyrobokov, 2016, p. 90).

Discussion. There can be no objective assessment of the behaviour of captured people. The psychological resilience of captured people depended on their individual characteristics, duration of their captivity and intensity of their reactions to the circumstances of captivity. The vast majority of Red Army soldiers remained loyal to their oath and survived captivity with exemplary moral fortitude – they deserve respect and thorough research, as the experience of such individuals will be useful for the soldiers, defending Ukraine nowadays. On the other hand, the fighters of the Red Army who, to various extents, helped the Nazi regime and embarked on the path of collaboration deserve to be understood. The extremely difficult moral conditions of German captivity and skillful use of psychological pressure could break the frustrated and tired Red Army soldiers. Such cases shall also be studied in order to understand the processes that can take place among captured people, kept by a totalitarian state with absolute disregard for international law.

Conclusions. Military captivity is a complex multifaceted phenomenon, one of the components of which is the moral and psychological impact on prisoners of war. Our research demonstrates that not only good physical condition was an important component for survival. The behaviour of captured people at different stages of captivity was determined by their personal beliefs and the influence of propaganda from both the Soviet Union and the Third Reich. Captured Red Army soldiers developed psychological survival strategies: apathy, adaptation or collaboration.

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DOI https://doi.org/10.30525/2592-8813-2024-4-46

LATVIA'S LEGISLATIVE REFORMS IN RELIGIOUS POLICY: STRATEGIES FOR STRENGTHENING NATIONAL SECURITY

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Abstract. This article examines Latvia's strategic approach to countering Russian influence through the religious sphere, focusing on the Latvian Orthodox Church's transition to full independence. After regaining independence in 1991, Latvia faced the challenge of integrating a significant Russian-speaking minority, which affected the country's religious landscape. The government enacted legislation to restore religious freedom and introduced specific laws for major denominations, including the Latvian Orthodox Church. In 2022, Latvia amended the law to commence the process of establishing full independence for the church, effectively reducing the influence of the Russian Orthodox Church. This cooperation between the state and the church enhanced national security without infringing on religious freedom. The study highlights how Latvia's unique legal framework and policies can serve as a model for Ukraine, which faces similar challenges due to Russia's hybrid warfare tactics that exploit religious affiliation. By adapting Latvia's methods, Ukraine could strengthen national unity and resilience against external interference while preserving religious diversity and freedom.

Key words: Political Model of Religious Relations, Legislative Regulation of Religious Organizations, State-Confessional Relations, Hybrid Warfare and Religion, Baltic Religious Policy, Religious Diversity Management, Secularism and Religious Freedom.

Introduction. The contemporary geopolitical landscape has seen an increase in hybrid warfare tactics, where state and non-state actors use both conventional and unconventional methods to achieve strategic objectives. Russia's use of the religious sphere as a tool in its hybrid warfare strategy poses significant challenges to neighboring states, particularly Ukraine. By positioning itself as the guardian of Orthodox Christianity, Russia seeks to legitimize its aggressive actions and expand its influence in regions with significant Orthodox populations. This manipulation of religious sentiment can undermine national sovereignty, exacerbate internal divisions, and threaten social cohesion.

Ukraine faces the critical task of countering this form of soft power intrusion in order to protect its national interests and maintain societal harmony. The exploitation of religious affiliation by external entities requires the establishment of robust legal and policy frameworks capable of mitigating these threats without compromising the principles of religious freedom and diversity.

In this context, the experience of the Baltic States, in particular Latvia, provides valuable insights. Latvia has addressed similar challenges by implementing specific legislation that redefines the relationship between the state and religious organizations. The 2022 amendments to the Law on the Latvian Orthodox Church, which began the process of establishing full independence for the church, illustrate how legal reforms can reduce external influence while promoting cooperation with religious institutions.

This study aims to examine Latvia's approaches to managing the exploitation of religion as a component of hybrid warfare. It seeks to analyze the legislative and administrative strategies that Latvia has employed to counter Russian influence and assess their potential applicability to Ukraine's unique circumstances. By examining these strategies, the study aims to provide policymakers and scholars with practical recommendations for strengthening Ukraine's resilience to external interference.

The primary objective is to assess how Latvia's experience can inform Ukraine's efforts to enhance national unity and security through legal reforms in the religious sector. Understanding these mechanisms is essential for developing informed policies that balance the protection of national interests with the preservation of democratic values and religious freedoms.

The Main Material. After the dissolution of the Soviet Union in 1991, the Republic of Latvia regained its independence and began the complex process of building a sovereign state with a distinct national identity. This period was characterized by numerous socio-economic and political challenges. Among these, the integration of ethnic minorities stood out as a particularly pressing issue. The Russian-speaking population, which constituted a significant part of Latvian society, represented both an opportunity and a challenge for nation-building efforts.

For example, official statistics for the last four years indicate that people of Russian ethnicity make up about 24% of the country's population (Official Statistics Portal, 2024). Such a significant ethnic minority inevitably influenced the social fabric of Latvia and required careful consideration in policy formulation. The presence of this minority has had an impact not only on cultural and linguistic integration, but also on religious composition.

The ethnic stratification within Latvia had a discernible impact on the religious landscape. While there was an overlap between ethnic and religious identities, the alignment was not absolute. According to the annual report on religious organizations and their activities (State Revenue Service, 2022) published by the Ministry of Justice in 2022, the largest religious groups were Lutherans (37%), Roman Catholics (19%) and Latvian Orthodox Christians (13%), with almost 30% of the population not belonging to any religious group. Official data on registered religious communities confirm these figures, indicating a total of about 1,100 registered communities: 287 Lutheran, 268 Catholic and 133 Orthodox (Official Statistics Portal, 2021). This makes the Latvian Orthodox Church (LOC) the third largest Christian denomination in the country, drawing its followers mainly from the Russian-speaking minority.

The importance of the Orthodox Church among the Russian-speaking population underlines the intersection of ethnic and religious identities. The LOC serves not only as a place of worship, but also as a cultural and community center for this minority group. This dual role reinforces its importance within Latvian society and raises important considerations for national unity and social cohesion.

Before the Soviet occupation, religious organizations in Latvia played a key role in social development. They were instrumental in promoting education, health and social welfare, often filling gaps left by the state. Religious institutions were deeply integrated into community life, fostering social solidarity and cultural continuity. However, the Soviet era brought profound disruption to religious life in the country. The state imposed severe restrictions on religious activity, viewing it as antithetical to socialist ideology and a potential threat to state authority. Clergy and active lay people were persecuted, and many were imprisoned, exiled or executed. Religious property was confiscated, converted or destroyed, leading to a significant decline in the institutional religious presence. This period resulted in a generational break from religious practice and a fragmentation of religious communities.

With the restoration of independence, the Latvian government faced the daunting task of restoring religious freedoms and integrating religious organizations into a new legal and social framework. This involved addressing complex issues such as the restitution of church property, the legal recognition of religious organizations and the protection of freedom of conscience and belief. The government had to address these challenges while fostering an environment conducive to national unity. Central to these endeavors was the Constitution of the Republic of Latvia, known as the Satversme, which enshrined the principles of religious freedom and the separation of church and state. Article 99 explicitly states: "Everyone has the right to freedom of thought, conscience and religion. The Church shall be separate from the State" (Constitution of the Republic of Latvia, 1922). This provision pro-

tects individual religious freedoms while mandating institutional independence between religious organizations and state structures.

To address the immediate need to restore religious activities suppressed during the Soviet era, Latvia adopted the Law "On Religious Organizations" in 1990. This legislation aimed to quickly restore religious freedoms and facilitate the revival of religious communities that had been marginalized or banned under Soviet rule. The 1990 law provided a basic framework with minimal requirements for the registration of religious organizations. Religious organizations could register with relative ease, requiring only a simple application and basic documentation. This approach reflected the urgent need to revive religious life without imposing regulatory burdens that might hinder the rebuilding of faith communities.

The simplicity of the registration process encouraged the rapid re-establishment of a wide range of religious organizations, including previously suppressed minority faiths. By lowering administrative barriers, the law facilitated a pluralistic religious landscape, allowing for greater expression of religious diversity. This inclusiveness was in line with the democratic values Latvia was seeking to promote after decades of authoritarian rule. In addition, the 1990 law allowed religious organizations to engage in basic activities such as conducting worship services, organizing educational programs, publishing religious literature and establishing charitable initiatives. The ability to carry out these activities without onerous restrictions was crucial to rebuilding not only the institutional structures of the church, but also the spiritual lives of individuals and communities.

Recognizing the importance of addressing historical injustices, Latvia enacted the Law "On the Return of Properties to Religious Organizations" in 1992. This legislation provided legal mechanisms for religious organizations to reclaim property that had been nationalized or otherwise appropriated during the Soviet period. The restitution process was crucial in enabling religious communities to rebuild their infrastructure, conduct religious services, and carry out educational and charitable activities. The 1992 law established clear procedures for submitting claims and set deadlines for their consideration, demonstrating the government's commitment to redressing past wrongs. It covered a wide range of properties, including churches, monasteries, synagogues, cemeteries and administrative buildings.

Latvia's progress towards democratic consolidation and integration with European institutions has shown that initial legislation needed to be refined to meet new challenges. The rapid restoration of religious freedoms led to a significant increase in the number of religious organizations, some of which operated without clear guidelines or oversight. There was a growing recognition of the need for more comprehensive regulation to ensure that religious activities were conducted in accordance with national law and international human rights standards. The 1991 law lacked detailed provisions on the rights and obligations of religious organizations, mechanisms for state oversight, and safeguards against potentially extremist activities or groups that might threaten public order.

In response to these considerations, the Latvian government developed a more comprehensive legal framework. On September 7, 1995, the Law "On Religious Organizations" was enacted, superseding the 1991 law. The 1995 legislation introduced detailed regulations and established clear criteria and procedures for the registration, operation, and oversight of religious entities. This law sought to balance the protection of religious freedoms with the need to ensure public order, protect individual rights and bring the Latvian legal system into line with broader European standards and international human rights norms.

The 1995 law imposed stricter registration requirements than its predecessor. Religious organizations were now required to have at least 10 adult founding members who were Latvian citizens or permanent residents. This number was later increased to 20 in order to ensure transparency and accountability (Law on Religious Organizations, 1995). They had to submit comprehensive statutes describing their beliefs, management structures and planned activities. These measures ensured trans-

parency and accountability, preventing the registration of illegitimate or extremist groups that could threaten social harmony.

The 1995 law also provided a thorough definition of the legal status, rights and obligations of religious organizations. Registered organizations were granted legal personality, enabling them to own property, enter into contracts and engage in legal proceedings. The new legislation addressed the need for transparency, accountability and respect for democratic principles, bringing Latvia's legal system into line with European standards. The government's approach reflects its commitment to upholding constitutional guarantees of religious freedom, while ensuring that religious organizations operate within the parameters of the law.

Although Latvia's constitutional and legal framework upholds the principles of religious freedom and equality, the government has simultaneously enacted specific legislation targeting some of the country's dominant religious communities. In the absence of an official state religion, the state has formally recognized certain traditional religions, resulting in the enactment of additional laws that essentially function as agreements between the state and these religious communities.

The first such agreement law was "On the Agreement between the Republic of Latvia and the Holy See", adopted in 2002. This landmark legislation established a formal relationship between Latvia and the Holy See, facilitating cooperation in areas such as education, cultural exchange and social services. Subsequently, similar laws were enacted for other major religious groups, including the "Law on the Latvian Orthodox Church", adopted in 2008. These additional laws effectively define the administrative and legal structures of religious communities, outline their obligations to the state and address other specific legal issues. While the internal charters of the religious communities serve more as canonical documents, these separate laws function as administrative and legal instruments governing the entire church within the framework of state law.

Within the Ministry of Justice, the Department of Public and Religious Affairs is responsible for the registration process of religious organizations and theological educational institutions, as well as the maintenance of their official. When assessing the documentation submitted by a religious organization, this department is obliged to consult either the Consultative Council for Religious Affairs or the Consultative Council for New Religious Movements, depending on the nature of the organization. These two bodies have different functions: the Advisory Council for New Religious Movements is dedicated to coordinating and researching emerging religious groups, while the Advisory Council for Religious Affairs acts as an advisory body representing traditional religions with a permanent presence in Latvia register (Balodis, 1999: 4).

The Council's remit includes making recommendations to the Ministry of Justice and other government authorities on matters relating to the activities of religious organizations in the country. It liaises with the military authorities on matters relating to religion, religious organizations and the rights and duties of believers. The Council also responds to pending legislation affecting religious organizations, developing proposals and providing perspectives to government bodies on the restoration of moral and ethical values for the benefit of society. It also facilitates and promotes cooperation between the Latvian state and religious organizations, with the aim of strengthening the relationship between the state and religious communities.

Comparatively, Ukraine has faced similar challenges in the area of religious affairs but has not been able to distance itself as thoroughly from the Soviet legacy in religious legislation as Latvia, which has moved beyond it and successfully integrated into European society. This situation underlines the urgent need for Ukrainian lawmakers to address this issue, as there are precedents to follow and models to guide reform. An illustrative example is the case of the constitution. The Constitution of Ukraine enshrines freedom of religion and conscience in Article 35, which states: "Everyone shall have the right to freedom of personal philosophy and religion. The Church and religious organizations in Ukraine are separate from the State, and the school is separate from the

Church"(Constitution of Ukraine, 1995). This constitutional provision echoes the language of the 1919 Decree on Separation of Church and State. Although the Decree proclaimed freedom of conscience and religion, its underlying aim was to eliminate the church from public life and to eradicate religious views deemed oppositional to the Bolshevik-led Soviet regime. Furthermore, the decree places considerable emphasis on the separation of church and school, effectively adopting a Soviet model and advancing the regime's goal of secularizing educational institutions. Consequently, the inclusion of this provision in the Ukrainian Constitution introduces an inconsistency that warrants reconsideration (Vasin, 2019: 80).

Based on this analysis, it is appropriate to examine the similarities and differences between Latvian and Ukrainian legislation on religious organizations. Ukraine, like Latvia, has a basic law governing religious organizations – the 1991 Law of Ukraine "On Freedom of Conscience and Religious Organizations". This law establishes the legal framework for the operation of religious organizations, guarantees freedom of conscience and religion, and outlines the procedures for the registration and operation of religious communities.

However, unlike Latvia, Ukraine does not have separate specialized laws for individual confessions. The absence of such specialized laws in Ukraine can be attributed to several factors, including the country's larger size, population and more diverse religious landscape. Religious plurality in Ukraine is significantly more complex than in Latvia. With a multitude of denominations and religious communities, including several Orthodox structures with different jurisdictions, the implementation of specialized legislation for each would be a formidable task. The existence of several Orthodox structures, such as the Orthodox Church of Ukraine and the Ukrainian Orthodox Church (affiliated to the Moscow Patriarchate), complicates the possible adoption of a single auxiliary law for the Orthodox Church.

Despite these challenges, the implementation of specific laws could significantly improve the interaction between the state and religious communities in Ukraine. Such laws would provide a clear legal status, define the administrative and legal structures of religious organizations, and outline their obligations to the state. However, given the current complexities, this may be more feasible as a long-term goal rather than an immediate solution. It is important to recognize that the adoption of specialized legislation is not the same as the establishment of an official state religion. Ukraine could benefit from Latvia's experience without violating its own legislation, as such an approach is consistent with the principles of religious freedom and equality enshrined in Ukrainian law. By defining partnership relations between the state and specific denominations through legislation, Ukraine could streamline interactions with religious organizations. This method could potentially reduce bureaucratic hurdles by distributing functions among relevant ministries, thereby increasing efficiency.

In Ukraine, the State Service for Ethnopolitics and Freedom of Conscience serves as the dedicated government body for religious affairs, while in Latvia these functions are handled by a department within the Ministry of Justice. Previous attempts in Ukraine to integrate religious affairs into existing government structures have not had the desired effect (Sagan, 2017: 42). Nevertheless, a re-evaluation of this approach could be beneficial. The existence of a separate state body may be seen as a remnant of Soviet bureaucratic practices. The state could carry out registration and oversight functions through existing agencies, with specialized interactions managed within relevant ministries, eliminating the need for a separate body.

However, in the current context of the ongoing war conflict in Ukraine and Russia's active exploitation of religious factors, it may not be wise to dismantle the existing structure at this time. The State Service plays an important role in maintaining religious harmony and monitoring potential threats to national security that may arise under the guise of religious activity. Nevertheless, consideration of such reforms could be part of a strategic plan for the future aimed at improving the effectiveness of state-religion interactions while safeguarding national interests.

Furthermore, Ukraine has an equivalent to Latvia's Advisory Council for Religious Affairs – the All-Ukrainian Council of Churches and Religious Organizations. This council serves as a platform for dialogue between the state and religious communities. However, its integration with relevant ministries is less pronounced compared to the Latvian model (Miakinchenko, Sologub, Podkur, 2024: 78). Strengthening this integration could improve collaboration, policy development, and implementation of initiatives concerning religious affairs.

In conclusion, while the Latvian system offers a less bureaucratic and more European approach to state-religion relations, direct transplantation of this model to Ukraine may not be feasible due to differences in size, population and religious diversity. Nevertheless, Ukraine can learn valuable lessons from Latvia's experience. By carefully adapting elements of the Latvian approach, Ukraine could improve its legal framework for religious organizations, increase efficiency, and foster stronger partnerships between the state and religious communities. Such reforms should be undertaken with careful consideration of Ukraine's unique context to ensure that they contribute positively to social cohesion and respect for religious diversity.

In addition, both Ukraine and Latvia have faced the urgent need to prevent Russia from using the religious sphere as a tool in its hybrid warfare strategy. Russia has actively used its self-proclaimed image as the "guardian of Orthodoxy" to justify and rationalize its aggressive actions. The leadership of the Russian Orthodox Church (ROC) has gone so far as to endorse the war by blessing military efforts (Nasikivska, 2022: 87-90), increasing the threat posed by ROC dioceses operating in Latvia and Ukraine. This situation calls for proactive measures to mitigate the influence of Russian-affiliated religious entities that could undermine national security.

Latvia's approach to this complex issue has been markedly different from that of Ukraine and other Baltic states. While Estonia and Lithuania have generally opted to support structures affiliated with the Ecumenical Patriarchate as an alternative to the presence of the ROC, Latvia has implemented a different strategy. This divergence is partly due to Latvia's existing specific laws for individual denominations, which facilitated a tailored response to the challenge.

On 8 September 2002, the Latvian Parliament adopted amendments to the "Law on the Latvian Orthodox Church" introduced by President Egils Levits, a former Minister of Justice. These amendments established the LOC as a fully independent (autocephalous) entity. The legislation was passed by a significant majority, with 73 MPs voting in favor, three against and one abstaining.

President Levits stressed the need to revise the law in order to exclude any unilateral action by the ROC leadership that could change the status of the LOC, an outcome that the Latvian state considers unacceptable. He articulated that the separation of church and state does not preclude interaction between the two, and that maintaining public safety and order may require some intervention in religious affairs (Orthodox Church of Latvia seceded from Moscow, 2022). This perspective reflects a nuanced understanding of secularism that balances religious freedom with national security considerations (Rohtmets, Teraudkalns, 2024: 21-24). It is also noteworthy that the President reaffirmed the independence of the LOC, referring to the period of Bishop Janis Pommers, a prominent figure in the history of Latvian Orthodoxy. At the request of Bishop Janis, the LOC was granted autonomy within the ROC; this decision was ratified on 21 June 1921 by Patriarch Tikhon. In this context, the President draws an analogy with the Latvian Constitution, which was not reinstated after the dissolution of the Soviet Union, but rather reinstated in its previous form. In a similar way, this legislation effectively "restores" the Orthodox Church, mirroring the constitutional restoration (Drēģeris, 2022).

Crucially, the leadership of the LOC responded to these decisive measures with acceptance and cooperation, expressing respect for the new legal framework (On amendments to the Latvian Orthodox Church Law, 2022). Metropolitan Alexander, the head of the LOC, exhibited actions aligning with this shift. For example, he ceased commemorating the Russian Patriarch during liturgical services – a significant ecclesiastical gesture indicating autonomy. Additionally, he independently consecrated a new

bishop, a move that, under the ROC's canonical statutes, would typically require authorization from higher authorities in Moscow (ROC members were outraged that the Metropolitan of Riga …, 2023).

An important facet of the amended law is the explicit recognition of the LOC's autocephalous status, despite the lack of formal recognition from the wider Orthodox community. For example, Mārtiņš Drēģeris, Communication Advisor to the President of Latvia at the Office of the President of Latvia, emphasized that "the amendments to the law adopted by the Saeima on 8 September represent only half of the way towards the full strengthening of the autocephalous status of the LOC. Further measures fall within the scope of ecclesiastical law, in which the state does not and cannot have a say" (Drēģeris, 2022).

This legislative act sets a precedent that could be instructive for Ukraine, offering a legal basis for asserting ecclesiastical independence through state legislation. In Ukraine, while current laws incorporate elements of ecclesiastical law to characterize the affiliations of religious organizations, some experts argue that the state oversteps its bounds by intervening in canonical matters. Latvia's example demonstrates that such legislative action can be undertaken without infringing upon religious freedom, as evidenced by the absence of negative impacts on its international standing regarding freedom of conscience. For example, neither the U.S. State Department (2023 Report on International Religious Freedom: Latvia) nor Freedom House (Freedom in the World 2024: Latvia) noted any infringement of religious freedom in Latvia after the adoption of the new law.

In addition, this approach appears to be mitigating social polarization and fostering a more harmonious relationship between the state and the church. Evidence of this improved relationship includes the recent state support given to the LOC, a sign of mutual understanding and cooperation (Archbishop's service was held in Riga Holy Trinity Cathedral, 2024]. The Latvian model demonstrates that strong legal measures, when implemented in cooperation with religious institutions, can enhance national security without creating internal conflict.

However, Latvia's success in this endeavor was facilitated by specific contextual factors. First, the absence of multiple Orthodox jurisdictions within the country facilitated direct dialogue and policy implementation. Second, the leadership of the LOC was receptive to initiatives aimed at reducing dependence on Moscow, demonstrating a willingness to adapt to new legal and political realities. Ukraine faces a more complicated situation due to the presence of several Orthodox structures, including the Orthodox Church of Ukraine and the Ukrainian Orthodox Church (affiliated to the Moscow Patriarchate), the latter of which has been more resistant to state initiatives aimed at severing ties with Moscow. Nevertheless, Ukraine could draw valuable lessons from Latvia's experience. Engaging in constructive dialogue with segments of the UOC-MP that genuinely wish to distance themselves from Moscow could be a viable strategy. Such an approach prioritizes reconciliation and internal restructuring over confrontational legal measures that would, if necessary, target only the most marginalized elements.

Before engaging in direct legal confrontation with the UOC-MP, the Ukrainian state could seek to facilitate a transition for those who wish to break away from Moscow's jurisdiction, mirroring Latvia's method of neutralizing Russian influence through Orthodoxy without resorting to prohibitive measures. This strategy could include offering legal recognition and support to communities seeking autocephaly or alignment with the OCU, thereby promoting unity and reducing societal divisions. In implementing such a policy, Ukraine must take into account its larger and more diverse religious landscape. While the Latvian model cannot be directly transplanted, its principles can be adapted to the Ukrainian context. This adaptation would require careful legal drafting to ensure compliance with both national and international legal standards, as well as active engagement with religious leaders to build consensus.

In conclusion, Latvia's approach to disentangling its national religious landscape from Russian influence offers a compelling case study. By using specialized legislation and fostering cooperative

relationships with religious institutions, Latvia has been able to assert greater autonomy over its religious affairs while maintaining social cohesion. Ukraine stands at a crossroads where similar strategies could be beneficial. A thoughtful adaptation of Latvia's methods, tailored to Ukraine's unique circumstances, could strengthen the country's resilience against external interference, promote national unity, and uphold the principles of religious freedom and diversity. Such efforts would require a concerted effort by lawmakers, religious leaders, and civil society to navigate the complexities inherent in balancing security concerns with the rights of religious communities.

Conclusions. An examination of Latvia's approach to reducing Russian influence in the religious sphere reveals a strategic balance between safeguarding national security and preserving religious freedoms. The 2022 legislative amendments initiating the establishment of full independence for the Latvian Orthodox Church illustrate the effectiveness of state-led legal reforms. By securing the non-opposition of church leaders, Latvia reduced external interference without infringing upon constitutional rights or inciting internal discord.

Latvia's experience demonstrates that specialized legal frameworks can successfully address the complexities introduced by hybrid warfare tactics that exploit religious affiliation. The government's commitment to transparency, accountability, and adherence to democratic principles facilitated the smooth implementation of these reforms. Moreover, the absence of negative repercussions on Latvia's international reputation for religious freedom underscores the compatibility of such measures with international human rights standards.

For Ukraine, the challenge is more complicated due to its larger size, diverse religious landscape, and the presence of multiple Orthodox jurisdictions. Direct replication of the Latvian model may not be feasible, but the underlying principles provide valuable guidance. By fostering dialogue with factions of the Ukrainian Orthodox Church that are willing to distance themselves from external influences, Ukraine can promote internal reorientation and unity. Nevertheless, it remains essential to implement legal measures against members who resist distancing themselves, particularly those who are marginalized, while striving to minimize their numbers as much as possible. Adapting specialized legislation to define clearer legal statuses and administrative structures for these entities could be a critical step.

Implementing such a policy will require careful legal drafting to ensure compliance with national and international laws, as well as active engagement with religious leaders to build consensus. Prioritizing reconciliation over confrontation can help mitigate societal divisions and strengthen national resilience.

In sum, Latvia's case provides a compelling example of how legal measures, when implemented thoughtfully and in partnership with religious institutions, can strengthen a nation's defenses against hybrid warfare strategies. Ukraine's adaptation of these methods, tailored to its specific context, could go a long way toward safeguarding its sovereignty, promoting social cohesion, and upholding the principles of religious freedom and diversity. The collaborative efforts of lawmakers, religious authorities, and civil society are essential to achieving these goals and navigating the complexities inherent in this area.

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NOTES

Baltic Journal of Legal and Social Sciences. Number 4 (2024).

Izdevniecība “Baltija Publishing”
Valdeku iela 62-156, Riga, LV-1058
Iespiests tipogrāfijā SIA “Izdevniecība “Baltija Publishing”