



International Science Group
ISG-KONF.COM



UKRAINE IS MODERN. SCIENTIFIC STUDIES OF THE PAST AND PRESENT

ISBN 979-8-88896-532-0

DOI 10.46299/979-8-88896-532-0

**Boiko Y., Bogatchuk S., Levchuk K., Belkin I., Manhora V.,
Manhora T., Durach O., Makarov Z.**

**UKRAINE IS MODERN. SCIENTIFIC STUDIES OF THE PAST
AND PRESENT**

Monograph

2023

UDC 93/94

Author's:

Boiko Y., Bogatchuk S., Levchuk K., Belkin I., Manhora V.,
Manhora T., Durach O., Makarov Z.

Editor:

Konstantin Levchuk, doctor of historical sciences, professor, head of the department of history of Ukraine and philosophy. Vinnytsia National Agrarian University, Vinnytsia, Ukraine.

Boiko Y., Bogatchuk S., Levchuk K., Belkin I., Manhora V., Manhora T., Durach O., Makarov Z. Ukraine is modern. Scientific studies of the past and present. Monograph. – Primedia eLaunch, Boston, USA, 2023. – 298 p.

Library of Congress Cataloging-in-Publication Data

ISBN – 979-8-88896-532-0

DOI – 10.46299/979-8-88896-532-0

All rights reserved. Printed in the United States of America. No part of this publication may be reproduced, distributed, or transmitted, in any form or by any means, or stored in a data base or retrieval system, without the prior written permission of the publisher. The content and reliability of the articles are the responsibility of the authors. When using and borrowing materials reference to the publication is required.

UDC 93/94

ISBN – 979-8-88896-532-0

© Boiko Y., Bogatchuk S., Levchuk K.,
Belkin I., Manhora V., Manhora T.,
Durach O., Makarov Z.

ANNOTATION

The collective monograph is devoted to the study of trends in the development of modern Ukrainian society. The research uses an interdisciplinary approach, which allows analyzing various aspects of the development of social processes in Ukraine and obtaining socially significant scientific results.

The subject of **Yuri Boyko's** scientific interests are various manifestations of life activities of the population of Forest-Steppe Ukraine in the 19th century. - demographic, social, economic, cultural. In the proposed research, the author's attention is focused on the structure of the social organism, the dynamics of changes, regional features of the social organization of the population, for the first time in domestic historiography, the issues of social topology, the construction of the social landscapes of the Right-Bank and Left-Bank components of the Forest-Steppe Ukraine, the place of Ukrainian provinces in the social space of the European part of the Russian Empire are specifically considered 1850s - 1860s.

Svitlana Bogatchuk pays attention to the study of the life path of the founder of Ukrainian ethnographic science, the Ukrainian Pavlo Chubynskyi. It should be noted that in 1869-1872, under his leadership, ethnographic expeditions were conducted on the territory of Dnieper Ukraine, based on the materials of which seven volumes of the "Proceedings of the Ethnographic and Statistical Expedition" were published, which became a significant phenomenon in the cultural life of the Ukrainian people, convincingly showing the world their originality Ukrainian national spiritual culture.

In 1872, the South-Western Branch of the Imperial Russian Geographical Society was opened in Kyiv, in the formation of which Pavlo Chubynsky played a decisive role. The main task of the society was to collect, process and distribute geographical, ethnographic and statistical information.

Kostyantyn Levchuk's research is aimed at studying the process of activity of non-governmental organizations of commodity producers of Ukraine in the context of reforming economic relations. Trade union organizations, as the most representative

public organizations of workers, had to prove to the power structures their position, their vision regarding the ways out of the crisis and further social development.

Public organizations operating in the spheres of economy include associations of entrepreneurs, farmers, tenants, employers and private owners. They are the result of self-organization of commodity producers, which contributes to increased structuring and self-regulation of the economy. Unlike trade unions, public associations of entrepreneurs faced other tasks, which consisted in the formation of corporate interests and awareness of the need to develop their own consistent and comprehensive economic policy.

Ihor Belkin's chapter is devoted to trends in the development of educational services under today's conditions. The author pays attention to the dynamics of changes in the educational process under the influence of market relations. Attention is drawn to the key positions of each of the participants in the educational process. The legislative framework of education is analyzed. The content of the final result of the educational process is revealed. Comparative characteristics of the leading higher education institutions of Ukraine and their competitiveness are given. The key trends in the development of the provision of educational services abroad are characterized. In the context of the education market, the position of the main participants in this space is revealed in detail. At the end of his chapter, the author offers a set of analytical conclusions and proposals.

Volodymyr Manhora's scientific research is aimed at forming knowledge about the state when teaching the history of Ukraine. The historical-methodological aspect of the research has been developed, which shows the dynamics of changes in the content of knowledge about the state and the methods of their assimilation in the learning process. According to the author, this is related to the appropriate conditions for the existence of historical and legal education in a specific historical period of the development of society, the development of methodical science, and the accumulation of teaching experience. Only on the basis of the analysis of the historical and methodological aspect of this problem, modern achievements of methodical science

and teaching practice, it is possible to scientifically justify and experimentally verify the effective method of forming knowledge about the state.

Investigating the problem of the formation of the institution of inheritance in Ukraine and the peculiarities of the implementation of inheritance cases in the conditions of martial law, **Tamila Manhora** examines the controversial aspects of the legal regulation of the relevant legal relations.

The introduction of martial law in Ukraine undoubtedly affected all spheres of social relations, including inheritance. In this period, questions that previously had only theoretical importance become urgent. In particular, the war and the temporary occupation of certain territories of Ukraine by the enemy significantly affect the exercise of rights by individuals in the field of inheritance law. It is, first of all, about significant obstacles in the realization of the right to receive inheritance. Because of this, the state must effectively and timely respond to such challenges in order to protect the rights and interests of subjects, as well as ensure the stability of property turnover. There is no doubt that war is a significant destabilizing factor in the dynamics of property relations. Therefore, the task of legal doctrine in this extremely difficult period for the state is to develop effective mechanisms for subjects to exercise their inheritance rights for their further regulatory implementation.

Olga Durach's chapter examines the history of military courts in Ukraine. The main reasons that contributed to the liquidation of military courts have been revealed. The basic principles of the organization of the work of military courts in Ukraine have been determined. Peculiarities and problematic issues of the administration of justice during the period of martial law have been studied, and the reasons for the need to resume the work of military courts have been determined. Ways to resolve controversial issues regarding the resumption of military courts in Ukraine are proposed.

Zorislav Makarov explores traditional forms of philosophical determinism in his creative work. Significant attention is paid to the reception and transformation of such ancient and medieval philosophical concepts in the synthetic context of Renaissance determinism, such as the physics of Aristotle, the history of Titus Livius,

the mystical pantheism of the Neoplatonists and Nicholas of Cusa, the magic and astrology of Hermeticism, the theological ontology of Aurelius Augustine and Thomas Aquinas. The sequence of overcoming medieval dualism in nomology is established from the humanistic mastering of the potential of transcendent powers in legislation by the Renaissance man due to its limitation by the requirements of social and political expediency to the new substantialization of nature in the form of rational principles of its movement and transformations of natural things.

The content of the collective monograph corresponds to the direction of scientific work of the Department of History of Ukraine and Philosophy of Vinnytsia National Agrarian University. The monograph is the result of the initiative topic "Research of trends in socio-economic development and consolidation of Ukrainian society in the modern history of Ukraine". State registration number 0122U001425. The head of the subject is Professor K. I. Levchuk). The monograph uses: historical-genetic method, statistical analysis, sociological, economic, legal and pedagogical methods.

TABLE OF CONTENTS

1.	Boiko Y. ¹ SOCIETY OF THE FOREST-STEPPE UKRAINE BY STATISTICAL DATA (KYIV, PODILLIA, VOLYN, POLTAVA, CHERNIHIV, AND KHARKIV PROVINCES IN THE 1840S – EARLY 1860S) ¹ Candidate of Historical Sciences, Associate Professor Department History of Ukraine and Philosophy, Vinnytsia National Agrarian University, Vinnytsia, Ukraine	10
1.1	SOCIAL COMPOSITION OF THE FOREST-STEPPE UKRAINE POPULATION (1845 - 1863)	12
1.1.1	NOBLES	13
1.1.2	CLERGY	17
1.1.3	URBAN DWELLERS	19
1.1.4	RURAL DWELLERS	26
1.2	SOCIAL STRUCTURE OF THE FOREST-STEPPE UKRAINE CITIES POPULATION	31
1.3	SOCIAL TOPOLOGY OF THE FOREST-STEPPE UKRAINE	36
2.	Bogatchuk S. ¹ PAVLO CHUBYNSKYI. THE LIFE PATH OF A GREAT UKRAINIAN ¹ Candidate of Historical Sciences, Associate Professor Department History of Ukraine and Philosophy, Vinnytsia National Agrarian University, Vinnytsia, Ukraine	52
3.	Levchuk K. ¹ ACTIVITIES OF NON-GOVERNMENT ORGANIZATIONS OF COMMODITY PROUCERS OF UKRAINE UNDER THE CONDITIONS OF REFORMING ECONOMIC RELATIONS (90S OF THE 20 CENTURY) ¹ Doctor of Historical Sciences, Professor, Head of the Department of Hyistory of Ukraine and Philosophy. Vinnytsia National Agrarian University, Vinnytsia, Ukraine	88
3.1.1	STATEMENT OF THE PROBLEM	88
3.1.2	ANALYSIS OF RECENT RESEARCH AND PUBLICATIONS	89
3.1.3	DEVELOPMENT OF THE TRADE UNION MOVEMENT	90
3.1.4	PUBLIC ORGANIZATIONS OF COMMODITY PRODUCERS	100
3.1.5	CONCLUSION	110
4.	Belkin I. ¹ MARKET OF EDUCATIONAL SERVICES OF UKRAINE. ANALYSIS, PERSPECTIVES AND DEVELOPMENT TRENDS ¹ Candidate of Pedagogical Sciences, Doctor of Philosophy, Senior Lecturer at Department of Agricultural Management and Marketing, Vinnytsia National Agrarian University, Vinnytsia, Ukraine	116

5.	Manhora V. ¹ THE PROBLEM OF FORMATION OF KNOWLEDGE ABOUT THE STATE IN THE HISTORY OF METHODOLOGICAL SCIENCE ¹ Candidate of Pedagogical Sciences, Associate Professor Department History of Ukraine and Philosophy, Vinnytsia National Agrarian University, Vinnytsia, Ukraine	146
6.	Manhora T. ¹ FORMATION OF THE INSTITUTE OF INHERITANCE IN UKRAINE AND PECULIARITIES OF REALIZATION OF INHERITANCE RIGHTS UNDER MARTIAL LAW ¹ Candidate of Law Sciences Associate Professor of Law, Vinnytsia National Agrarian University	183
6.1	CONCEPT OF INHERITANCE IN CIVIL LAW	183
6.2	NORMATIVE - LEGAL BASIS OF INHERITANCE IN UKRAINE	188
6.3	HISTORICAL STAGES OF INHERITANCE DEVELOPMENT	190
6.4	IMPLEMENTATION OF INHERITANCE RIGHTS UNDER MARTIAL LAW	198
7.	Durach O. ¹ CURRENT ISSUES OF RESTORATION OF THE WORK OF MILITARY COURTS IN THE POST-WAR PERIOD ¹ Senior Lecturer, Vinnytsia National Agrarian University	207
7.1	THE HISTORY OF THE FORMATION OF MILITARY COURTS IN UKRAINE, THE DETERMINATION OF THE MAIN REASONS FOR THE LIQUIDATION OF MILITARY COURTS IN UKRAINE	208
7.2	WORK OF COURTS OF UKRAINE UNDER MARTIAL LAW. JUSTIFICATION OF THE NEED TO RESTORE THE WORK OF MILITARY COURTS	215
7.3	INTERNATIONAL EXPERIENCE OF LEADING COUNTRIES IN THE FIELD OF MILITARY JUSTICE	222
7.4	CONTROVERSIAL ISSUES REGARDING THE RESUMPTION OF MILITARY COURTS IN UKRAINE. IMPLEMENTATION AND DIRECTIONS OF DEVELOPMENT OF MILITARY COURTS IN UKRAINE IN THE POST-WAR PERIOD	224
8.	Makarov Z. ¹ RENAISSANCE FORMS OF DETERMINISM IN THE CONTEXT OF THE BECOMING OF CLASSICAL SCIENTIFIC NOMOLOGY ¹ PhD of Philosophy, Senior Lecturer at Department History of Ukraine and Philosophy, Vinnytsia National Agrarian University, Ukraine	236
8.1	HUMANISTIC PREMISES OF THE RENAISSANCE NATURAL PHILOSOPHY: MANTIC, ASTROLOGY, MAGIC	239

8.2	NATURPHILOSOPHICAL FOUNDATIONS OF RENAISSANCE (IN)DETERMINISM	244
8.3	THE FORMATION OF THE CREATIVE PROJECT OF THE RENAISSANCE: FROM PERSONAL MANNER TO A UNIVERSAL METHOD	248
8.4	THE ART OF DISCOVERING «TRUE» NATURE AND ITS ASSIMILATION IN SCIENCE	253
8.5	SOCIO-HUMANITARIAN GENEALOGY OF SCIENTIFIC NOMOLOGY	258
8.6	NATURALIZATION OF SOCIO-POLITICAL LAWS BY N. MACHIAVELLI	264
8.7	THE SCIENTIFICATION OF LAWS AS A PREREQUISITE FOR ONTOLOGICAL REDUCTIONISM	269
8.8	SCIENTIFIC NOMOLOGY IN THE STRUCTURE OF NEW RATIONALITY	277

DOI: 10.46299/979-8-88896-532-0.1

1. Society of the Forest-Steppe Ukraine by statistical data (Kyiv, Podillia, Volyn, Poltava, Chernihiv, and Kharkiv provinces in the 1840s – early 1860s)

In the middle of the 19th century, it was difficult to find another country in Europe where the social structure of the population would look as cumbersome and confusing as in the Russian Empire. In 1858, 3 noble, 6 clerical, 8 urban, 46 peasant, and 5 foreign groups were legally approved, totaling 68 large and small social groups. In addition to them, there were so-called "raznochintsy" (social marginal who permanently lived in the cities, but did not belong to the urban class), indefinite leaved and retired "lower ranks" (soldiers) with wives and children, foreigners and some other transitional groups. The reasons for this, according to the heads of the Central Statistical Committee of the Ministry of Internal Affairs, were as follows:

1. The names of the official classification did not form defined legal concepts, as a result of which social groups sometimes broke up into several parts that were not at all similar to each other in terms of property rights, primarily land. These are *odnodvortsy*, *odnodvortsy* of Western provinces, colonists, armored boyars, Cossacks, military commoners, etc.

2. The official classification allowed the assignment of the same persons to different states, the temporary or complete suspension of fundamentally important differences between states.

3. In many cases, especially in relation to personal nobles, personal and honorary citizens, family unity was violated, as representatives of one family could be divided into several social categories [1, pp. 264, 265].

The sources we use can be divided into two groups – legal and statistical.

The first includes laws and other legislative acts defining the rights and obligations of social groups and states, collected in the "Compendium of the Laws of the Russian Empire", a multi-volume edition of 1857 – 1868, as well as in the second collection of the "Complete Collection of Laws of the Russian Empire" in 1830 –1885 in 129 volumes [2, 3].

The statistical sources are primarily "Statistical description of the Kyiv province" by D. P. Zhuravskiy [4], "Military statistical survey" of the Kyiv, Podillia, Volyn, Poltava, Chernihiv, and Kharkiv provinces [5-10], provincial reference and information publications of the late 50s – early 60s of the 19th century [11-17], "Statistical Tables of the Russian Empire for 1858" [1], "Statistical Chronicle of the Russian Empire" [18], etc.

Unfortunately, we cannot fully use the materials of the 9th national revision in its sociological component to build a statistical model, since in the presentation of P. I. Köppen, they apply almost exclusively to the male part of the population and this "almost" often leads to significant discrepancies between the total number of male residents and the total number of people by social group [19, pp. 33–34, 106–108, 176–177, 179–180, 182–183, 186–187, 192, 197–198, 209, 211–212, 239, 252–253].

The compilers of the "Statistical Tables of the Russian Empire for 1858" in the sociological section provided information previously organized by headings as close as possible to the structure of large social groups: nobility, clergy, urban dwellers, rural dwellers and some others [1, pp. 267–275]. In the "Statistical Chronicle of the Russian Empire" we observe the same classification. The consolidation of descriptive headings in statistical collections deprives us of direct information about such important for the social history of the Forest-Steppe Ukraine population groups as citizens from the Polish nobility, *odnodvortsy*, Cossacks of Poltava and Chernihiv provinces of the late 50s – early 60s of the 19th century. In part, these data can be supplemented with the materials of the provincial statistical committees, which were published in separate editions under different names.

When studying one or another period of history, we try to compare the obtained results with earlier (later) data, hoping to notice trends or even regularities in the changes that took place. By a happy coincidence, the materials of the 5th nationwide revision of 1795 – 1796 for the Right-Bank Ukraine carefully processed by M. G. Krykun [20, pp. 580–588]. As for the Left-Bank and Slobozhanshchyna, the situation here is less clear. On the one hand, we have such high-level descriptive and statistical sources as A. F. Shafonskyi's "Description of the Chernihiv Governorate",

and excellently published by the Archaeological Commission of the Academy of Sciences of Ukraine, "Descriptions" of the Kyiv and Kharkiv Governorates, the provinces of Little Russia (Malorossia) in the late 18th and early 19th centuries [21-24]. On the other hand, the statistical component, which was considered the main one by the compilers of "Descriptions", remains largely underestimated by many generations of historians.

Turning to the achievements of our colleagues in the field of sociology of the 19th century, we are forced to note that the only successful attempt at global generalizations within the Russian Empire belongs to the foreign historian B. M. Mironov [25].

Another prominent researcher, the Frenchman D. Beauvais, approached the analysis of the era from a different angle, depicting an epic canvas by the suffering and wanderings of the Polish nobility in Right-Bank Ukraine against the background of the worsening of Polish-Russian-Ukrainian relations from the end of the 18th to the beginning of the 20th centuries [26-28].

"Polonian" motifs are also present in the scientific works of our compatriots [29-31]. This is not surprising, since socio-historical studies of the Right-Bank Ukraine of the late 18th – first half of the 19th centuries necessarily turn into socio-ethnic ones [32-34]. In addition to the nobility, social groups of peasants are studied [35, pp. 211–285; 36], military commoners [37. 38], Cossacks [39-41], a burghers [42, 43], merchants [44], etc. The list of achievements in this direction could be continued, but the final conclusion will remain unchanged – a targeted comparative analysis of the social structure of the population of Right-Bank and Left-Bank Ukraine in the middle of the 19th century is missing in both descriptive and statistical forms. With our research, we hope to fill this lacuna at least partially, based mainly on the groups of sources outlined above – legal and statistical.

1.1 Social composition of the Forest-Steppe Ukraine population (1845 - 1863)

In the composition of the population, according to the difference in status rights, four main "kinds" of people were legally distinguished: 1) nobility; 2) clergy; 3) urban dwellers; 4) rural dwellers [45, art. 2]. Let us consider their place in the social structure

of the Forest-Steppe Ukraine inhabitants from the mid-40s to the beginning of the 60s of the 19th century.

1.1.1 Nobles

Among the provinces of the Ukrainian Forest Steppe, the Volyn looks the most "noble" one (tables 1–6; fig. 1). In 1845 – 1846, only hereditary nobles made up 2.9% of the population, according to the results of the 9th national audit of 1851, 3.4% [19, p. 176], according to the 1858 census, 3.5%, and in 1863, 2.2%. In the Kyiv region, the share of the hereditary nobility was insignificant, but gradually increased from 0.5 to 1.0%, while in the neighboring Podillia, between 1846 and 1863, the number of upper-class nobles decreased slightly – from 1.6% to 1.2%. Comparing these data with 1795, one can be sure that the share of the nobility, or "local gentry" as it was called, in the region as a whole has significantly increased: in the Kyiv region three times, in Podillya by one and a half to two times, in Volyn from three to four times. In the Left Bank part of the Forest Steppe, as in the Kyiv region, the hereditary nobility did not exceed 1% of the total number of inhabitants.

Structural changes in the environment of the service nobility of the Right-Bank of the Dnieper-river look different (fig. 2). According to the census of 1795 – 1796, the nobility of the "rented and indentured" made up 7.4% of the population in the Kyiv region, 8.1% in Podillia, and 6.0% in Volyn. 50 – 60 years later, the statistical picture was different: 0.4 – 0.7% in the Kyiv province, 0.2 – 0.5% in Podillia, and 0.3 – 2.2% in Volyn. In the Left-Bank Ukraine, personal nobility was distributed among the provinces in the same proportions as hereditary nobility.

In general, taking into account the nobility of the 2nd category (2.6% of the population of the Kyiv and 5.1% of the Volyn provinces in 1845 – 1847 and 2.0% of the inhabitants of Kyiv region in 1859), there is a gradual reduction in the number of nobility in the Right-Bank Forest Steppe first of all because of the declassification of

Table 1

Social categories and groups of the Forest-Steppe Ukraine (1845 – 1847).**The Right-Bank of the Dnieper**

[5, table 2; 6, tables 5–6; 7, p. 69, tables 3–4]

Categories and population groups / provinces	Kyiv		Podillia		Volyn	
	amount	%	amount	%	amount	%
Nobles:	65121	3,75	25465	1,70	119187	8,00
- hereditary	7883	0,45	23246	1,55	40283	2,70
- personal	11644	0,67	2219	0,15	3680	0,25
- 2nd class	45594	2,62	0	0	75224	5,05
Clergy	12859	0,74	17551	1,17	12324	0,83
Urban dwellers:	226931	13,05	203951	13,62	215027	14,43
<i>Honorable citizens</i>	226	0,01	10	0,00	17	0,00
<i>Citizens from the Polish nobility, raznochintsy</i>	4488	0,26	8339	0,56	4128	0,28
	2345	0,13	2473	0,17	105	0,01
<i>Merchants</i>	9370	0,54	2877	0,18	3781	0,25
<i>Burghers, artisans</i>	210502	12,11	190252	12,27	204259	13,70
Rural dwellers:	1405160	80,82	1246213	83,24	1129471	75,77
<i>Free peasants:</i>	305203	17,55	322627	21,55	242170	16,25
<i>state</i>	161257	9,27	55121	3,68	150262	10,08
<i>different denominations</i>	15446	0,89	159656	10,67	144759	9,72
<i>odnodvortsy</i>	68341	3,93	21099	1,41	50814	3,41
<i>Cossacks</i>	359	0,02	0	0,00	0	0,00
<i>Jews-peasants</i>	839	0,05	0	0,00	753	0,05
<i>military commoners and cantonists</i>	54932	3,16	18436	1,23	0	0,00
<i>Depended peasants</i>	1099957	63,26	923586	61,69	887301	59,53
Foreigners	1702	0,10	2165	0,14	0,00	0,00
Military retirees and those on indefinite leave with their families	26920	1,55	1756	0,12	14592	0,98
Others	0	0,00	0	0,00	0	0,00
Total	1738693	100	1497101	100	1490601	100

the old Polish minor and not land-owners nobility [31, pp. 38–41]. In the statistical display, it looked like this (fig. 3): in the Kyiv region, instead of 7.7% of the population in 1795, became 3.8% in 1846 and 1.5% in 1863; in Podillia, against 8.9% according to the 5th national revision, 1.4% and 1.7%, respectively. Against this background, the Volyn center of the nobility shows the opposite trend, namely, an increase in the specific weight of the nobility to 8% in the mid-1840s (instead of 6.5% in 1795), followed by a "fall" to 4.7 – 4.4% in 1858 – 1863 years. Even after

Table 2

Social categories and groups of the Forest-Steppe Ukraine (1845 – 1847).

The Left-Bank of the Dnieper

[8, pp. 35–36; 10, table 3; 9, pp. 69–70].

Categories and population groups / provinces	Poltava		Chernihiv		Kharkiv	
	amount	%	amount	%	amount	%
Nobles:	24436	1,49	22599	1,62	13206	0,80
- hereditary	14969	0,91	10485	0,75	6504	0,39
- personal	9467	0,58	12114	0,87	6702	0,40
- 2nd class	0	0,00	0	0,00	0	0,00
Clergy	14477	0,88	14448	1,04	10578	0,64
Urban dwellers:	55426	3,38	112606	8,07	36265	2,19
Honorable citizens	26	0,00	148	0,01	45	0,00
Raznochintsy	4359	0,27	1372	0,10	1722	0,10
Merchants	3148	0,19	4860	0,35	3141	0,19
Burghers, artisans	47215	2,88	106226	7,61	27251	1,64
Rural dwellers:	1521025	92,77	1235688	88,58	1583734	95,53
Free peasants:	839319	51,19	628466	45,05	1099630	66,33
state	97800	6,01	204596	13,74	633155	43,22
different denominations	33320	2,04	2015	0,15	89899	5,42
odnodvortsy	13099	0,80	0	0,00	35320	2,13
Cossacks	695055	42,39	419668	30,08	0	0,00
Jews-peasants	0	0,00	0	0,00	0	0,00

Continuation of table 2

<i>military commoners and cantonists</i>	0	0,0	2187	0,16	204007	12,31
Depended peasants	681706	41,58	607222	43,53	484104	29,20
Foreigners	372	0,02	0	0,00	0	0,00
Military retirees and those on indefinite leave with their families	22910	1,40	7958	0,57	8546	0,52
Others	992	0,06	1685	0,12	5544	0,33
Total	1638648	100	1394984	100	1657873	100

that, the share of nobles in Volyn remained the highest among the provinces of the Ukrainian Forest-Steppe, while on the Left-Bank it ranged from 0.8% in the Kharkiv province to 1.8% in the Poltava one, which, however, was significantly more than 0.1 – 0.3% in Slobozhanshchyna and Little Russia in the last quarter of the 18th century [46, p. 283; 21, pp. 187–188; 47, p. 70; 48, pp. 31–33].

Table 3

Social categories and groups of the Forest-Steppe Ukraine (1857 – 1859).

The Right-Bank of the Dnieper

[53, pp. 52, 100; 1, pp. 267–275, 292–293; 14, pp. 28–33; 13, pp. 111–112].

Categories and population groups / provinces	Kyiv – 1859		Podillia – 1857		Volyn – 1858	
	amount	%	amount	%	amount	%
Nobles:	56644	2,89	24207	1,38	72141	4,72
- hereditary	13277	0,68	19805	1,13	52663	3,45
- personal	6860	0,35	4402	0,25	10578	0,69
- 2nd class	38507	1,96	0	0,00	0	0,00
Clergy	18426	0,94	16884	0,96	18086	1,18
Urban dwellers:	300532	15,33	266004	15,16	209415	13,70
<i>Honorable citizens</i>	604	0,03	26	0,00	4789	0,31
<i>Citizens from the Polish nobility</i>	5236	0,27	40965	2,33	0	0,00

Continuation of table 3

<i>Merchants</i>	10317	0,53	15413	0,88	10589	0,69
<i>Burghers, artisans</i>	284375	14,51	209600	11,94	194737	12,74
Rural dwellers:	1480706	75,53	1371050	78,12	1167782	76,41
<i>Free peasants:</i>	<i>326869</i>	<i>16,67</i>	<i>312983</i>	<i>17,83</i>	<i>471459</i>	<i>30,85</i>
<i>state</i>	<i>196965</i>	<i>10,05</i>	<i>119174</i>	<i>6,79</i>	<i>345862</i>	<i>25,32</i>
<i>different denominations</i>	23967	1,22	8326	0,48	125615	8,22
<i>odnodvortsy</i>	65240	3,33	127869	7,29	0	0,00
<i>Cossacks</i>	360	0,02	0	0,00	0	0,00
<i>Jews-peasants</i>	0	0,00	11702	0,67	0	0,00
<i>military commoners and cantonists</i>	40337	2,06	58839	3,35	0	0,00
<i>Depended peasants</i>	<i>1153837</i>	<i>58,86</i>	<i>1027334</i>	<i>58,53</i>	<i>696323</i>	<i>45,56</i>
Foreigners	2257	0,12	2930	0,17	1809	0,12
Military retirees and those on indefinite leave with their families	68644	3,50	53132	3,03	56700	3,71
Others	33262	1,70	20945	1,19	2380	0,16
Total	1960471	100	1755152	100	1528313	100

1.1.2 Clergy

In the last quarter of the 18th century the Orthodox clergy in the Right-Bank Ukraine accounted for 1.3 – 1.5%, and in the Left Bank 0.9% of the population (fig. 2). In later times, its specific weight fluctuated around 1.0% (tables 1–6), which corresponded to the proportion inherent in most provinces of the European part of the Russian Empire with a predominance of the Orthodox population [1, pp. 298, 316].

Table 4

Social categories and groups of the Forest-Steppe Ukraine (1858).**The Left-Bank of the Dnieper**

Categories and population groups / provinces	Poltava		Chernihiv		Kharkiv	
	amount	%	amount	amount	%	amount
Nobles:	22890	1,26	21992	1,49	15856	1,00
- hereditary	10273	0,56	10431	0,71	9841	0,62
- personal	12617	0,69	11561	0,79	6015	0,38
- 2nd class	0	0,00	0	0,00	0	0,00
Clergy	16731	0,92	13816	0,94	11327	0,72
Urban dwellers:	68769	3,78	146254	9,94	49449	3,12
Honorable citizens	72	0,00	710	0,05	287	0,02
Raznochintsy	0	0,00	0	0,00	0	0,00
Merchants	8392	0,46	7491	0,51	6167	0,39
Burghers, artisans	60305	3,32	138053	9,38	42995	2,72
Rural dwellers:	1640709	90,19	1233604	83,81	1422803	89,90
Free peasants:	959098	52,72	660529	44,88	911037	57,57
state	154033	8,47	652126	45,13	636919	41,31
different denominations	47282	2,68	8403	0,57	81483	5,15
odnodvortsy	0	0,00	0	0,00	0	0,00
Cossacks	757783	41,66	447033	30,37	0	0,00
Jews-peasants	0	0,00	0	0,00	0	0,00
military commoners and cantonists	0	0,00	0	0,00	192648	12,17

Continuation of table 4

<i>Depended peasants</i>	681611	37,47	573075	38,94	511766	32,34
Foreigners	745	0,04	386	0,03	826	0,05
Military retirees and those on indefinite leave with their families	55002	3,02	49187	3,34	63844	4,03
Others	14264	0,78	6717	0,46	18466	1,17
Total	1819110	100	1471866	100	1582571	100

The specific weight of priests of other denominations in the middle of the 19th century did not exceed 0.02% in the Kyiv and Podillia provinces, 0.5% in Volyn, was at the level of thousandths of a percent in the provinces of the Ukrainian Left-Bank (calculated by the author according to: [19, p. 209]).

1.1.3 Urban Dwellers

By the name of "urban dwellers", we understood all city dwellers, not peasants, owners of real estate in the city, persons enrolled in guilds, those who

Table 5

Social categories and groups of the Forest-Steppe Ukraine (1863).

The Right-Bank of the Dnieper

[1 pp. 272–273; 14, pp. 30–31; 18, pp. 40–55]

Categories and population groups / provinces	Kyiv		Podillia		Volyn	
	amount	%	amount	amount	%	amount
Nobles:	29989	1,49	31136	1,67	71179	4,44
- <i>hereditary</i>	19812	0,98	22784	1,22	35951	2,24
- <i>personal</i>	10177	0,51	8352	0,45	35228	2,20
Clergy	20786	1,03	19743	1,06	14817	0,92

Continuation of table 5

Urban dwellers:	356554	17,72	288291	15,43	294392	18,37
<i>Honorable citizens</i>	2255	0,11	204	0,01	133	0,01
<i>Citizens from the Polish nobility</i>	35026	1,74	10400	0,56	67270	4,20
<i>Merchants</i>	25019	1,24	14973	0,80	10437	0,65
<i>Burghers, artisans</i>	294254	14,62	262714	14,06	216552	13,51
Rural dwellers:	1505985	74,85	1450309	77,60	1138062	71,01
<i>Free peasants:</i>	306189	15,22	235117	12,58	238854	14,90
<i>state</i>	245741	13,38	157558	8,43	238854	14,90
<i>Cossacks</i>	0	0,00	0	0,00	0	0,00
<i>former military commoners and cantonists</i>	60448	3,00	77559	4,15	0	0,00
<i>Former depended peasants</i>	1199796	61,47	1215192	65,02	899208	56,11
Foreigners	3279	0,16	2600	0,14	2794	0,17
Military retirees and those on indefinite leave with their families	72393	3,60	45247	2,42	41388	2,28
Others (military active duty)	23109	1,15	31534	1,69	40073	2,50
Total	2012095	100	1868857	100	1602715	100

served the city at their own will, or enrolled "on salary" and therefore obliged to city by service or taxes. In the narrow sense, urban dwellers were considered to be persons equated to the "middle class of people". In this understanding, the status of urban dwellers under the general name "citizens" included: 1) guild merchants, local and from other cities, honorary citizens and citizens in the cities of the Vilna, Grodno, Minsk, Podillia, Volyn, Kyiv, Kovno, Vitebsk, and Mogilev provinces, transferred to this rank from the Polish nobility; 2) burghers and officials; 3) artisans

Table 6

Social categories and groups of the Forest-Steppe Ukraine (1863).**The Left-Bank of the Dnieper**

[15, pp. 26–35; 17, p. 136; 18, pp. 40–55]

Categories and population groups / provinces	Poltava		Chernihiv		Kharkiv	
	amount	%	amount	amount	%	amount
Nobles:	33139	1,73	24904	1,67	17126	1,08
- hereditary	13793	0,72	12124	0,82	9870	0,62
- personal	19346	1,01	12780	0,86	7256	0,46
Clergy	16989	0,89	14415	0,97	12302	0,77
Urban dwellers:	106181	5,56	172398	11,59	76680	4,82
<i>Honorable citizens</i>	148	0,01	698	0,05	594	0,04
<i>Citizens from the Polish nobility</i>	10132	0,53	3174	0,21	20355	1,28
<i>Merchants</i>	10449	0,55	9227	0,62	6302	0,40
<i>Burghers, artisans</i>	85452	4,47	159299	10,71	49429	3,11
Rural dwellers:	1688488	88,34	1226624	82,47	1425927	89,63
Free peasants:	970947	50,80	664944	44,71	978152	61,48
<i>state</i>	119569	6,29	664944	44,71	763889	48,02
<i>Cossacks</i>	851378	44,54	0	0,00	0	0,00
<i>former military commoners and cantonists</i>	0	0,00	0	0,00	214236	13,47
Former depended peasants	687798	35,98	561680	37,76	447802	28,15
Foreigners	729	0,04	369	0,02	1053	0,07
Military retirees and those on indefinite leave with their families	53562	2,80	43929	2,95	49092	3,09
Others (military active duty)	11958	0,63	4783	0,32	9675	0,61
Total	1911442	100	1487372	100	1590926	100

or shop workers; 4) free people assigned to some cities of the Western provinces; 5) working people. All other people who lived in cities and even had real estate in them, primarily peasants, were not considered to the category of the "urban dwellers" [45, art. 423 – 426]. Let's consider these groups in order.

Honorary citizens. The number of honorary citizens in provinces at different times ranged from a few to several hundred and even thousands of people (tables 1–6). For example, in the Kyiv province there were 226 of them in 1845, 604 in 1858,

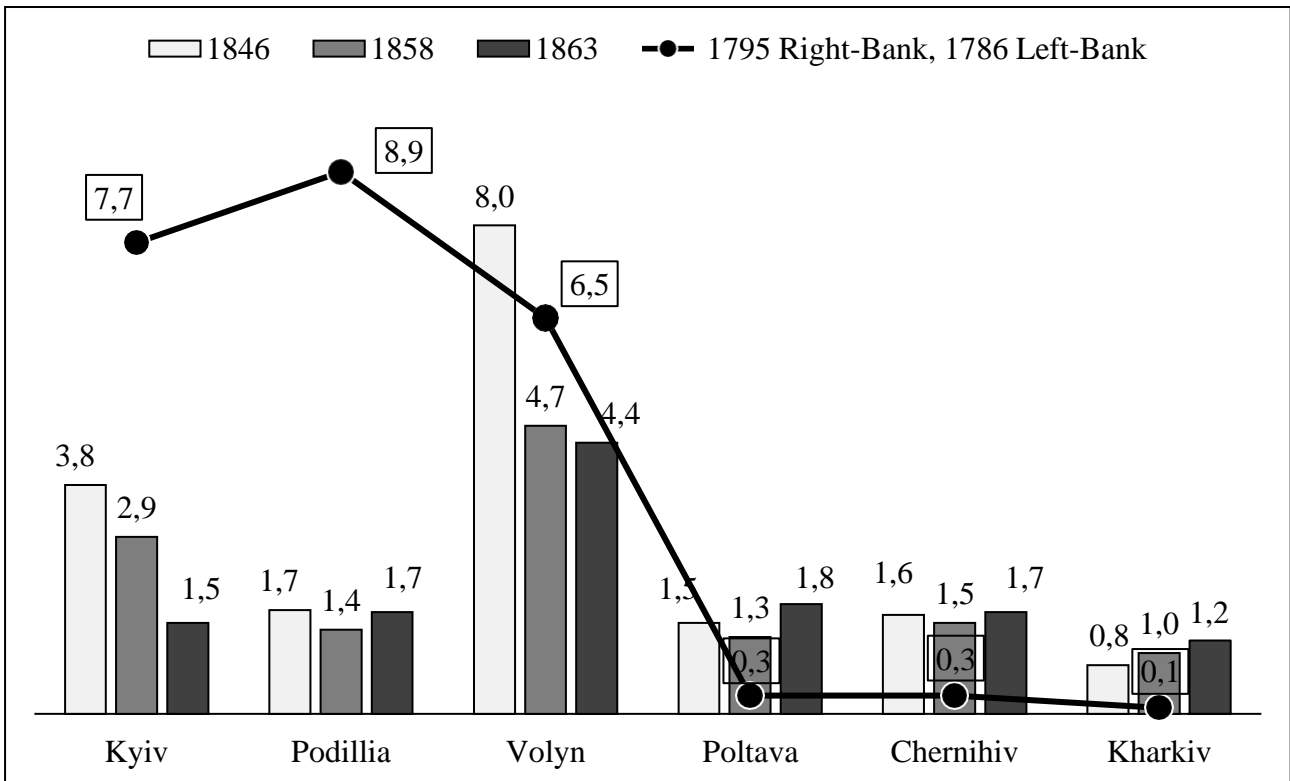


Figure 1. Nobility (%)

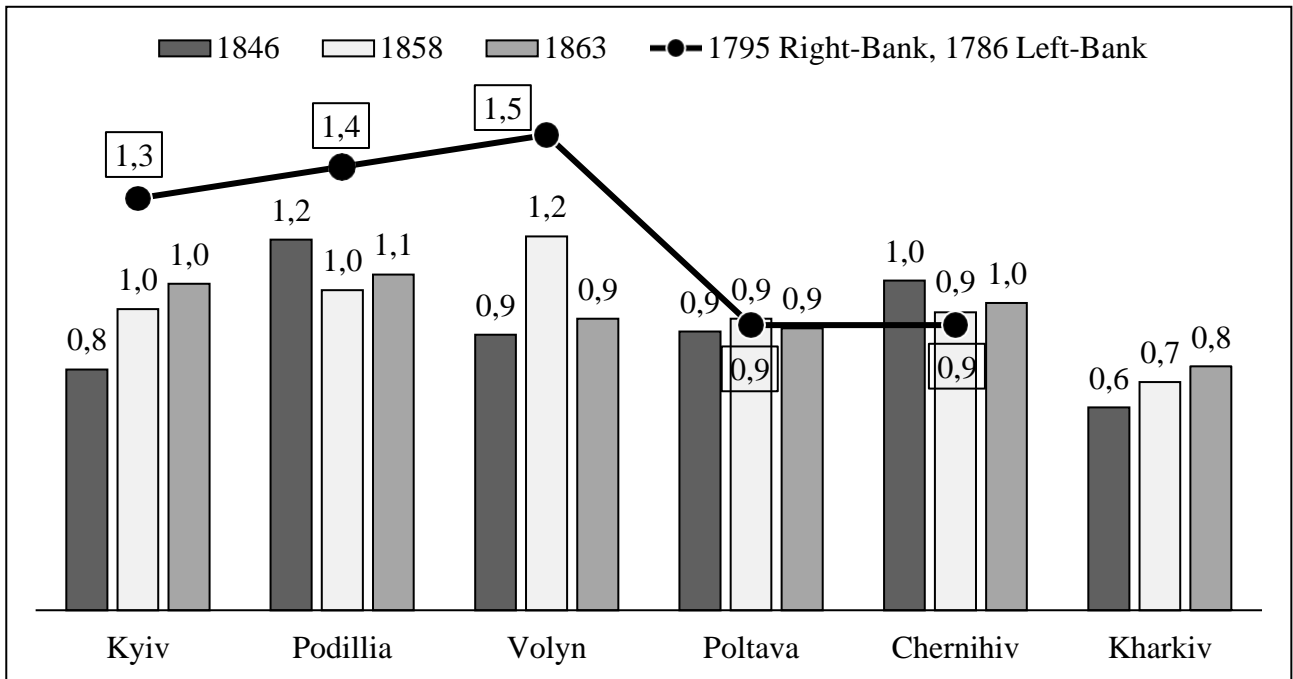


Figure 2. Clergy (%)

2 255 in 1863; in the Chernihiv province 148 in 1846, 710 in 1858, 698 in 1863, in the Kharkiv province 45 in 1846, 287 in 1858, 594 in 1863. There is an obvious tendency towards an increase in the number of honorary citizens where there was a

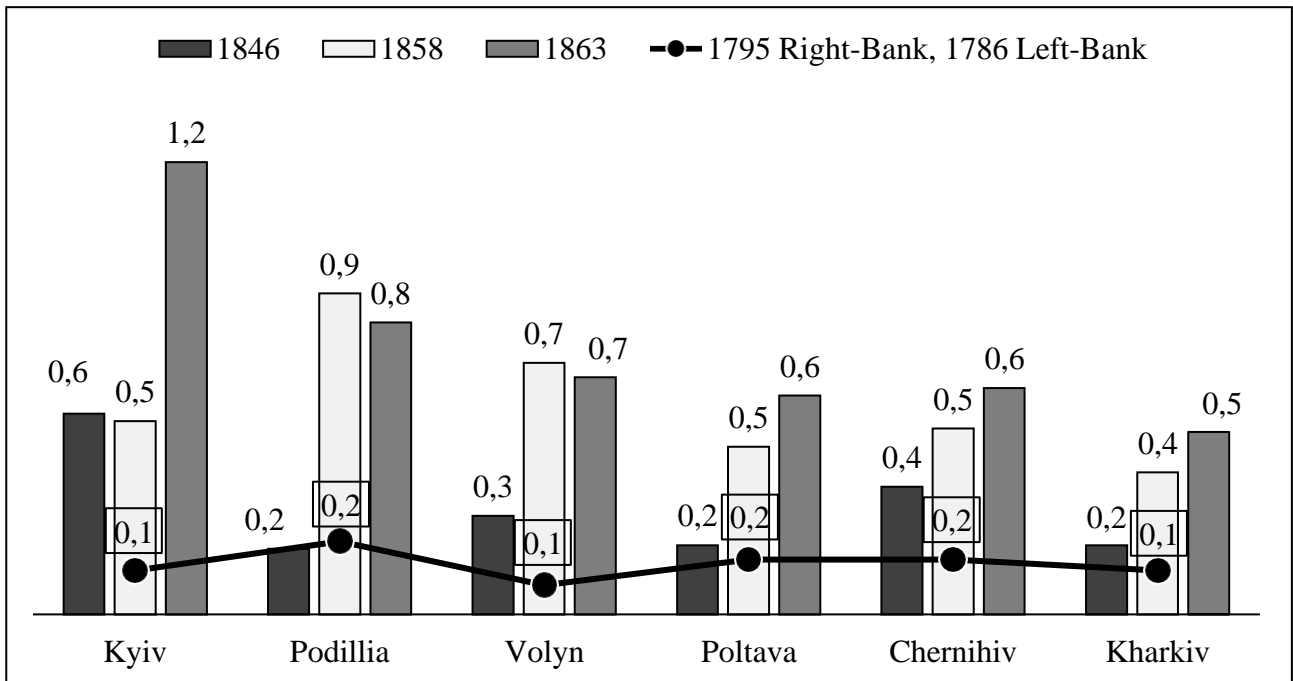


Figure 3. Merchants (%)

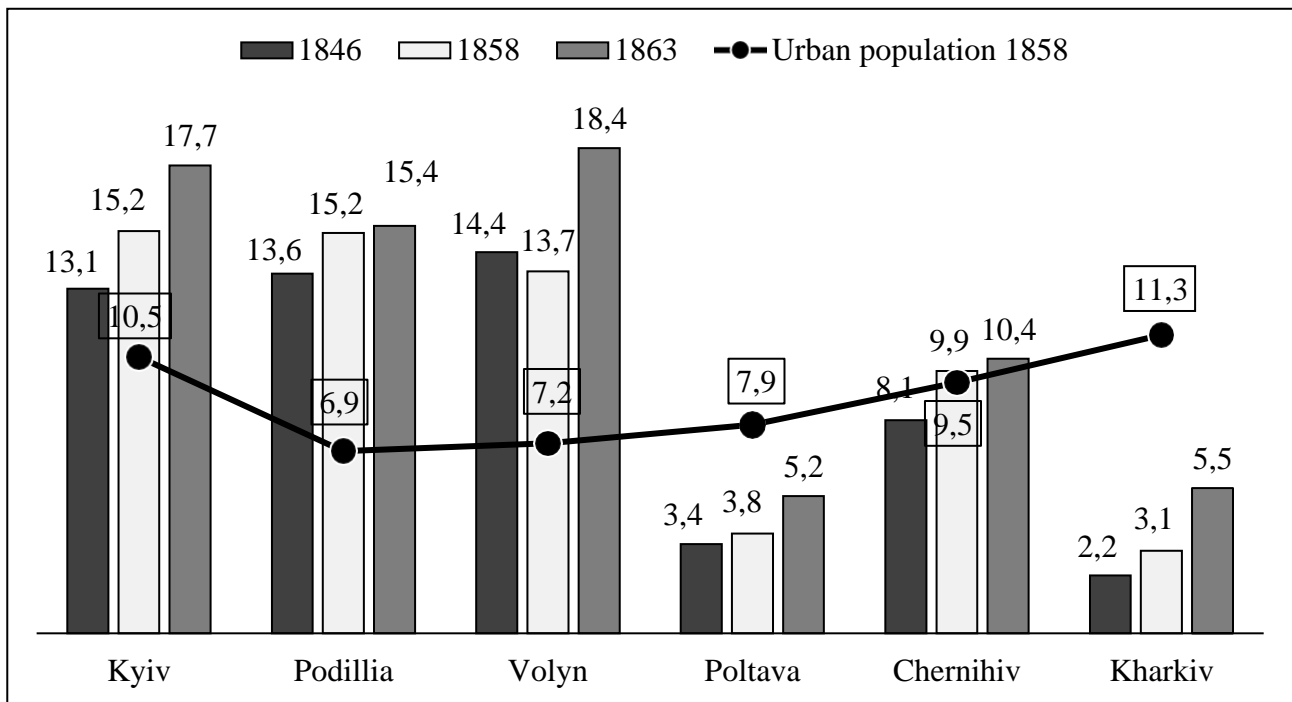


Figure 4. Urban dwellers and urban population (%)

revival of the economy, first of all commercial activity, and cultural life. For comparison, let us give another example: 17 honorary citizens in 1846, **4 789** in 1858, 133 in 1863. These are the statistics by the Volyn, as evidence of the opposition of the local Polish nobility, led by the noble assemblies, and the tsarist

administration, which is by no means, reflected objective trends in the development of social and cultural processes in the province.

Citizens. In most cases, these are representatives of the former minor Polish nobility, declassed after the uprising of 1830. The statistics of this social group are quite vague (tables 1–6): in 1842 – 1847, they were approximately 0.3% of the population in the Kyiv and Volyn provinces, 0.6 – 0.8% of Podillia; in 1853, 0.2 – 0.3% of the Kyiv province residents and Volyn, 0.7% of Podillia [19, p. 239]. According to data from 1857 to 1859, there were already 2.3% of "citizens of Western provinces" in Podillia, the same 0.3% in Kyiv, and this group is not shown at all in Volyn. In the future, official statistics dissolved citizens from the Polish nobility among the so-called "raznochintsy", who in 1863 numbered 1.7% in the Kyiv province, 0.6%

in Podillia, and 4.2% in Volyn (67 270 people). This problem has never been relevant for the Left-Bank Ukraine.

Merchants. According to statistical data of the last quarter of the 18th century the social group of merchants was almost the only one among all others that was equally represented on both banks of the Dnieper (0.1 – 0.2%) – from Volyn to Kharkiv inclusive (fig. 3). By the middle of the 1840s, the situation had not changed much, except the Kyiv and Chernihiv provinces, where there were noticeably more merchants: at the turn of the 1850s and 1860s in the Kyiv they were already 1.2%, in Podillia 0.8 – 0.9%, in Volyn 0.7%, in the provinces of the Left-Bank 0.4 – 0.6% of the population (tables 1–6).

Burghers. The specific weight of burghers in the Right-Bank and Left-Bank regions differed significantly already at the end of the 18th century: in Little Russia and Slobozhanshchyna they were approximately 2 – 2.5 times less than in the former Polish lands of the Right-Bank (fig. 4; tables 1–6). In the 1840s – the beginning of the 1860s the number of burghers in the Kyiv, Podillia and Volyn provinces continued to grow, reaching 13 – 15% of the population. On the Left Bank, the share of the burghers also gradually increased, especially in the Chernihiv, reaching 9.5% of the province's population (an increase of almost 3.5 times since the end of the 18th century). In this regard, the Poltava and Kharkiv provinces were significantly behind, where in 1863 the burghers accounted for only 3.5 – 4.5% of population.

It is quite interesting to compare the specific weight of the "urban dwellers" with the share of the city population in the provinces of Forest-Steppe Ukraine according to the census data of 1858 (fig. 4). In the Right Bank, there were 5 – 8% more of the former than of the latter, and from a third to a half of the "urban dwellers" did not live in cities, but in "shtetls" (Yiddish name of a little town or "mistechko" in ukr.) or suburbs. In the Chernihiv province, the proportions of "urban dwellers" and city population were almost the same (with a difference of about 0.5%), but in the Poltava and Kharkiv provinces, half of the city inhabitants did not belong to the "urban dwellers" social category. Below we will consider this issue in more detail, but after getting acquainted with the distribution of the population by social groups of the "rural dwellers".

1.1.4 Rural dwellers

State peasants. In 1845 – 1847 on the Right Bank there were: 10.1% in Volyn, 9.3% in the Kyiv province, 3.7% in Podillia; 3.2% of military commoners (a kind of state peasants) in the Kyiv province and 1.2% in Podillia; sentenced to freedom and appointed to choose a lifestyle 4.4% in Podillia province; others of various denominations 10.6% in Podillya, 6.5% in Volyn, 0.6% in the Kyiv provinces; military retirees and those on indefinite leave with their families 1.6% in the Kyiv province, 1.0% in Volyn, 0.12% in Podillya (table 1) [5, table 2; , 6, tables 5–6; 7, p. 69, tables 3–4]. In the provinces of the Left-Bank Forest Steppe Ukraine, the structure of the free peasants on state lands at that time looked somewhat different: state peasants were 43.2% in the provinces of Kharkiv, 13.7% Chernihiv, 6.0% Poltava; 12.3% of the military commoners in the Kharkiv province; of various denominations 5.4% in the Kharkiv, 2.0% in the Poltava, 0.02% in the Chernihiv provinces; military retirees and those on indefinite leave with their families, 1.4% in the Poltava, 0.5% in the Chernihiv and the Kharkiv provinces (table 2) [8, pp. 35–36; 9, table 3; 10, pp. 69–70].

According to the data of the Treasury Chamber by 1851 in the Kyiv province state peasants comprised 12.9% of the population, in the Volyn province 23.8%, and 7.6% in the Podillia province. In 1854, there were 3.6% of military commoners in the Kyiv and 5.2% in Podillia provinces. On July 1851, on the Left-Bank in the Poltava province 8.9% of state peasants (without Cossacks), in the Chernihiv province 14.9% of peasants (without Cossacks), in the Kharkiv province 46.6% of rural dwellers and 14.6% of the military commoners were subject to accounting by the Treasury Chamber [19, pp. 14–17, 33–34, 69–70, 106–110, 148–149, 152–153].

According to the 1858 census, there were 25.3% of state peasants in the Volyn (mainly at the expense of confiscated lordly and "ordinatsky" peasants), 10.5% in the Kyiv, 6.8% in the Podillia provinces; 2.1% of military commoners in the Kyiv province, 3.4% in Podillia; the share of retired and permanent military personnel ranged from 3% in Podillia to 3.7% in Volyn (table 3). In the Forest-Steppe on the other side of the Dnieper, state peasants were concentrated in the provinces of Poltava (50.2%, including Cossacks 41.7%), Chernihiv (45.1%, of which Cossacks were

30.4%) and Kharkiv (41.3%); there were 3 – 3.3% of military retirees and those on indefinite leave with their families in the Poltava and Chernihiv, 4% in the Kharkiv provinces (table 4).

In 1863, according to the data of the provincial statistical committees, there were no significant changes in the distribution of state peasants in the provinces of Forest-Steppe Ukraine, except for Volyn, where the number of peasants in this category was almost halved, and the Kyiv province, where by the end of that year, almost all former serfs turned into "peasants of the Department of State Estates". To this we can add the transformation of military commoners of the Kyiv, Podillia, and Kharkiv provinces into specific peasants (tables 5; 6).

Odnodvortsy. They included the category of free people who had their own plot of land and managed it themselves. According to a separate census of 1854, the *odnodvortsy* of the Western provinces accounted for 7.4% population of the provinces of Podillia, 4.1% Kyiv, and 3.2% Volyn, but in quantitative terms they were 35 656 fewer than according to the special census of 1842 [19, p. 239]. Provincial statistics from 1857 to 1859 show that the share of the *odnodvortsy* did not change in Podillya and slightly decreased in the Kyiv province, there are no data for Volyn (table 3). In the statistical compilations of the early 1860s, this population category was no longer distinguished as a separate column, and at the end of the decade the social group of the *odnodvortsy* disappeared, as did the problem of "citizens from the former Polish nobility" in the Western provinces [49, pp. 214 – 216].

Little Russian Cossacks. At the end of the 1780s, the specific weight of Cossacks in the Kyiv governorate was 37.8% of the population, in Chernihiv – 47.2%, in the Kharkiv governorship – 32.2% (former Cossacks of the Slobidskyi regiments, transformed into "military commoners who have the privilege for the production and sale of alcohol") [46, p. 283; 21, pp. 187 – 188; 47, p. 70].

In the mid-1840s, there were 359 Cossacks on the entire Right-Bank, and only in the Kyiv district of the Kyiv province, while there were 695 055 Cossacks (42.4% of the population) in the Poltava and 419 668 (30.1%) in the Chernihiv provinces (tables 1; 2). The same number of Little Russian Cossacks was established during the 9th

national audit of 1851 [19, pp.108 – 109, 152]. At the end of the 1850s, there were 757 783 (41.7%) Cossacks in the Poltava province, and 447 033 (30.4%) in the Chernihiv province (table 4). We have not come across more recent statistical data on this group of free rural dwellers.

Summarizing the given information, we note that in 1795 state peasants and free villagers made up 7.7% of all residents in the Kyiv province, 5.4% in Podillia, and 2.8% in Volyn (fig. 5). In the Kyiv and the Podillia provinces, their maximum number fell in the mid-1840s as a result of massive confiscations of privately-owned peasants of the Polish nobility because the defeat of the 1830 – 1831 uprising, after which a gradual reduction was observed, followed by an increase in such peasants (almost threefold in Podillia). In the Volyn province during the late 1840s and late 1850s, the share of state peasants and free villagers first almost doubled, and then suddenly decreased by the same amount in the early 1860s. These fluctuations were also an echo of the declassification of the small Polish nobility of the Right-Bank, and the decrease in the number of free rural residents, both simple peasants and *odnodvortsy*, could be explained by organized migration to less populated provinces, if the Volyn province was mentioned as a donor in the process of resettlement of southern Ukrainian immigrants at least once [50, pp. 269–305]. More likely, attributions of "dead souls" to local statistical reports in order to maintain the noble status of small Polish landowners, which were revealed in the early 1860s with the defeat of the Polish uprising 1863.

There were always significantly more free peasants on the Left-Bank than in Right-Bank Ukraine. Thus, in the last quarter of the 18th century, in Poltava and Chernihiv region, together with the Cossacks, they constituted 56.9% of the population, in Slobidska Ukraine 45.7%. In subsequent decades, the specific weight of this category decreased somewhat and fluctuated between 51 – 52% in the Poltava and 43 – 45% in the Chernihiv provinces. In the Kharkiv province, the number of state peasants under various subordination increased on 20% by the mid-1840s, primarily due to the development of the Ukrainian military settlement of the cavalry with its 200 000 population. Further gradual reduction in the number of this large social group brought

the Kharkiv to the level of the Poltava province in the initial period of reforms in the second half of the 19th century (fig. 5).

Dependent peasants (serfs, yard people). At the end of the 18th century, the share of serfs in the Right-Bank and Left-Bank regions of the Forest-Steppe Ukraine differed significantly, as the specific weight of dependent peasants in the Kyiv, Podillia, and Volyn provinces almost doubled the percentage of serfs in the Poltava, Chernihiv and Kharkiv region (fig. 6). In the future, the number of serfs gradually decreased in the Right-Bank and the Kharkiv province and almost did not change proportionally in the Poltava and the Chernihiv provinces.

P. I. Köppen compared the data on the number of male serfs for the 8th (1835) and 9th (1851) revisions and found a steady tendency to reduce the number of this social group. Most of all in the Russian Empire, this applied to Volyn, where serf peasants decreased by 14.7%, or 89 406 male persons, and this reduction cannot be explained only by the transfer of confiscated serfs to the category of state peasants,

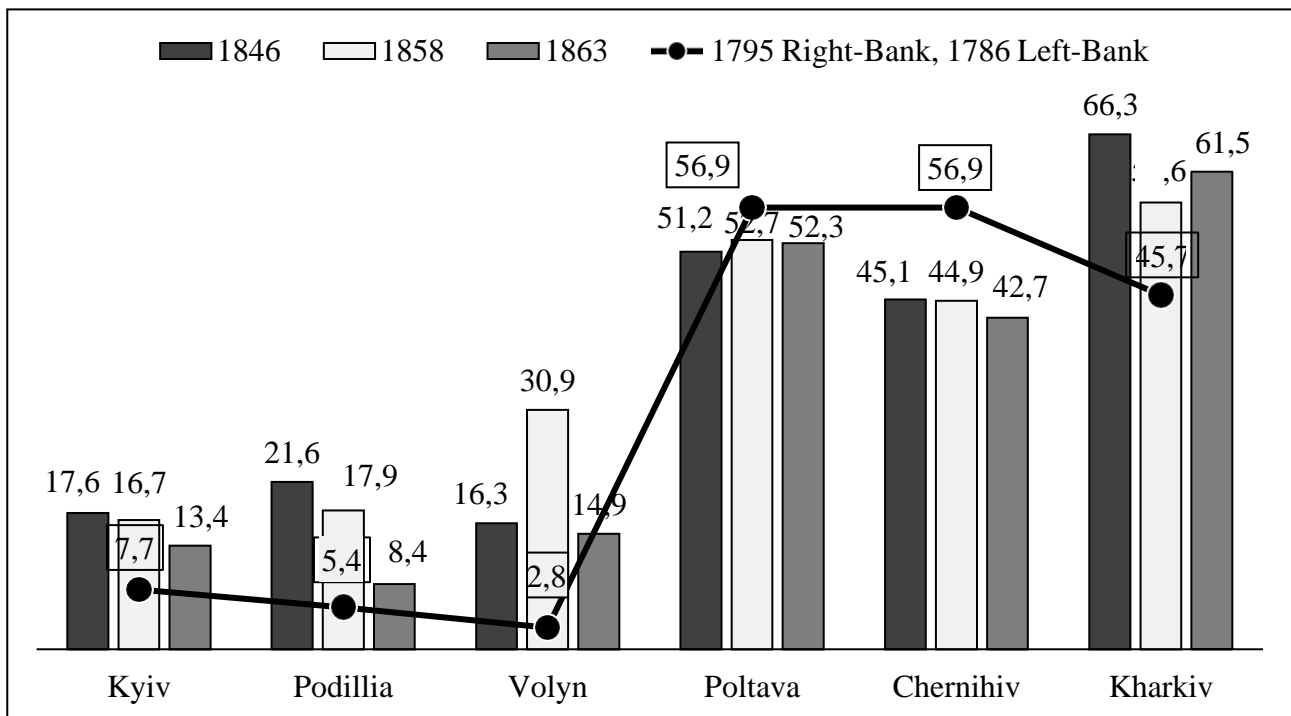


Figure 5. State peasants and other free rural dwellers (%)

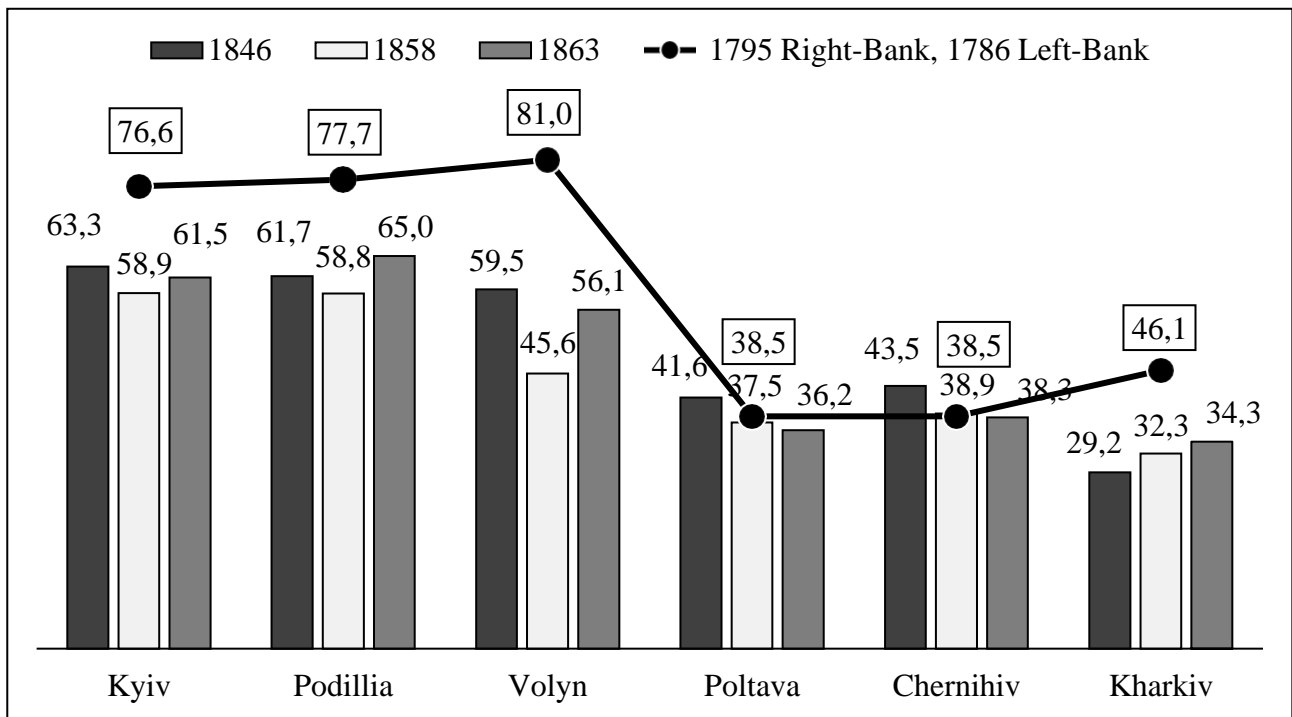


Figure 6. Dependent peasants (%)

who during this time increased by only 11 666 people. In the Kyiv province, the share of serfs decreased (-) by 5.4% (6 965), but state peasants increased by (+) 10 690; in Podillia by 1.1% (-9 833, +3 881 state peasants); in the Poltava province by 1.1% (-11 272, +22 262 state peasants); in the Chernihiv province by 3.2% (-8 546, +21 124 state peasants); in the Kharkiv province by 1.4% (-8 546, +20 944 state peasants). As we can see, there is no direct connection between the fluctuations in the number of serfs and state peasants (specified by us according to: [19, pp. 190–193, 199–200]).

Comparing the data of 1846 and 1858 from the Right-Bank, we observe that in the Volyn province the share of serfs among the population decreases by 13.9% (-190 978 people of both sexes) while the number of state peasants increases by 195 600, and this already allows us to directly relate quantitative changes in the social groups of the rural Volynian inhabitants with the confiscation of peasants from the Polish nobility and granting them the status of state peasants, and at the same time to evaluate the quantitative side of these confiscations. In the Kyiv province, the specific weight of serfs became smaller by 4.4% with an absolute increase in the number of the group by 53 880 people, in Podillia it also decreased by 2.9% with an increase in the number of serf peasants by 103 748 people (fig. 6; tables 1; 3).

Interesting evolutions in the structure of the peasantry took place on the Left-Bank. Thus, in the Poltava province, serfs decreased by 4.1%, but their absolute number increased by 95 people, which from the point of statistics means "remained unchanged." In the Chernihiv province, the number of serfs decreased by 4.6% (-34 147 people), while the number of free villagers increased (+32 063). In the Kharkiv province, on the contrary, there was an increase in the share of dependent peasants by 3.1% (+27 662 persons) against the background of a reduction in the category of free rural dwellers (-188 593) (fig. 6; tables 2; 4).

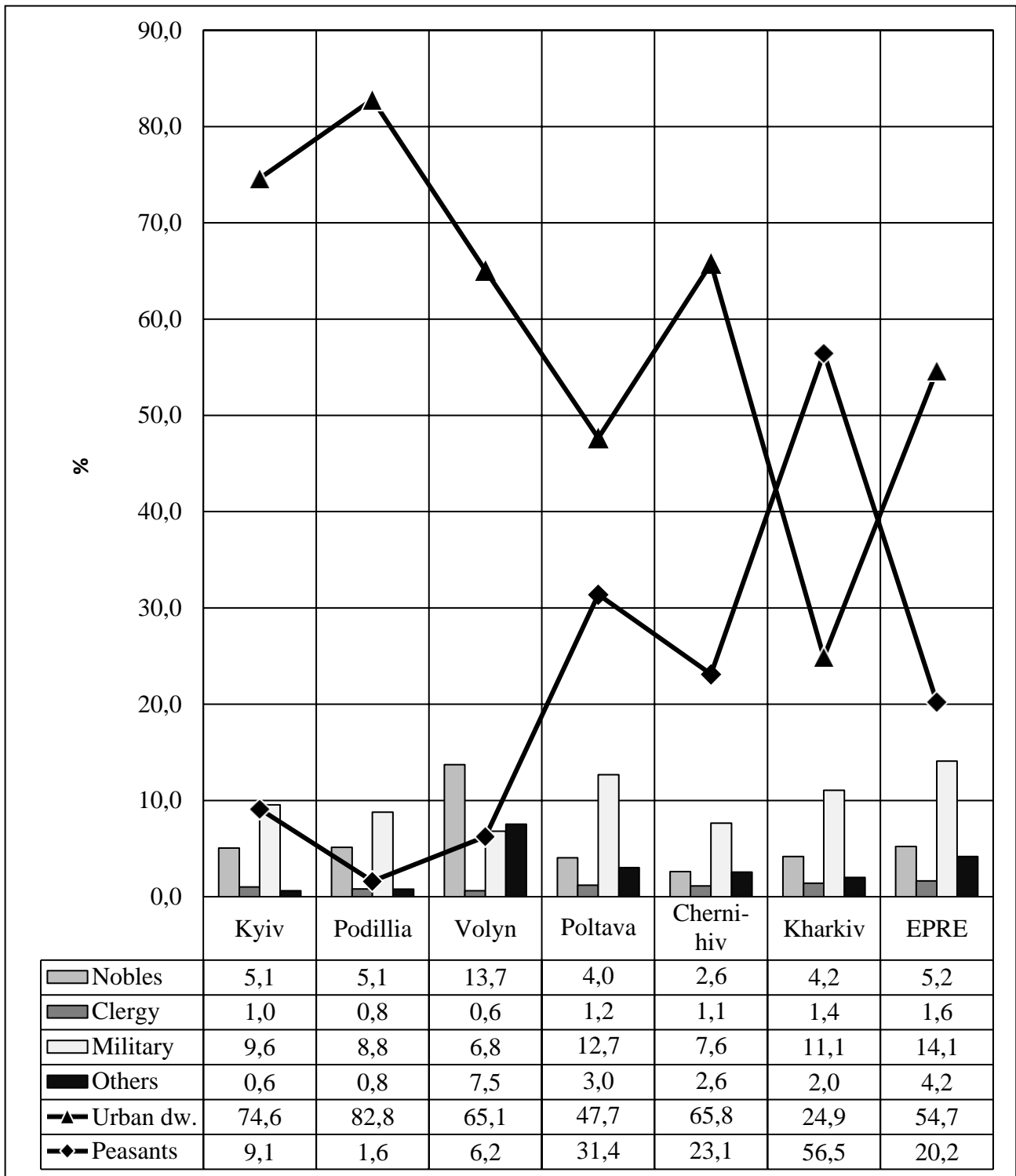
It can be concluded that in the period between the mid-1830s and 1840s, the processes of physical reduction of the social group of dependent peasants in Volyn and Podillia prevailed. In other Ukrainian provinces of the Forest Steppe, a certain part of the serfs passed to the status of free villagers. In the period between the mid-1840s and the end of the 1850s, the situation became more complicated. On the Right-Bank, passions continued to rage around the Polish nobility in its Volyn cell, numerous confiscations changed the status of many thousands of serfs to state peasants. In the Kyiv and the Podillia provinces, the reduction in the specific weight of serfs was relative, associated with rapid population growth, especially in the second half of the 1850s, and changes in the ratio of the main social strata. Something similar happened in the Poltava province, where the reduction in the share of serfs was associated with stagnant processes in the demography of the social group, or the change in the social status of a part of serfs to free peasants, as can be observed in the Chernihiv province. Against this background, the structural changes in the Kharkiv region's peasantry look anachronistic, and the mechanism of social transformation involved here is not entirely clear to us.

1.2. Social structure of the Forest-Steppe Ukraine cities population

Turning to the question of the social structure of the Forest-Steppe Ukraine cities population according to the materials of the 10th national census (1858), we will first try to determine the features of such types of settlements as city, town (mistechko), relying on the relevant legislative acts of the Russian Empire. It turns out that the

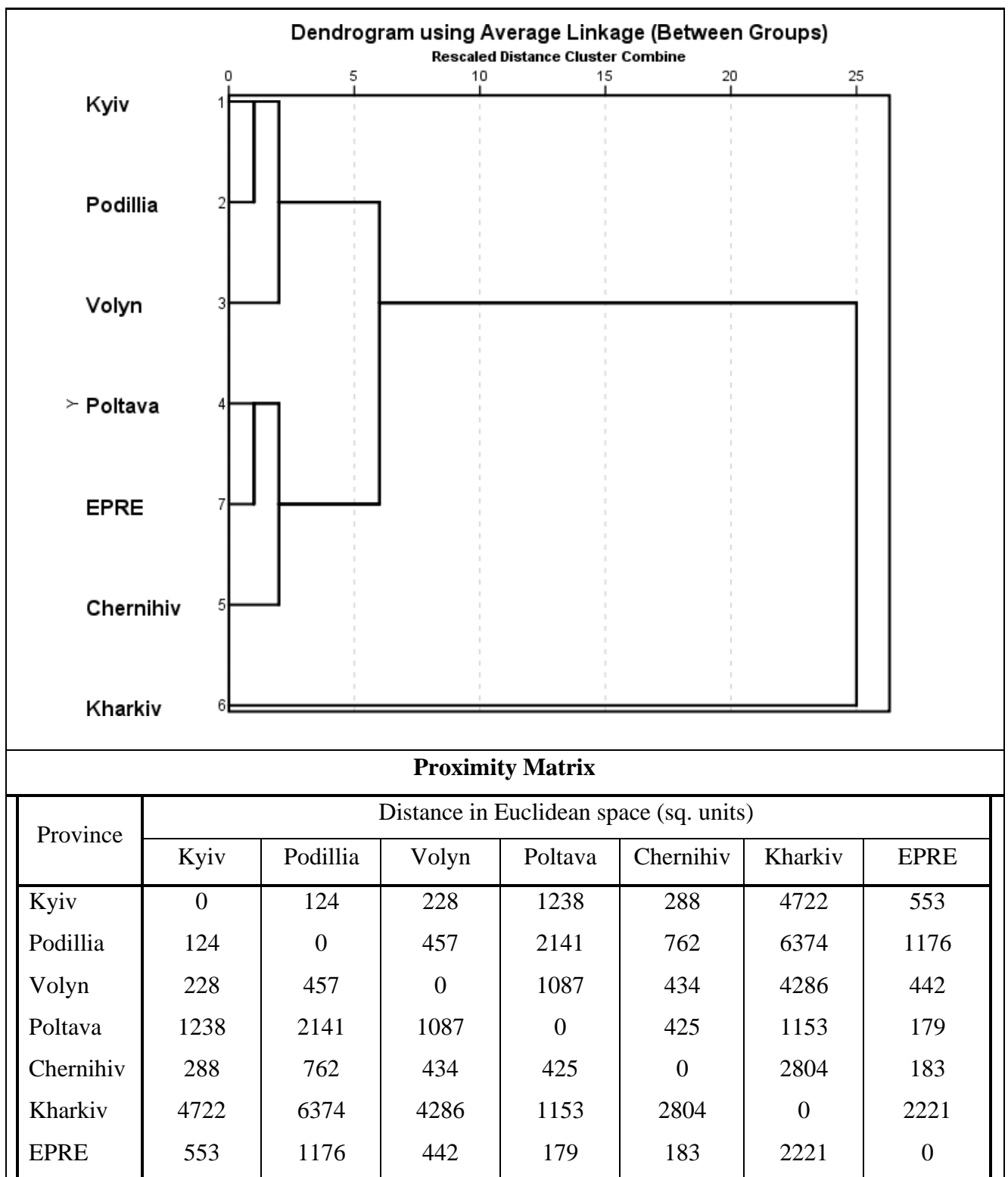
legislator never gave a clear definition of "city" as a special type of settlement, bringing to the fore the presence of certain administrative management bodies: "Each province consists of districts and cities. <...> . The cities are provincial, districtal and out-of-listed <...>" [51, art. 5, 7]. Elsewhere, the composition of the police department is determined in "non-statutory" cities, and in posts ("posad") and towns that were on the city status. Based on the context, it can be understood that the differences between rural and urban settlements were seen in the occupations of their inhabitants mainly in agriculture or trade and crafts [52, art. 361–366]. If a city lost its administrative functions, it became an "out-of-listed", "town" or "post". Small towns, as a separate type of settlement that arose within the borders of the Polish-Lithuanian Commonwealth on crown and privately owned lands, usually acted as minor craft and trade centers for the surrounding villages. Most often, the owners arbitrarily declared this or that settlement a town, introducing trades and fairs in it, relying on the privilege granted to them by the Polish crown, preserved, by the way, by the Russian crown, and trying to attract to them people of free classes – the nobility, merchants, artisans and especially Jews for permanent residence [1, p. 80–84]. At the end of the 1850s, each of the Right-Bank provinces had 12 cities (the provincial city was usually the center of the respective district), 142 towns in the Volyn, 117 in the Podillia, and 100 in the Kyiv province. In addition, there were 5 ancient out-of-listed cities in the Podillia province. In the Poltava and the Chernihiv provinces there were 15 districtal cities, 2 and 4 out-of-listed cities, 93 and 53 towns, only in the Chernihiv province 44 posts. In the Kharkiv province there were 11 districts with the corresponding number of cities-centers of administrations, 6 out-of-listed cities and not a single town or post. We will also remind you that according to the census data of 1858, the specific weight of the urban population was determined by the provinces of the Ukrainian Forest-Steppe as follows: 11.3% (179 096 people) Kharkiv, 10.5% (203 612) Kyiv, 9.5% (136 965) Chernihiv, 7.9% (143 917) Poltava, 7.2% (11 0245) Volyn and, finally, 6.9% (120 822) Podillia (fig. 4) [1, p.182–183]. One gets the impression that the Kharkiv province was the most "urbanized" in the Forest-Steppe Ukraine at that time, but in real statistical terms the situation looks different.

In the cities of the Podillia province (fig. 7; tables 2; 3), 82.8% of residents legally belonged to the status of urban dwellers, 8.8% were military, 5.1% were nobles, 1.6% peasants. In the Kyiv province, among the urban population, 74.6% were urban dwellers, 9.6% military, 5.1% nobles, and 9.1% were peasants. In the Volyn region, the ratio of representatives of different social classes among townspeople was somewhat different: 65.1% of urban dwellers, 13.7% of nobles, 7.5% of *raznochintsy*, 6.8% of military personnel, 6.2% of peasants. The townspeople of the Left-Bank Ukraine social structure looked different: in the Chernihiv province – 65.8% urban dwellers, 23.1% peasants, 7.6% military, 2.6% nobles; in the Poltava province – 47.7% urban dwellers, 31.4% peasants, 12.7% military, 4.0% nobles; in the Kharkiv province – 56.5% peasants, 24.9% city dwellers, 14.1% military, 4.2% *raznochintsy*, 5.2% nobles. It is obvious that in the place of the most "urbanized" in the late 50s – early 60s of the 19th century Podillia and not the Kharkiv province could be claim.



EPRE –European part of the Russian Empire, 1858

Figure 7. Social structure of the urban population (1856 – 1858)



EPRE –European part of the Russian Empire, 1858

Figure 8. Classification of the Forest-Steppe Ukraine provinces according to the main parameters of the social structure of the urban population (1858)

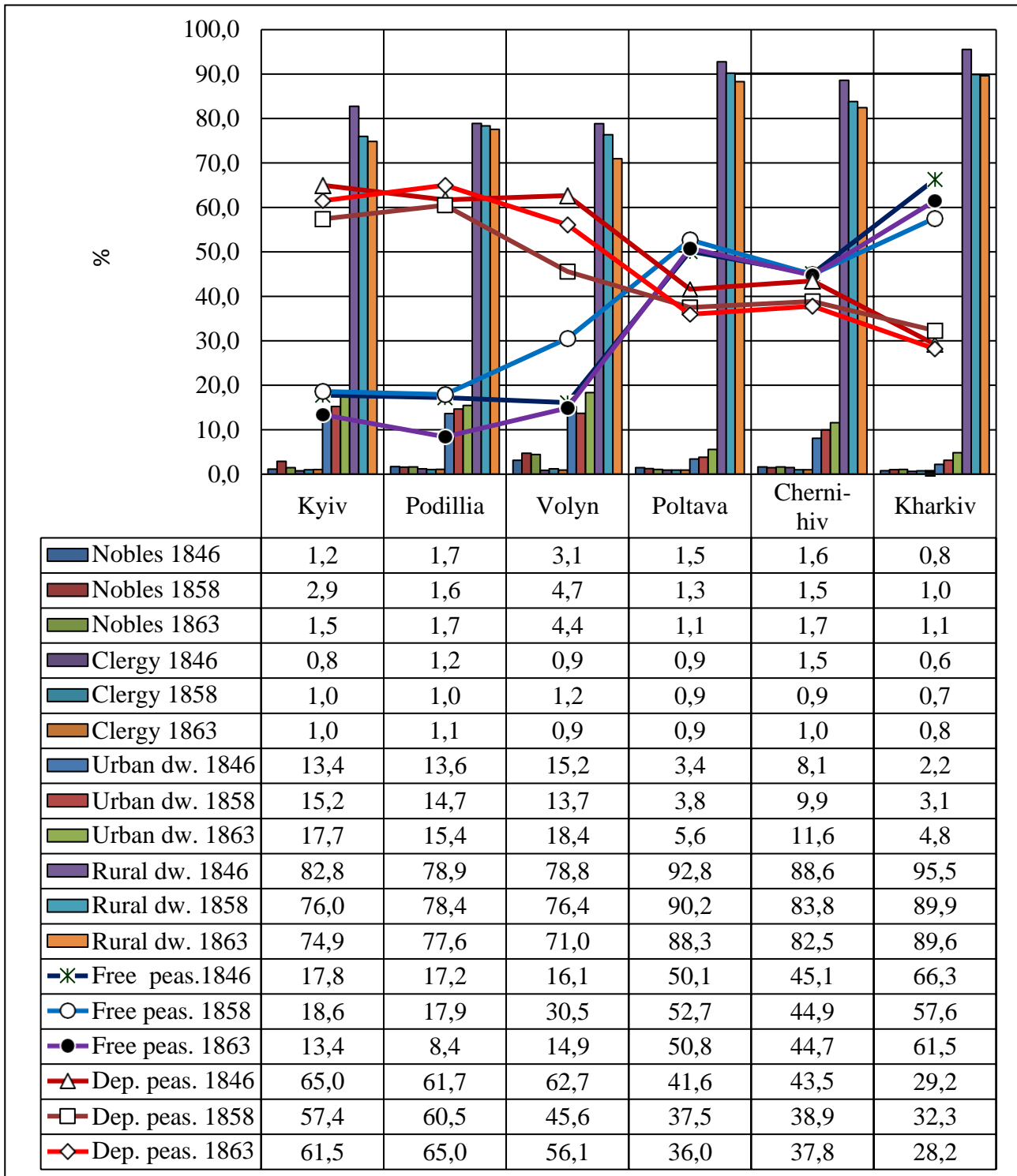
The above observations are supported by the results of the cluster analysis (fig. 8) according to the data in the table in fig. 7. The features of the Forest-Steppe Ukraine cities population social structure coincide with the division of the system into two main subsystems – the Right-Bank and the Left-Bank. On the Right-Bank, the closest neighbors were the Kyiv and the Podillia provinces, with some distance from Volyn. On the Left-Bank, the core of the subsystem was an averaged statistical model of the Russian Empire European part cities social structure, to which the urban communities of the Poltava and the Chernihiv provinces gravitated. The Kharkiv variety of the urban population social structure was outside the studied system, which indicates its artificial nature. The noted features of the social composition of the cities inhabitants in both regions of Forest-Steppe Ukraine are the result of fundamental differences in the structure of the main mass of the population - rural dwellers, who were more mobile in terms of space on the Left-Bank due to the predominance of state peasants and Cossacks and limited in this possibility lordly peasants who prevailed throughout the Right-Bank. In addition, the social role of the Right-Bank burghers since the time of the Polish-Lithuanian Commonwealth was confidently played by numerous supporters of Judaism, of whom there were significantly fewer in Poltava and Chernihiv region (Little Russia), while the Kharkiv province was outside the zone of Jews settlement.

1.3 Social topology of the Forest-Steppe Ukraine

A comprehensive statistical representation of the Ukrainian Forest-Steppe population's social organization in its most essential features from the mid-1840s to the beginning of the 1860s is presented in fig. 9. The data of the table posted here were used to conduct a multidimensional hierarchical cluster analysis of the system elements according to three chronological sections, marked as 1846, 1858, 1863 (fig. 10). The obtained quantitative results regarding the similarity (difference) of social structures of 18 temporal manifestations of six objects-provinces, expressed through the square of the Euclidean distance (tables 7; 8), formed a topological characteristic of the studied social space. As an expert component, the average statistical model of the social

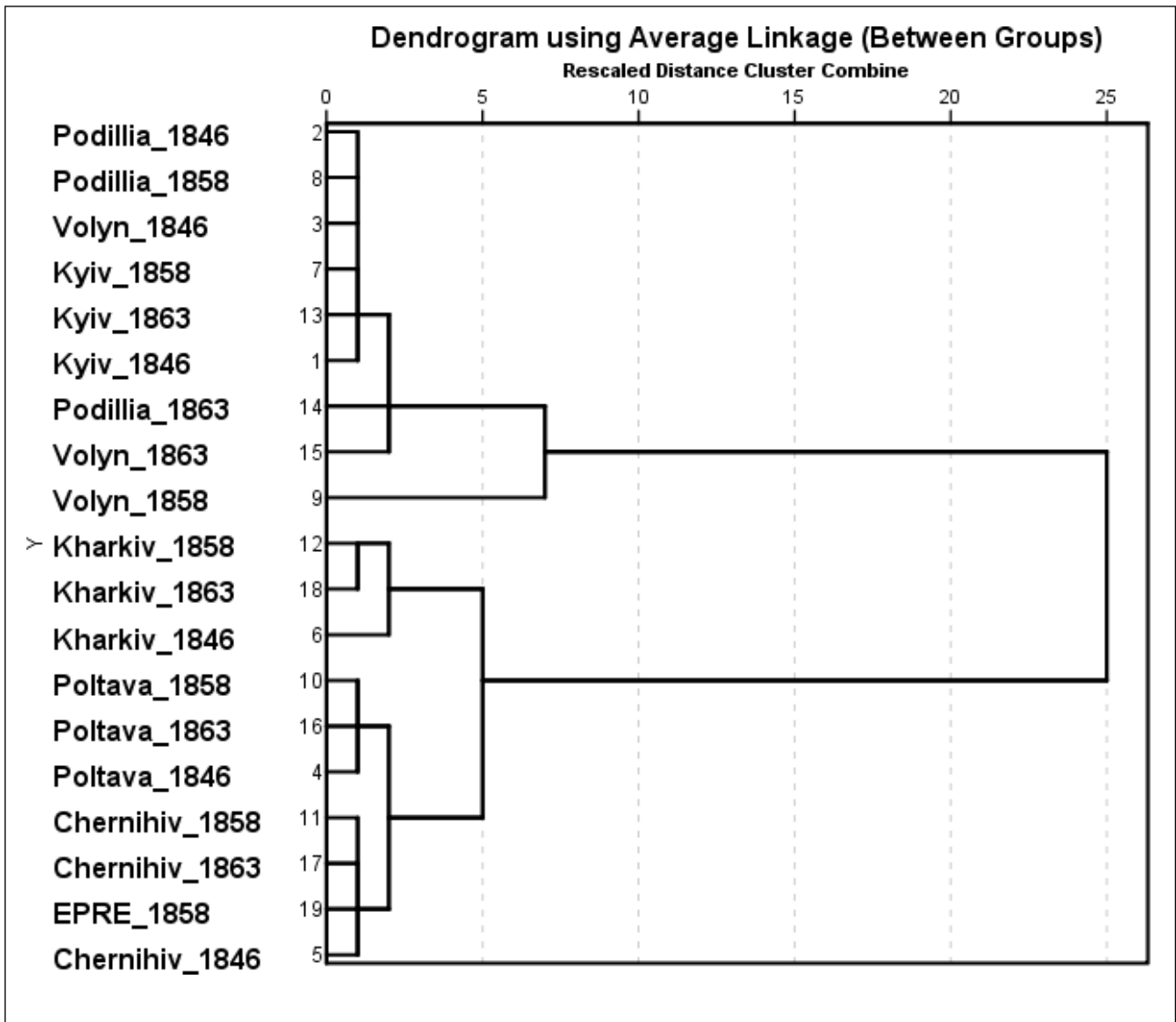
structure of the population of 48 provinces of the European part of the Russian Empire (EPRE) according to the census of 1858 was also included in the sample.

The Right-Bank Forest-Steppe Ukraine. The social space of the Ukrainian Right-Bank was formed by three blocks of social structures (the Kyiv, the Podillia, and the Volyn provinces), each of which consisted of three chronological sections – 1846, 1858, 1863. The block of the Kyiv province had a total distance between internal elements (chronological slices) of 276, Podillia of 207 square units (sq. units) in Euclidean space, which testifies to the gradual character of social changes, the heredity of the process. With the chronological variants of the Volyn province in 1846 and 1863, they formed a single space-time cluster within the region, and the local features of its components did not go beyond existing regional standards, as indicated by the relatively small distances between objects (fig. 10; table 7).



Urban dw. – urban dwellers, Rural dw. – rural dwellers, Free peas. – free peasants, Dep. dw. – depended dwellers

Figure 9. Social structure of the Forest-Steppe Ukraine population (1846 - 1863)



EPRE – the European part of the Russian Empire

Figure 10. Classification of the Forest-Steppe Ukraine provinces to the social structure of the population (1846 – 1863) (to fig. 9)

A separate cluster was formed by the social structure of the Volyn province in 1858, artificially formed in the process of a tough casuistic confrontation between the local Polish nobility and imperial administration. The strangeness of this structure was caused primarily by the ratio of free villagers and dependent peasants (30.9% versus 45.6%), which was unusual for the Right-Bank, which made it more similar to the model of the EPRE 1858, than to other socio-topological objects of the local origin (fig. 9; 10; table 7). Sharp fluctuations in the social environment of the Volyn inhabitants in the period 1846 – 1863, with a maximum deviation from the usual norms

in the late 1850s, could not but affect the level of homogeneity of the topological block of the Volyn province, which led to a significant overall distance between the three Volynian chronological layers (1 056 sq. units). The total distance between all socio-topological objects of the Right-Bank ranged from 738 ("Podillia 1858") to 1 683 ("Podillia 1863") sq. units. In the latter case, more than half of the accumulated distance was due to its disagreement with the object "Volyn 1858", the total distance of which in Euclidean space from other Right-Bank objects was 4 184 sq. units (table 7).

The expert sample of "EPRE 1858", with the exception of the exceptional case of the chronological cut "Volyn 1858", had no analogues on the Right-Bank, as evidenced by its total distance from local socio-topological objects of 11 445 sq. units (table 7).

Left-Bank Forest-Steppe Ukraine. The topological field of the Ukrainian Left-Bank resident's social life in the 1840s and early 1860s is reminiscent of the Right-Bank in its main features: the same main population categories, three similar regions-provinces, divided by us for chronological slices (1846, 1858, and 1863) in purpose of social development searching and some others. The same time one can see fundamental differences: the diametrically opposed ratio of the most massive categories of free and dependent peasants in the population structure of Right-Bank and Left-Bank Ukraine (fig. 9), greater relative isolation of the provincial blocks-clusters on the Left-Bank, taking into account the main trends of their social evolution (fig. 10). The Left-Bank blocs-provinces, taken separately, look more homogeneous in socio-topological terms than the Right-Bank's ones (table 7). The total distance between the chronological sections of the Poltava cluster was 95, the Chernihiv 136, and the Kharkiv 221 sq. units in Euclidean space. The key to the internal social stability of the Poltava and the Chernihiv provinces, much higher than the Kyiv province or Podillia, was undoubtedly the Cossack component of the population, tied to corporate land ownership. However, the local variants of the same type of social structure within the cluster macrogroup were not identical, which is indicated not only by the greater specific weight of urban dwellers in the Chernihiv province, but also by the total distance between clusters of 1 216 sq. units. In the topological manifestation, the blocks of the Poltava and the Chernihiv provinces turned out to be individually closer to the "EPRE 1858" model

than to each other, while the latter, from a formal point of view, cannot be distinguished from the structural-chronological sections of "Chernihiv 1858" and "Chernihiv 1863" (fig. 9; 10; table 7).

The peculiarities of the Kharkiv cluster were largely determined by the presence of a large military settlement here, to which from 12 to 13.5% of the province inhabitants were assigned (tables 2; 4; 6), which significantly increased the contingent of "free rural dwellers" against the share of the lord's peasants. In 1846, they were 66.3% to 29.2%, and only with the beginning of the military settlements liquidation in the late 1850s – early 1860s the social structure of the Kharkiv province began to change in the direction of similarity to the Poltava sample (fig. 9). The topological distance between the Poltava and the Kharkiv blocks was 1 922 sq. units, between the Kharkiv and the Chernihiv ones 4 658 sq. units (table 7). The general trend for the entire Left-Bank was the gradual approximation of the social structures of the Chernihiv, the Poltava, and the Kharkiv provinces to the averaged model of the European part of the Russian Empire social structure in 1858.

The level of topological similarity (dissimilarity) of the social formations, expressed through their distance in Euclidean space within "their" regions, was approximately the same – 12 655 sq. units on the Right-Bank and 16 497 sq. units on the Left-Bank (table 7).

Table 7

Regional social topology of the Forest-Steppe Ukraine provinces in Euclidean space (to fig. 10)

RIGHT-BANK UKRAINE										
Province / chronological section / Euclidean distance	Kyiv 1846	Kyiv 1858	Kyiv 1863	Podillia 1846	Podillia 1858	Podillia 1863	Volyn 1846	Volyn 1858	Volyn 1863	EPRE 1858
Kyiv 1846	0	110	113	26	41	119	31	601	260	1375
Kyiv 1858	110	(276)	53	33	18	166	42	296	53	1056
Kyiv 1863	113	53	0	48	43	50	34	587	55	1569

Continuation of table 7

Podillia 1846	26	33	48	0	3	93	7	461	129	1254
Podillia 1858	41	18	43	3	(207)	111	11	406	105	1184
Podillia 1863	119	166	50	93	111	0	68	895	181	1983
Volyn 1846	31	42	34	7	11	68	0	521	118	1384
Volyn 1858	601	296	587	461	406	895	521	(1056)	417	283
Volyn 1863	260	53	55	129	105	181	118	417	0	1357
Total distance	1301	771	983	800	738	1683	832	4184	1318	11445
	3055			3266			6334			
	12655									
LEFT- BANK UKRAINE										
Province / chronological section / Euclidean distance	Poltava 1846	Poltava 1858	Poltava 1863	Chernihiv 1846	Chernihiv 1858	Chernihiv 1863	Kharkiv 1846	Kharkiv 1858	Kharkiv 1863	EPRE 1858
Poltava 1846	0	26	56	81	170	230	392	135	298	205
Poltava 1858	26	(95)	13	117	142	185	285	50	165	173
Poltava 1863	56	13	0	96	84	111	351	68	178	108
Chernihiv 1846	81	117	96	0	47	83	742	309	519	72
Chernihiv 1858	170	142	84	47	(136)	6	753	288	452	14
Chernihiv 1863	230	185	111	83	6	0	800	322	471	23
Kharkiv 1846	392	285	351	742	753	800	0	119	66	836
Kharkiv 1858	135	50	68	309	288	322	119	(221)	36	328
Kharkiv 1863	298	165	178	519	452	471	66	36	0	184
Total distance	1388	983	957	1994	1943	2209	3509	1328	2186	1943
	3328			6146			7023			
	16497									

(276) – total distance between the elements of the topological block

Table 8

**Interregional social topology of the Forest-Steppe Ukraine provinces in
Euclidean space (to fig. 10)**

RIGHT-BANK UKRAINE ↔ LEFT- BANK UKRAINE										
Province / chronological section / Euclidean distance	Kyiv 1846	Kyiv 1858	Kyiv 1863	Podillia 1846	Podillia 1858	Podillia 1863	Volyn 1846	Volyn 1858	Volyn 1863	EPRE 1858
Poltava 1846	1863	1735	2352	1855	1800	2753	2012	814	2235	1375
Poltava 1858	2124	1896	2553	2071	2001	3015	2238	844	2369	1056
Poltava 1863	2023	1742	2380	1943	1865	2851	2101	707	2166	1569
Chernihiv 1846	1265	1102	1606	1229	1172	1978	1352	395	1490	1254
Chernihiv 1858	1425	1122	1641	1320	1244	2078	1446	320	1437	1184
Chernihiv 1863	1469	1123	1639	1345	1262	2098	1467	303	1410	1983
Kharkiv 1846	3924	3628	4515	3875	3775	5133	4095	2040	4246	1384
Kharkiv 1858	2804	2489	3241	2721	2633	3786	2911	1197	2987	283
Kharkiv 1863	3385	2991	3809	3277	3169	4431	3478	1508	3493	1357
Total distance	20283	7828	23737	19637	18922	28123	21099	8130	21833	11445
	51848			66682			51112			
	169642									

In turn, the interregional social topology of bloc-provinces reflects important features of their structure, which, as shown above, consisted in a certain quantitative (nobles, urban dwellers) and proportional (free rural dwellers and dependent peasants) ratio of the main elements (fig. 9). The objects "Kyiv 1858" and "Volyn 1858" turned

out to be the least distant from the Left-Bank (7 828 and 8 130 sq. units, while the distance between them is 296 sq. units). The total distance between the socio-spatial organisms of the Right-Bank and Left-Bank parts of the Forest-Steppe Ukraine in the mid-1840s – early 1860s was equal to 169 642 sq. units in Euclidean space (tables 7; 8). The corresponding historical distance had to be overcome on the way to the formation of the newest Ukrainian society and political nation in the next half century, by the time when there would be a real possibility of establishing the independence of Ukraine in 1917 – 1920.

References

1. Statisticheskiye tablitsy Rossiyskoy imperii, izdavayemyye po rasporyazheniyu ministra vnutrennikh del Tsentral'nym statisticheskim komitetom. Nalichnoye naseleniye Imperii za 1858 god [Statistical tables of the Russian Empire, published by order of the Ministry of Internal Affairs by the Central Statistical Committee. The actual population of the Empire for 1858]. SPb.: V tip. K. Vul'fa, 1863. 346 p. [in Russian].

2. Svod zakonov Rossiyskoy imperii (SZRI) poveleniyem gosudarya Nikolaya Pervogo sostavlennyy [The Code of Laws of the Russian Empire (SZRI) was compiled by the order of Emperor Nicholaiy I]. Spb.: V tip. Vtorogo otdeleniya Sobstvennoy Ye.I.V. Kantselyarii, 1857 – 1868. 34 vol-s. [in Russian]

3. Polnoye sobraniye zakonov Rossiyskoy imperii (PSZRI). Sobraniye Vtoroye. 12 dekabrya 1825 – 28 fevralya 1885 g. [Complete collection of laws of the Russian Empire (PSZRI). Assembly Second. December 12, 1825 - February 28, 1885] Spb.: V tip. Vtorogo otdeleniya Sobstvennoy Ye.I.V. Kantselyarii, 1830 – 1885. 33 Vol-s. [in Russian]

4. Statisticheskoye opisaniye Kiyevskoy gubernii [Statistical description of the Kyiv province]. SPb.: V tip. Ministerstva vnutrennikh del, 1852. Pt. 1. 592 p. [in Russian]

5. Voyenno-statisticheskoye obozreniye Rossiyskoy imperii. Kiyevskaya guberniya [Military Statistical Review of the Russian Empire. The Kyiv province]. SPb.: Tip. Departamenta General'nogo Shtaba, 1848. Vol. 10. Pt. 1. 333 p. [in Russian]

6. Voyenno-statisticheskoye obozreniye Rossiyskoy Imperii. Podol'skaya guberniya [Military Statistical Review of the Russian Empire. The Podillia province]. SPb.: V tip. Departamenta General'nogo Shtaba, 1849. Vol. 10. Pt. 2. 284 p. [in Russian]
7. Voyenno-statisticheskoye obozreniye Rossiyskoy Imperii. Volynskaya guberniya [Military Statistical Review of the Russian Empire. The Volyn province]. SPb.: V tip. Departamenta General'nogo Shtaba, 1850. Vol. 10. Pt. 3. 241 p. [in Russian]
8. Voyenno-statisticheskoye obozreniye Rossiyskoy Imperii. Poltavskaya guberniya [Military Statistical Review of the Russian Empire. The Poltava province]. SPb.: V tip. Departamenta General'nogo Shtaba, 1848. Vol. 12. Pt. 3. 125 p. [in Russian].
9. Voyenno-statisticheskoye obozreniye Rossiyskoy Imperii. Chernigovskaya guberniya [Military Statistical Review of the Russian Empire. Nhe Chernihiv province]. SPb.: V tip. Departamenta General'nogo Shtaba, 1851. Vol. 12. Pt. 2. 196 p. [in Russian]
10. Voyenno-statisticheskoye obozreniye Rossiyskoy Imperii. Khar'kovskaya guberniya [Military Statistical Review of the Russian Empire. The Kharkov province]. SPb.: V tip. Departamenta General'nogo Shtaba, 1850. Vol. 12. Pt. 1. 464 p. [in Russian]
11. Chernyshev N. Pamyatnaya knizhka Kiyevskoy gubernii [Commemorative book of the Kyiv province]. Kiyev: V tip. Gubernskogo pravleniya, 1857. 377 p. [in Russian]
12. Chernyshev N. Pamyatnaya knizhka Kiyevskoy gubernii [Commemorative book of the Kyiv province]. Kiyev: V tip. Gubernskogo pravleniya, 1858. 379 p. [in Russian]
13. Pamyatnaya knizhka Podol'skoy gubernii na 1859 god [Commemorative book of the Podillia province for 1859]. Kam.-Podol'sk: V tip. Gubernskogo pravleniya, 1859. 198 p. [in Russian]

14. Sbornik statisticheskikh svedeniy o Kiyevskoy gubernii za 1859 god [Collection of statistical information about the Kyiv province for 1859]. Kiyev: V tip. Gubernskogo pravleniya, 1861. 284 p. [in Russian]
15. Pamyatnaya knizhka Chernigovskoy gubernii [Commemorative book of the Chernihiv province]. Chernigov: V tip. Gubernskoy i Il'inskogo monastyrya, 1862. 576 p. [in Russian]
16. Golikhovskiy Ya. Pamyatnaya knizhka Khar'kovskoy gubernii na 1864 god [Commemorative book of the Kharkov province for 1864]. Khar'kov: V Universitetskoy tip., 1864. 344 p. [in Russian]
17. Bodyanskiy P. Pamyatnaya knizhka Poltavskoy gubernii, izdannaya Poltavskim gubernskim statisticheskim komitetom [Memorable book of the Poltava province, published by the Poltava provincial statistical committee]. Poltava: V tip. N. Pigurenko i Gubernskogo pravleniya, 1865. 1334 p. [in Russian]
18. Statisticheskiy vremennik Rossiyskoy imperii: izdaniye Tsentral' nogo statisticheskogo komiteta Ministerstva vnutrennikh del [Statistical Timeline of the Russian Empire: edition of the Central Statistical Committee of the Ministry of Internal Affairs]. Spb.: V tip. K. Vul'fa, 1866. Ser. I. Vyp. I. 446 p. [in Russian]
19. Köppen P. I. Devyataya reviziya. Issledovaniye o chisle zhiteley v Rossii v 1851 godu [Ninth revision. A study on the number of inhabitants in Russia in 1851]. Spb.: V tip. Imperatorskoy Akademii nauk, 1857. 313 p. [in Russian]
20. Krykun M. Sotsialna struktura Pravoberezhnoi Ukrainy naprykintsi XVIII stolittia (za Piatoi reviziiei) [The social structure of Right-Bank Ukraine at the end of the 18th century (according to the Fifth revision)]. Voievodstva Pravoberezhnoi Ukrainy u XVI – XVIII stolittiakh: Statti i materialy. Lviv, 2012. Pp. 580–588. [in Ukrainian]
21. Shafonskiy A. F. Topograficheskoye opisaniye Chernigovskogo namestnichestva s kratkim geograficheskim i istoricheskim opisaniyem Malorossii, iz kakikh chastey sostoit eto namestnichestvo, sostavlennoye Afanasiyem Shafonskim. V Chernigove, 1786. [The topographical description of Chernigov governorship with a brief geographical and historical description of Little Russia, of which parts this

governorship is composed, by Athanasius Shafonsky. In Chernigov, 1786]. Izdatel'stvo M. Sudyenko. Kyiv: Vuniversitetskom tip., 1851. 745 p. [in Russian]

22. Opysy Kyivskoho namisnytstva 70 – 80-kh rokiv XVIII st.: Opysovo-statystychni dzherela [Descriptions of the Kyiv Governorship of the 1870s and 1880s: Descriptive and statistical sources]. AN URSR. Arkheohraf. Komisiia ta in. Uporiad. H.V. Bolotova ta in.; Redkol. P.S. Sokhan (vidp. red.) ta in. Kyiv: Nauk. dumka, 1989. 415 p. [in Ukrainian].

23. Opysy Kharkivskoho namisnytstva kintsia XVIII st.: Opysovo-statystychni dzherela [Descriptions of the Kharkiv viceroyalty of the end of the 18th century: Descriptive and statistical sources]. AN URSR. Arkheohraf. Komisiia ta in. Uporiad. V.O. Pirko, O.I. Hurzhii; Redkol. P.S. Sokhan (vidp. red.) ta in. Kyiv: Nauk. dumka, 1991. 280 p. [in Ukrainian].

24. Opysy Livoberezhnoi Ukrainy kintsia XVIII – pochatku XIX st.: Opysovo-statystychni dzherela [Descriptions of Left Bank Ukraine of the late 18th and early 19th centuries: Descriptive and statistical sources]. AN Ukrainy. Arkheohraf. Komisiia ta in. Uporiad. T.B. Ananieva ta in.; Redkol. P.S. Sokhan (vidp. red.) ta in. Kyiv: Nauk. dumka, 1997. 397 p. [in Ukrainian].

25. Mironov B. N. Sotsial'naya istoriya Rossii v period imperii (XVIII – nachalo XX veka) [Social history of Russia in the period of the empire (XVIII – early XX century)]. V 2 t. 2-ye izd., ispravl. SPb.: Izd-vo «Dmitriy Bulanin», 2000. 548 + 568 p. [in Russian].

26. Beauvois D. Shliakhtych, kripak, revizor: Polska shliakhta mizh tsaryzmozom ta ukrainskymy masamy (1831 – 1863) [Nobleman, serf, auditor: the Polish nobility between tsarism and the Ukrainian masses (1831 – 1863)]. Per. Z. Borysiuk. Kyiv: INTEL, 1996. 415 p. [in Ukrainian].

27. Beauvois D. Bytva za zemliu v Ukraini: 1863 – 1914: Poliaky v sotsialno-etnichnykh konfliktakh [The Battle for Land in Ukraine: 1863 – 1914: Poles in Socio-Ethnic Conflicts]. Per. na ukr. Z. Borysiuk; NAN Ukrainy, In-t skhidnoievrop. doslidzh. Kyiv: Krytyka, 1998. 334 p. [in Ukrainian].

28. Beauvois D. Rosiiska vlada i polska shliakhta v Ukraini: 1793 – 1830 rr. [Russian power and the Polish nobility in Ukraine: 1793 – 1830] Z fr. per. Zoia Borysiuk. Lviv: Kalvariia, 2007. 296 p. [in Ukrainian].

29. Barmak M. Lehitymizatsiia ta deklasatsiia shliakhty Kyivskoi, Volynskoi ta Podilskoi hubernii naprykintsi XVIII – na pochatku XIX st. [Legitimization and declassification of the nobility of Kyiv, Volyn and Podil provinces in the late XVIII – early XX centuries]. Scientific notes of Ternopil National Pedagogical University named after Volodymyr Hnatyuk, 2014, Nr. 1. pt. 2, pp. 10–16. [in Ukrainian].

30. Pavliuk V. V. Polska arystokraciia u suspilnomu zhytti Pravoberezhnoi Ukrainy pislia podiliv Rechi Pospolytoi [Polish aristocracy in the public life of the Right Bank of Ukraine after the partition of the Rech Pospolyta]. Ukrainian Historical Journal, 2010, Nr. 3, pp. 154–165. [in Ukrainian]

31. Polishchuk Yurii. Shliakhta Pravoberezhnoi Ukrainy yak obiekt etnosotsialnoi polityky rosiiskoho tsaryzmu (kinets XVIII – seredyna XIX stolittia) [The nobility of Right-Bank Ukraine as an object of the ethno-social policy of Russian tsarism (late 18th – mid-19th centuries)]. Naukovi zapysky [Instytutu politychnykh i etnonatsionalnykh doslidzhen im. I. F. Kurasa NAN Ukrainy]. 2006, vyp. 29, pp. 30–42. [in Ukrainian].

32. Kuzema O. L. Chyselnist ta etnosotsialnyi sklad naselennia mist i mistechok Pravoberezhnoi Ukrainy naprykintsi XVIII – v pershii polovyni XIX st. [The number and ethno-social composition of the population of the cities and towns of Right Bank Ukraine at the end of the 18th - in the first half of the 19th century.]. Naukovi pratsi Kamianets-Podilskoho derzhavnoho universytetu: Istorychni nauky. 2004, vol.13, pp. 73–81. [in Ukrainian].

33. Filiniuk A. H. Demohrafichni, sotsialno-stanovi transformatsii polskoi menshyny u Pravoberezhnii Ukraini kintsia XVIII – pershoi polovyny XIX stolittia v konteksti suchasnoi istoriohrafii [Demographic, socio-social transformations of the Polish minority in the Right Bank of Ukraine in the late XVIII – first half of the XIX century in the context of modern historiography]. Intermarum: history, politics, culture, 2016, Nr. 3, pp. 98–110. [in Ukrainian].

34. Bohutska A. L. Etnonatsionalnyi ta etnodemohrafichni rozvytok Pravoberezhnoi Ukrainy naprykintsi XVIII – v pershii polovyni XIX stolittia [Ethnonational and ethnodemographic development of Right-Bank Ukraine at the end of the 18th – in the first half of the 19th century]. *Dys kand. ist. nauk.*: 07. 00. 01.

Kamianets-Podilskyi, 2017. 268 p. [in Ukrainian].

35. Myakotin V. A. Ocherki sotsial'noy istorii Ukrainy v XVII – XVIII vv. [Essays on the social history of Ukraine in the 17th – 18th centuries] Vol. 1. Vyp. 1. Praha, 1924. 145 p. [in Russian].

36. Kolievatov Oleksii. Sotsialna struktura slobidsko-ukrainskykh viiskovykh poselen u pershii tretyni XIX st. [The social structure of Slobid-Ukrainian military settlements in the first third of the 19th century]. *Siverianskyi litopys*. 2011, № 1, pp. 91–99. [in Ukrainian].

37. Tsubenko V. L. Terytorialnyi ustroi Ukrainskoho (Kharkivskoho) viiskovoho poselennia kavalerii 1817 – 1857 rr. [Territorial organization of the Ukrainian (Kharkiv) military settlement of the cavalry. 1817 – 1857]. *Intelihentsiia i vlada. Serii: Istoriia*. 2006, vyp. 8, pp. 77–87. [in Ukrainian].

38. Yachmenikhin K. M. Armiya i reformy: voyennyie poseleniya v politike rossiyskogo samodержaviya [Army and reforms: military settlements in the policy of the Russian autocracy]. Chernigov: *Siveryans'ka dumka*, 2006. 444 p. [in Russian].

39. Panashenko Vira. Bunchukovi, viiskovi i znachkovi tovaryshi v Hetmanshchyni [Bunchuk, military and badge comrades in the Hetman region]. «Istynu vstanovliuie sud istorii». *Zbirnyk na poshanu Fedora Pavlovycha Shevchenka*. 2004, vol. 2, pp. 291–347. [in Ukrainian].

40. Kukharuk Oleksandr. Formuvannia stanu «malorosiiskykh kozakiv» naprykintsi XVIII – na pochatku XIX st. [The formation of the status of the "Little Russian Cossacks" at the end of the 18th - the beginning of the 19th century.]. *Chornomorska mynuvshyna. Zapysky Viddilu istorii kozatstva na Pivdni Ukrainy Naukovo-doslidnoho instytutu kozatstva Instytutu istorii Ukrainy: Zb. nauk. pr.* 2007, vyp. 2, pp. 62–76. [in Ukrainian].

41. Oliianchuk A. M. Sotsialnyi status kozatstva Livoberezhnoi Ukrainy v pershii polovyni XIX st. [The social status of the Cossacks of the Left-Bank of Ukraine in the first half of the 19th century] Naukovi pratsi istorychnoho fakultetu Zaporizkoho natsionalnoho universytetu. 2014, vyp. 41, pp. 67–71. [in Ukrainian].

42. Bondarenko Oleksandr. Typolohiia mist Naddniprianskoi Ukrainy ostannoii chverti XVIII – pochatku XIX st. u naukovomu dyskursi imperskoi doby [Typology of the cities of Dnipro Ukraine in the last quarter of the 18th – beginning of the 20th centuries in the scientific discourse of the imperial age]. Etnichna istoriia narodiv Yevropy. 2020, vyp. 60, pp. 24–34. [in Ukrainian].

43. Kurylenko O. V. Etnichna struktura mist Pravoberezhnoi Ukrainy ta yii vplyv na pozemelni vidnosyny [The ethnic structure of the cities of the Right Bank of Ukraine and its influence on land relations]. Problemy istorii Ukrainy XIX – pochatku XX st. Zb. nauk. pr. 2009, vyp. 16, pp. 184–195. [in Ukrainian].

44. Donik O. M. Etnichna struktura kupetstva v Ukraini (XIX st.) [Ethnic structure of merchants in Ukraine (XIX century)]. Problems of the history of Ukraine in the XIX – early XX centuries, 2008, Nr. 15, pp. 20–27 [in Ukrainian].

45. Svod zakonov o sostoyaniyakh [Code of laws on social classes].SZRI.1857. T.IX. 572 p. [in Russian].

46. Skorochenyi osoblyvyi opys Kyivskoho namisnytstva 1787 r. Opysy Kyivskoho namisnytstva 70 – 80-kh rokiv XVIII st.: Opysovo-statystychni dzherela [An abbreviated special description of the Kyiv Viceroyalty of 1787. Descriptions of the Kyiv Viceroyalty of the 70s and 80s of the 18th century: Descriptive and statistical sources]. AN URSR. Arkheohraf. Komisiia ta in. Uporiad. H.V. Bolotova ta in.; Redkol. P.S. Sokhan (vidp. red.) ta in. Kyiv: Nauk. dumka, 1989. Pp. 280–317. [in Ukrainian].

47. Topohrafichnyi opys Kharkivskoho namisnytstva 1785 r. Opysy Kharkivskoho namisnytstva kintsia XVIII st.: Opysovo-statystychni dzherela [Topographical description of the Kharkiv governorship of 1785. Descriptions of the Kharkiv governorship of the end of the 18th century: Descriptive and statistical sources]. AN

URSR. Arkheohraf. Komisiia ta in. Uporiad. V.O. Pirko, O.I. Hurzhii; Redkol. P.S. Sokhan (vidp. red.) ta in. Kyiv: Nauk. dumka, 1991. pp. 58–117. [in Ukrainian].

48. Ilyashevich L. V. Kratkiy ocherk istorii Khar'kovskogo dvoryanstva [Brief essay on the history of the Kharkov nobility]. Khar'kov: Tip. M. Zil'berberga, 1885. 279 p. [in Russian].

49. Troyanovskiy K.V. Politika Rossiyskoy imperii v otnoshenii bespomestnoy shlyakhty Zapadnykh guberniy. 1795 – 1870 gg. [The policy of the Russian Empire in relation to the dispossessed gentry of the Western provinces. 1795 - 1870:]: dis. ... kand. ist. nauk: 07.00.02. SPb., 2017. 238 p. URL: <https://www.hse.ru/sci/diss/218706571>[in Russian].

50. Kabuzan V. M. Zaseleniye Novorossii (Yekaterinoslavskoy i Khersonskoy guberniy) v XVIII – pervoy polovine XIX veka (1719 – 1858 gg.) [Settlement of Novorossia (Ekaterinoslav and Kherson provinces) in the 18th - first half of the 19th century (1719 – 1858)]. Moskva: Nauka, 1976. 307 p. [in Russian].

51. Obshcheye gubernskoye uchrezhdeniye [General provincial institution]. SZRI. 1857. Vol. II. Pt. I. 1474 p. [in Russian].

52. Svod uchrezhdeniy i ustavov torgovykh [Code of establishments and charters of trade]. SZRI. 1857. T. XI. Pt. II. 613 p. [in Russian].

53. Statisticheskiye tablitsy Rossiyskoy imperii za 1856 god, izdavayemyye po rasporyazheniyu ministra vnutrennikh del Tsentral'nym statisticheskim komitetom [Statistical tables of the Russian Empire for 1856, published by order of the Minister of the Interior by the Central Statistical Committee]. Spb.: V tip. K. Vul'fa, 1858. Vyp. 1. 342 p. [in Russian].

54. Chislo zhiteley Poltavskoy gubernii k 1855 godu [The number of inhabitants of the Poltava province by 1855]. Zhurnal Ministerstva vnutrennikh del. 1855. Part 14. Book. 9. Dep. 5. Blend. pp. 16–19. [in Russian].

55. Materialy dlya geografii i statistiki Rossii, sobrannyye ofitserami General'nogo shtaba. Chernigovskaya guberniya [Materials for the geography and statistics of Russia, collected by officers of the General Staff. Chernihiv province]. Sostavil Gen. shtaba podpolk. N. Domontovich. Spb.: V tip. F. Persona, 1865. 796 p. [in Russian].

2. Pavlo Chubynskyi. The life path of a great Ukrainian

Annotation

The research of this topic was most actively started during the times of independent Ukraine.

It should be noted that Ukrainian science had practically no information and knowledge about the creative path of the scientist, citizen, Ukrainian, author of the national anthem of Ukraine - Pavlo Chubynskyi.

Despite the fact that 161 years have passed since the writing of the poem "Ukraine is not dead yet", its author, Pavlo Platonovych Chubynskyi, remains one of the least studied Ukrainian figures of the 19th century.

It should be noted that the name of Pavel Platonovich Chubynskyi was known to the whole intelligentsia of Russia. Thanks to his works, especially in ethnography and statistics, he had the greatest recognition in the South-West Region.

P. Chubynskyi's scientific and cultural and educational activity dates back to the early 60s of the 19th century, when the social and political activity of the Ukrainian intelligentsia was growing.

The ideas of studying the material and spiritual culture of the Ukrainian people captivated Pavlo Chubynsky even while studying at the Faculty of Law of the University in St. Petersburg, where in the late 50s - early 60s of the XIX century. the center of the Ukrainian national movement was concentrated. He was fascinated by the ideas of patriotism and folk studies, which became dominant among the educated circles of St. Petersburg after the peasant reform of 1861. He had the pleasure of getting to know many representatives of the Ukrainian and Russian intelligentsia.

The research work "Essay on folk legal customs and customs in Little Russia", written by him after graduating from the university in 1861, is devoted to the study of the depths of the culture of the Ukrainian people, for which he was awarded the title of candidate (at the age of 22). The beginning of the future ethnographic works of the scientist was laid.

After graduating from the university in the same year 1861, P. Chubynsky returned to Boryspil, his homeland.

It was during this period that P. Chubynskyi joined the nationally oriented youth, took an active part in the activities of the Kyiv community in 1861-1863, met leading public and cultural figures, repeatedly invited them to his farm, where he held social gatherings; concerned about opening a school in Boryspil for village children (unfortunately, unsuccessful).

In the fall of 1862, he was arrested and exiled administratively to the town of Pinega, Arkhangelsk province, as a "dangerous and defective agitator." One of the reasons for the exile was the reaction of St. Petersburg to P. Chubynsky's writing of the poem "Ukraine is not dead yet, and glory and freedom" (the modern national anthem of Ukraine) at the end of 1862.

While in exile, Chubynskyi worked as the secretary of the Arkhangelsk statistical committee, and at the same time engaged in scientific research. For his scientific achievements, P. Chubynskyi was elected an associate member of several scientific societies, including an active member of the Imperial Geographical Society.

After returning from exile, P. Chubynsky not only engaged in scientific work, he also became an active participant in national and cultural processes, in particular, he became one of the main members of the Kyiv community revived in the early 1870s.

It is necessary that in 1869-1872 under the leadership of P. Chubynsky, ethnographic expeditions were conducted to the South-West Region, based on the materials of which seven volumes of the "Works of the Ethnographic-Statistical Expedition to the Western Russian Region" were published, which became a significant phenomenon in the cultural life of the Ukrainian people, convincingly showing the world the originality of the Ukrainian national spiritual culture.

It must be emphasized that the expedition was of considerable importance for the development of Ukrainian ethnography, which is confirmed by the following official scientific awards: in 1873, the Russian Geographical Society awarded P. Chubynsky with a gold medal; in 1875, the council of the international congress in Paris also

awarded the ethnographer with a gold medal of the 2nd class; In 1879, P. Chubynsky received the Uvariv Prize.

It should be noted that in 1872 the South-Western Department of the Imperial Russian Geographical Society was opened in Kyiv, in the formation of which a decisive role was played by Pavlo Chubynskyi, who at that time was an active member of the Imperial Russian Geographical Society and had the fame of a famous ethnographer and a successful performer Northern expedition and expedition to the South-Western region. The main task of the association is to collect, process and distribute geographical, ethnographic and statistical information, mainly to study the provinces of the Kyiv educational district.

But, unfortunately, in 1876, the Kyiv Branch was liquidated by royal decree, and P. Chubynskyi was forbidden to live in Ukraine. He was forced to move to St. Petersburg, where he got a job at the Ministry of Roads.

Nevertheless, the issue of scientific and educational activity of Pavlo Chubynsky today continues to be one that needs further scientific development.

INTRODUCTION

The source base of the problem is given by a small number of works of pre-revolutionary history of Ukraine.

Fundamental studies of an ethnographic and statistical nature under the leadership of Chubynsky P. P. There are the seven-volume "Works of the Ethnographic-Statistical Expedition to the Western Russian Territory" (1872-1879), "Notes of the South-Western Department of the Imperial Russian Geographical Society" in 2 volumes (1873), which impress with the depth of scientific research work in the South-Western region [1, 2].

The characteristic of Pavel Chubinsky's personality was noted by his friend and associate of A.F. Kistyakovsky [3].

In 1913, the well-known writer S. Rusova published an in-depth article "To the 40th anniversary of the South-Western Department of the Imperial Geographical Society", in which the great role in the creation of this society of talented Ukrainian figures was noted, and the soul of this matter was P. Chubynskyi [4, 5].

The ethnographic activity of Pavel Chubynskyi is revealed in A. Zyl's monograph, which reproduces the life and creative path of Pavel Chubynskyi, his development as a scholar-ethnographer, folklorist, economist, statistician, poet, public figure, author of the words of the National Anthem of Ukraine [6].

For the anniversaries of the birth of P. Chubynskyi, many publications were published, in which the image of a great Ukrainian - a scientist, a public figure and the author of the National Anthem of Ukraine is highlighted [7, 8, 9, 10].

Berezovska O.V. highlighted the participation of P. P. Chubynskyi in the activities of Ukrainian community associations of the second half of the 19th century, investigated the status and informative possibilities of memoirs in showing the life activities of P. P. Chubynskyi [11].

The scientific work of G. Skrypnyk "Southwestern Department of the Russian Geographical Society: innovative research practices and scientific and organizational achievements" talks about the outstanding achievements of one of the earliest scientific and organizational centers of ethnographic science in Ukraine - the Southwestern Department of the Russian Geographical Society, the foundation and functioning of which related to the initiatives and activities of the founder of national ethnography P. P. Chubynskyi. The role of the scientist in the institutionalization of ethnology, in the creation of a specialized ethnological center [12] is highlighted.

The monograph by D. S. Cherednychenko talks about a great scientist with a world name, public figure and teacher, poet and translator - Pavlo Chubynskyi, who united Ukrainians with his songs to create a new state. The scientist worked for years in search of factual material, promoted and defended the sacred name of P. Chubynskyi as the author of the National Anthem of Ukraine [13].

In the book of V.P. Kapeliushnyi, H.M. Kazakevich, N.V. Chernyshchuk (2013) examines the works of Ukrainian ethnologists, as well as the methodological principles on which they relied, considered in the context of the development of world ethnological thought. The works of P. Chubynskyi are of great scientific interest and to a large extent have not lost their relevance until now [14].

There is an urgent need for a detailed and comprehensive study of the life and creative path of P. Chubynskyi.

Setting objectives. The attention of researchers remains relevant to the issues of the formation of views of the outstanding Ukrainian scientist Pavlo Chubynskyi, who we know more about as the creator of the national anthem of Ukraine.

The purpose of the scientific research is an attempt to shed light on the life path of the great scientist, ethnographer, statistician, citizen, devoted Ukrainian Pavlo Chubynskyi.

Chapter 1. Pavlo Chubynskyi. The formation of personality.

P. Chubynskyi was born in the poor noble family of the retired officer Platon Ivanovich Chubynskyi on January 27, 1839 in Boryspil. He received his primary education from his mother and home teachers. At the age of 12-13, his parents sent him to study at the 2nd Kyiv gymnasium. It was in the walls of the gymnasium that he first learned about the activities of the Cyril-Methodiev Brotherhood, about T. Shevchenko, P. Kulish, M. Kostomarov from the Latin teacher I. Kraskivskyi, who was interested in political life and was closely acquainted with Shevchenko.

The period of study at the gymnasium played an important role in the life of P. Chubynskyi, in the formation of his worldview, in determining his role in social and political life, and acquaintance with Shevchenko's poetry played a big role in this.

Chubynsky mastered the necessary knowledge, acquired a political orientation, and became passionate about the idea of enlightening the people. He was already clearly oriented in public and political life, understood the moods and aspirations of the advanced intelligentsia, and thought about the social inequality that prevailed throughout the Russian Empire.

In 1857, after graduating from gymnasium, P. Chubynsky entered the law faculty of St. Petersburg University. During his student years, Chubynskyi took part in the activities of the St. Petersburg Ukrainian community. The center of the community became the editorial office of the magazine "Osnova", which included the brothers Mykhailo, Vasyl, Ivan and Oleksandr Lazarevski, M. Kostomarov, P. Kulish, D. Kamenetsky, and others. Meetings with compatriots over tea took place every week

in the living room of the editorial office, which were quite interesting and frank. The student P. Chubynsky, who eventually became a permanent author of "Osnova" and published his poetry and ethnographic studies [13, p. 14], also came to these evenings.

The first personal meeting of the young law student with the great kobzar T. Shevchenko took place in St. Petersburg in 1859–60 at the first literary readings organized by students in the Passage and in the hall of the "Noble Assembly". After the death of Taras during the funeral, Chubynskyi prepared a speech on behalf of the student body, which was printed in the magazine "Osnova" in March 1861 [11, p. 71].

While studying at the Faculty of Law of the St. Petersburg University, P. Chubynskyi was a tutor for the younger brothers of Olena Shtakenshneider, in whose house on "Saturdays" a diverse group of misfits opposed to the authorities gathered. At these "Saturday" meetings, he met K. Bryulov, F. Glinka, I. Honcharov, P. Lavrov and others. He especially became friends with Ya. Polonskyi [15, p. 165].

In 1861, after completing the course of legal sciences at St. Petersburg University, he returned to Boryspil and worked on a dissertation on the topic "Inheritance of folk customs existing in Little Russia, compared with the rulings of ancient Russian law." The researcher has the first classification of legal customs of Ukrainians, primarily property customs. For a Ukrainian peasant, family property was the most relevant, therefore P. Chubynskyi carefully considered family relations in the complex of folk-legal customs, paying special attention to the marriage agreement, which is a prerequisite for the restructuring of family property, family divisions, etc. He understood that without considering family relations, kinship, rights and duties of each member of the Ukrainian family, it is impossible to understand the essence of such a specific national phenomenon as divisibility [16, p. 23]. Interested in folk customs, in the fall of 1861-spring of 1862, Pavlo published the articles "From Boryspil" and "On the Separation" in the "Osnova" magazine, in which he sharply criticized the customs of the nobility, wrote about the situation of the peasants after the reform of 1861, about, how taxes were unfairly distributed among poor peasants, which caused dissatisfaction among local landowners, particularly strained relations with Boryspil landowner F. Trepov [10, p.18].

Already at that time, P. Chubynsky spoke about the need to teach in the mother tongue in schools. He was convinced that teaching in a foreign language did not have the desired effect: children mechanically memorized the educational material, which dulled the child's imagination and mind. He made great efforts to open a school for children in Boryspil. Collected funds, textbooks, recruited personnel [17, p. 142].

The first center of Ukrainian populists was the "Ukrainian community" in Kyiv, which was headed by the young historian V. Antonovych. All members of the community were united by a common national Ukrainian idea, which developed on a democratic basis: belief in the possibility of achieving national self-determination, love for Ukraine, respect for its people, pride in acquiring its spiritual culture, which makes a worthy contribution to the world cultural heritage, conviction in the fact that Christian morality and national culture remained pure and intact only in the peasant environment [18, p.71].

The core of the Kyiv community consisted of teachers of three Sunday schools, one of which, where P. Chubynskyi, O. Stoyanov, V. Torskyi and others worked, was called Ukrainian [19, p. 82].

P. Kulish, in contact with the Kyiv community, noted: "The Kyiv community liked the moderation of its aspirations. Leading people in it, being young, reason like old men" [20, p. 122].

The meetings of the "Community" existed during 1861-1862, the main goal was to study the region in ethnographic, political and geographical terms, to promote the development of public education, the members of the community printed programs for collecting data on ethnography, statistics, and geography. This work was carried out illegally, because everyone was afraid of denunciation [21, p. 31].

The legal program was developed by P. Chubynskyi. At the meetings of the Kyiv community, he always spoke passionately, captivating the listeners with his scientific plans.

But, unfortunately, at the beginning of 1863, the "Community" meeting ceased its activities due to the government's ban on Sunday schools and the printing of textbooks in the Little Russian language. Citizens attract the attention of autocratic authorities.

P. Chubynskyi, as an active member of the community, the author of publications in the magazines "Osnova" and "Kievlyanin" also comes under the supervision of the police. Chubynsky led a group of 20 people, which included students, Cossacks, townspeople, and peasants, who gathered at Pavlivka farm, where P. Chubynsky lived. The gendarmes recorded in the documents that these young people constantly demonstratively declared themselves by wearing national clothes, by frequent trips to the grave of T. Shevchenko in Kanev.

Citizens campaigned and distributed a proclamation entitled "To all good people", the authorship of which, according to the gendarmes, belonged to P. Chubynskyi [22, p. 4-5]. Chubynsky became interested in the gendarmerie, as not benevolent, dangerous for the autocracy, which was reported in the reports, in the name of the governor-general of Kyiv, Volyn and Podil [23].

Researcher Ivanova L. believes that Chubynskyi, together with his associates, was inclined to use radical methods of struggle, up to the overthrow of the current regime. He developed the idea of social national liberation, his statist ideas in Ukraine's achievement of independence and the establishment of people's rule as opposed to autocracy were shared by citizens [19, p. 84].

Chubynskyi, like all citizens of Hrodavi, did not see the continued existence of the monarchical order throughout the empire and, accordingly, in its national outskirts. The republican form of government was considered as the only fair and possible political form of social development. The views of P. Chubynsky on this issue are recorded on the pages of the magazine "Otechestvennye zapisky", as notes on the article by S.M. Solovyov, where the Russian historian held the opinion that the dictatorship of monarchs in Russia is not eternal. To which Chubynskyi replied that the Little Russians want to be independent [24, p. 7].

It was a time when the authorities saw a dangerous criminal in every educated Ukrainian who did not forget that he was a Ukrainian, and even more so, spoke and dressed like a Ukrainian [25, p. 8].

In 1862, Pavlo Chubynskyi visited the grave of T.G. Shevchenko in Kanev. Due to treacherous denunciations of the Boryspil landowner F.F.Trepov, the decision of a

special commission under the leadership of Prince Golitsyn Chubynskyi was arrested and exiled to Arkhangelsk province. Although, scientists have a version that the reason for the arrest and exile was the writing of the poem-hymn "Ukraine is not dead yet" [19, p. 86]. Scientist Kolyad believes that at that time this poem was distributed only among friends [26, p. 67].

Anthem of Ukraine

How exactly was the poem "Ukraine is not dead yet..." written. At one of the parties of the "community" with Serbs in the house where Chubynskyi lived, a Serbian song was sung. Chubynsky liked it, it was about the struggle for freedom. He left the room, returned after half an hour, in his hands was a sheet with a poem written on the motif of a Serbian song [13, p. 24].

First, the song was sung to a Serbian motif, then to Lysenko's music. In 1863, the text found its way to Galicia, where Mykhailo Verbytsky wrote the music that is now known. The song was considered a folk song for a long time. Researcher Dmytro Cherednychenko presents 20 versions of the text and emphasizes that the first line in Chubynskyi sounded like this: "Neither the glory nor the will of Ukraine has died yet..." [27, p. 14].

In 1863, P. Chubynskyi's poem "Ukraine is not dead yet..." was published for the first time in the Lviv journal "Meta" (No. 4) as a work by T. Shevchenko. The author of the poem stated two possible readings of the first line of the work: "Ukraine is not dead yet" and "Ukraine is not dead yet..." - it was the last version that was applied to the case of P. Chubynskyi, which was considered by the "Investigative Commission for Political Affairs under Kyiv, Podilsky and Volyn Governor-General". The poem immediately gained great popularity among the people, who throughout their historical development, in accordance with the fundamental principles of their inherent mentality, actively and constantly cared about statehood, freedom, and selflessly served the Motherland. The special power of this ingenious work is that it surprisingly harmoniously combined those factors that speak to both the mind and the heart of a person [18, p. 74-75].

This poem has passed the test of time and historical events. It was used during celebrations during the Ukrainian National-Democratic Revolution of 1917-1921, in the Battle of Kruty, young Ukrainians defending Kyiv sang this anthem. In 1939, it was declared the anthem of the newly formed Carpathian Ukraine, rallied the soldiers of the UPA. It was banned by the Hungarian and Soviet governments. The declaration of independence of Ukraine on August 24, 1991 gave a new birth to the national anthem of P. Chubynskyi, M. Verbytskyi. It was approved as the National Anthem by the decree of the Presidium of the Verkhovna Rada of Ukraine dated January 15, 1992, enshrined in Article 20 of the Constitution of Ukraine, adopted at the 5th session of the Verkhovna Rada of Ukraine on June 28, 1996.

Today, more than ever, the National Anthem of Ukraine has become a national shrine of the Ukrainian people. And not only adults, but also little hands are drawn to the heart when the National Anthem sounds. That's why we turn to this person who gave Ukrainians these solemn, defiant, unwavering words of struggle for their independence.

In exile in Arkhangelsk province

Chubynsky lived in Arkhangelsk for almost two months, got to know the city and people, especially the gymnasium teachers and his fellow exiles. Being a lively and sociable person, he quickly found a common language in any company. He especially got along with the teacher of the Poltava gymnasium O.I. Stronin, who was sent to Arkhangelsk "for spreading Little Russian propaganda." There, being under the supervision of the police, he wrote more than 50 scientific works, articles, and programs [28, p. 13].

In Arkhangelsk, P. Chubynsky appealed to the governor to appoint him to the position of investigator, citing the fact that he has a higher legal education and a candidate's degree.

Arkhangelsk Governor A. Arandarenko, having received a positive request from the Ministry of Internal Affairs, on January 2, 1863, appointed P. Chubynskyi as a judicial investigator of the Pinez County, where he served for almost nine months until October 29, 1863 [15, p. 168].

About his feelings in a foreign land, Chubynskyi described in his letters that he wanted to be where all the hearts are close, where girls sing all night long, where the native field and the nightingale sing [29, p. 10].

Simultaneously with the civil service in the north of the Russian Empire, P. Chubynsky is engaged in ethnographic and statistical research of the region: he organizes expeditions to Karelia and the Pechora region (from April 10 to October 10 he visited seven provinces: Arkhangelsk, Vologda, Olonets, Novgorod, Kostroma, V' Yatsk, Permsk), investigates local northern fairs, peculiarities of grain trade, linen production, shipbuilding and game hunting, studies the demographic situation in the city of Arkhangelsk, substantiates the need for the construction of the Vyatka-Dvina railway, which aroused great interest in St. Petersburg. Later, he participates in the organization of the Lomonosov anniversary and the opening of the Lomonosov school, etc. [28, p. 22].

At that time, the territory of the Arkhangelsk province was more than 700,000 square kilometers and was larger than the territory of modern Ukraine. He had to carry out scientific expeditions in extremely difficult off-road conditions - to overcome distances by steamboats, wade through narrow streams by boat, ride a horse and walk hundreds of kilometers [30, p. 12].

P. Chubynskyi lived and worked according to the laws of truth, honor and justice. He was guided by the "higher truth" and, according to his contemporaries, "he was a sworn enemy of bureaucratic arbitrariness and bribery, he always defended active and honest people. For Chubynskyi, the North became a real university of life, where character and will were tempered, and the talent of a scholar-ethnographer, economist, and statistician was strengthened [7, p. 7].

Governor S. P. Gagarin requested that Chubynsky be awarded the Order of Stanislav II degree with an imperial crown. It was an unprecedented case when a political exile was presented for a state award. That is why the Minister of Internal Affairs made a request to the emperor to remove Chubynsky from police supervision and allow him, as a valid member of the Russian Geographical Society, to leave for Ukraine [30, p. 12].

The materials of the Northern Expedition on almost 300 pages impressed the scientists with their breadth, the scope of the research, and the scientific achievements of the ethnographer were duly appreciated by the imperial scientific societies of the time - Pavlo was elected: a corresponding member of the Imperial Moscow Society of Agriculture, an employee member of the Imperial Free Economic Society, a member – an employee of the Imperial Russian Geographical Society (later an active member), active member of the Society of Natural History, Anthropology and Ethnography Lovers of Moscow University, was awarded the first silver medal of the Imperial Russian Geographical Society. In 1868, during a trip to St. Petersburg with a report on the results of the northern expedition, with the assistance of a valid member of the Imperial Russian Geographical Society P.P. Semenov Tien-Shanskyi, P. Chubynskyi receives permission to live in the capital and all provinces of Russia, to return to Ukraine. His achievements in the North were: in April 1869, Grand Duke Oleksii Alexandrovych presented P. Chubynsky with an emerald ring for the successful collection of data on the northern provinces of the Russian Empire [44, p. 9].

On May 16, 1869, a valid member of the Imperial Russian Geographical Society, P. Chubynsky, "with the highest consent" was sent to Ukraine for ethnographic and statistical research of another little-explored region - the southwestern [29, p. 10].

Scientists V.P. Kapeliushnyi, H.M. Kazakevich, N.V. Chernyshchuk believe that the figure of Pavel Chubynsky occupies one of the central places in Ukrainian ethnology of the 19th century. However, he became famous primarily as an organizer of science and a tireless collector of folklore and ethnographic material. His main analytical work is contained in "Essay on folk legal customs and concepts in Little Russia" (1869), which was based on the scientist's PhD thesis. In it, the researcher identified the fundamental differences between the Ukrainian folk-legal tradition and the Russian one, found out that the starting point of legal customs is socio-economic relations, carried out the first classification of legal customs of Ukrainians, primarily property ones.

As O. Ivanovska notes, "a lawyer by education, Chubynsky sought to find sources of law that would contain a reflection of the legal norm. The scientist was aware that

there is a certain primary basis that served as an impetus for the creation of folk and poetic creativity, and law, and norms of etiquette, and rituals" [14, p. 63].

Chapter 2. Scientific and research activities of Pavlo Chubynskyi

In January 1865, the Russian Geographical Society began to discuss the issue of organizing an expedition with the governor-general of the region, but in response to the society's request in March of the same year, the Minister of Internal Affairs P. Valuev did not allow it to be carried out. Despite the lack of formal agreement, in April 1866, at a meeting of the ethnography department of the Russian Geographical Society, a commission was created to prepare the expedition, in May the geographers again appealed to the head of the Ministry of Internal Affairs, and in June they received permission and a promise to help with all their might from the ministry. Considering the experience of P. Chubynskyi in the north of Russia (receiving the first silver medal of the Russian Geographical Society for the review of M. Kozlov's "Description of Arkhangelsk Province", elected in March 1869 as a valid member of the Russian Geographical Society) and knowledge of the situation in the south of the empire, in Petersburg people decided to choose him for the planned study of the South-West region.

Upon returning to Kyiv, Pavlo Chubynskyi immediately began preparatory work for the expedition. He appealed to the public to contribute to the successful study of the Ukrainian people by sending available materials of an ethnographic nature.

From the middle of May 1869, P. Chubynskyi began direct preparation for the equipment of a scientific ethnographic and ethnographic expedition. Ethnographic programs were sent to persons who knew local life well and could provide important and interesting information and relevant materials. The preparation of the expedition was constantly reported in the provincial newspapers of the South-Western region, as well as in the "Podilskyi Eparkhialny Vedomosty". Scientists also helped the ethnographer: I. Novytskyi, O. Potebnia, O. Kistyakivskyi, V. Kostomarov, V. Antonovych and others.

In particular, a significant contribution was made by I. Novytskyi, who gave Chubynsky five thousand songs he had previously recorded, O. Kistiakivskyi, who provided valuable records of decisions of the parish courts and added a historical sketch of this institution. V. Antonovych made extracts from court trials of the last century about witchcraft and sorcery. M. Lysenko set the motifs of wedding and other ceremonial songs of the Boryspil Region published in "Works" to sheet music [24, p. 461]. Provincial statistical committees, zemstvo administrations, peace mediators, individual folklorists and ethnographers sent information [31, p.65]. As a result, as early as March 1869, P. Chubynsky collected about 10,000 songs, and the total amount of material was constantly growing. In addition, on the eve of his first trip, P. Chubynskyi himself appealed to the provincial statistical committees for help, and also asked F. Osten-Saken to provide him with assistance from the ministries of education, finance, state property, and communications. At the beginning of October 1869, P. Chubynskyi reminded F. Osten-Saken about his request, and also suggested that he additionally contact the chief prosecutor of the Synod so that he would ensure the cooperation of local bishops, because, for example, the Volyn archbishop, in response to a request for help, stated that P. Chubynskyi that this expedition does not concern him and he will cooperate with it only when he receives a corresponding order from the church authorities. On February 8, 1870, already during the second trip, P. Chubynsky once again asked F. Osten-Saken whether he had appealed for help to the relevant departments.

Funding for this expedition was small. The Russian Geographical Society managed to allocate only 3 thousand rubles [29, p. 10].

P. Chubynskyi's expedition made three trips from 1869 to 1870 through the provinces of the South-Western region; studied the life of Ukrainians in hundreds of counties, following every page of the people's life [32, p. 7].

Following the first route, he began an expedition from Kyiv to Kanev, then along the valley of the Ros River through several districts of the Kyiv region to Berdychev and Zhytomyr. From here along the Sluch River through Novohrad-Volynskyi and Starokostyantynivskyi counties to the Podilsk province (Proskurivskyi, Ushytskyi and

Kamianets-Podilskyi counties). The route then extended to Bessarabia and Poland, where 9 districts of the Siedlce and Lublin provinces and the Kholm region were covered. On the way back, P. Chubynskyi visited the Kremenets, Dubensky, Volodymyr-Volyn districts of the Volyn province, Hrubesz of the Lublin province, the cities of Kovel, Lutsk, Rivne, Ovruch, Malyna, and Radomyshl [33, p. 93].

In the winter of 1869, the researcher visited the Radomyshl district of the Kyiv province, the Kovel, Lutskyi, Rivne, Ovrutskyi districts of the Volyn province and ended his journey in Radomyshl.

In the summer of 1870, together with I. Cherednychenko and V. Kravets, P. Chubynskyi toured the southern districts of Kyiv region (Cherkasky, Zvenigorodsky, Umansky, Skvytsky, Chygyrinsky); Pereyaslavskyi and Zolotoniskyi counties of Poltava province; Haysynskyi, Olgopilskyi, Baltskyi, Yampilskyi, Mogilivskyi, Letychivskyi, Litynskyi, Vinnytskyi and Bratslavskyi counties in Podilly and completed the expedition in Lypovetskyi, Skvirskyi and Vasylkivskyi counties [34, p. 80].

"Going on an expedition," wrote P. Chubynskyi, "I presented to the commission that was equipping the expedition to the Western Russian Territory the opinions that I considered necessary to be guided by when studying the South-Western Territory entrusted to my research. At the beginning, I indicated the expansion of the boundaries of the study, not limited to the administrative boundaries of the South-Western region, but to include the southern districts of Grodno and Minsk provinces, the western districts of Lublin and Sidlec, and the northeastern part of Bessarabia. The commission approved this research area" [13, p. 35].

Such intentions are due to the fact that the researcher tried to cover precisely those areas where the largest number of Ukrainians lived. Pavlo spoke a lot about his intentions to widely use the right to request assistance from the local authorities, but mainly about the need to use this expedition as widely as possible, in the interests of the ethnography of the whole of Ukraine, and not just the three provinces of the so-called South-Western region [35, p. 129].

In the summer of 1869, P. Chubynskyi and his assistant Ivan Cherednychenko traveled around 36 counties in five months. The second expedition began in the winter of 1869, the third in the summer of 1870. A total of 56 districts were covered by research. A huge volume of materials was collected: he recorded about 4,000 ritual songs; recorded families, christenings, funerals in several places; weddings are described by him in more than 20 places, fairy tales - about 300. In his records, he recorded data about the wages received by Ukrainian people, about their typical occupations, productivity, about the impact of the peasant reform on the economic life of the people, about the trade in wood, tobacco, and sericulture, winemaking, etc. Many cultural and public figures contributed to the successful work of the expedition, in particular M. Dragomanov, V. Antonovych, M. Lysenko, O. Rusov, M. Kostomarov, O. Kistyakivskyi, V. Simyrenko [8, p. 8].

For the external characteristics of P. Chubynsky's personality, it is worth turning to the memories of his like-minded people. This is how his friend and colleague O. Kistiakivskyi characterized the scientist: "He had a lively character, direct and open. Not without Little Russian humor, but foreign to bitterness and sarcasm, sometimes outwardly sharp, he was a great kind man. He possessed a wonderful gift of speech and at times showed signs of true eloquence. He was not devoid of poetic gift, or at least mood. By nature, he was selfless, and he proved this during the expedition, investing his own funds.

He was gifted with a remarkable organizational talent for carrying out scientific work and research. To inspire others to work, to group workers around themselves, to force everyone to do their part of the work - this was his calling" [3, p. 348].

Thanks to the talent, titanic energy and extraordinary organizational skills of P. Chubynskyi, the seven-volume edition "Works of the Ethnographic-Statistical Expedition to the Western Russian Region", "Calendar of the South-Western Region", several collections and articles were prepared for publication in two years. During this time, about four thousand ceremonial songs, three hundred fairy tales were recorded, and hundreds of decisions were selected from the books of parish courts. According to

the artists' conclusions, this expedition was the most significant phenomenon in the history of ethnography at that time.

The creation of a comprehensive database of folklore monuments and descriptions of ethnographic phenomena, which documented Ukraine as an ethno-national integrity within the boundaries of all ethnographic lands, was its unsurpassed and still unsurpassed result. the formation of a multi-volume, generalized work on the linguistic identity, customs, rituals, spiritual and material culture of Ukraine [12, p. 60].

Chubynskyi chooses the method of objective presentation of the material, since before him there were no collections of an ethnographic nature about Ukraine.

The first volume "Works" contains folk beliefs, proverbs, riddles and other texts that helped to understand the folk worldview.

The second volume - "Ukrainian folk tales" - included 148 fantastic and 145 everyday records that were not known in the literature until then, the educational and moral content of the tales is emphasized. Among the household ones we find tales about animals. Such a generalized approach to plot distribution was not accidental. The variety of artistic forms of a fairy tale was considered its essential feature [36, p. 84].

The third volume was devoted to songs and rituals (587) associated with the seasons, they helped to understand the life and poetry of the people.

The scientist's special attention was drawn to the main events of human life. The fourth volume contains family customs and important events in a person's personal life (christenings, weddings, funerals), as well as lullabies, children's songs and games, omens, means of traditional treatment of children, superstitions. The most complete was the collection of wedding songs of the Ukrainian people (1,943 out of 4,000 ceremonial samples) [37, p. 8].

The fifth volume is dedicated to Ukrainian folk songs by sections: love, family, household and humorous.

The sixth book, which Chubynskyi wrote together with O. Kistiakivskyi, is devoted to the customary law of Ukrainians. It should be noted that Chubynsky first began to explore this branch of folk life.

The seventh volume consists of two books, in which he characterizes representatives of all nationalities who lived on the territory of Ukraine. The second book is very interesting - "Malorussy Yugo-Zapadny krai (statistics, rural life, language)". Considerable attention is paid to the national character of Ukrainians, material culture [32, p. 9].

The large-scale statistical and ethnographic expeditionary research led by Chubynskyi, which covered most of the ethnographic Ukraine, thus appears as a true scientific asceticism, which encouraged the awakening of national consciousness [12, p. 61].

Researcher N. Mishchanchuk, researching the activities of M. Lysenko, notes that he became a participant in large-scale statistical and ethnographic expeditionary research under the leadership of P. Chubynsky, which covered a larger territory of Ukraine and laid the foundation for the activities of the South-Western Department. In the third volume of "Works of the ethnographic-statistical expedition to the Western Russian region", prepared for publication by P. Chubynskyi, the calendar and ritual songs recorded by M. Lysenko were published [38, p. 44].

In Paris, P. Chubynskyi's "Works of the Ethnographic and Statistical Expedition" was awarded a second-class medal. Instead, in Russia, he was honored with awards from the Academy of Sciences and the Russian Geographical Society. In 1877, the Russian Geographical Society requested that the work of P. Chubynskyi be credited to him as a stay in public service [3, p. 346].

Pavlo Chubynsky himself wrote: "The Little Russian people lived a life full of drama. Ukraine was a hotbed of constant struggle. People have experienced all sorts of disasters, both external and internal enemies. But he did not remain passive. He avenged his enemies, he discovered heroic deeds. It goes without saying that the national creativity brought these feats to light, brought to light its favorite heroes. The song is the soul of the people, its feelings and thoughts are in it. But regardless of this creativity, the people keep memories of the past, passing them on from one generation to the next.

But the song, handed down from generation to generation, retains its typicality for a long time. They try to imitate her in the way she sings. No matter how distorted the traditions are, they always contain precious material giving the history of the people. They show how the people's mind and people's feelings relate to a well-known event." [2, p. 291].

As one of the leaders of the intellectual, educational and ethnographic movement of the 60s and 70s of the 19th century. P. Chubynsky left a noticeable mark in various areas of ethnographic science, starting new scientific directions and creating a fundamental source base for the next generations of researchers. He was one of the first to start the creation of generalized ethnographic works, initiating the study of Ukrainian spiritual, material and socionormative culture as a whole; the study of the ethnic composition of the population of Ukrainian territories, the ethno-social structure of Kyiv's population, national customary law, ethno-psychological and anthropological characteristics of Ukrainians [12, p. 60].

The assessment of the activity of P. Chubynskyi was expressed by a member of the St. Petersburg Academy of Sciences Oleksandr Veselovskyi: "The efforts of the ethnographic expedition" of Chubynskyi in terms of wealth of data can be compared only with two monuments of European ethnographic literature: "Lud polski" by Kohlberg and "Bibliotheka della tradzioni popolari" by Pitre" [30, p. 12].

In one of the issues of the journal "Kievskoi stariny" the description of the expedition's activity was given: "Materials related to the popular and believed, relating to the external world, to man, and to the spiritual world, before the appearance of the first volume of "Trudov" were the property of run-down provincial publications, appearing in them occasionally, without a system and completely by chance. "Narodnyi Dnevnyk" (2nd volume of "Trudov"), a set of folk beliefs, devoted to the annual religious and working folk life, left behind far separate and incomplete studies and observations of M. Maksimovich and Markevich. Volume 3 - "Fairy Tales" contains 296 numbers. All the fairy tales of the ego collection appeared for the first time. 500 pages are devoted to the wedding section in volume 5. This included 1943 wedding songs and song excerpts. Household songs, consisting of the fifth volume, published

in 1884 on 1209 pages. There is no such number in any of the Little Russian collections, although all of them, except for household songs, contain ceremonial and historical songs.

The collection of materials on folk legal customs (vol. 6) is still the only one, which to a large extent can be said about the collection of ethnographic and statistical data on the Little Russians of the southwestern region; (vol. 8) their number, dwellings, utensils, tools, clothes, food and living conditions, in general and about materials for studying the dialects, sub-dialects and dialects of southern Russia and economic data about the position of the Little Russian peasantry" [3, p. 350].

Thanks to Chubynskyi's expedition, materials about the state of trade in different areas, beekeeping, tobacco, winemaking, sericulture, and brewing have been preserved, which scientists could use in their research on Ukrainian history in the second half of the 19th century. [37, p. 8].

In 1873, the Russian Geographical Society awarded Chubynsky a gold medal for his statistical and ethnographic expedition to the South-West Region, recognizing that the materials collected by him are important for the science of ethnography. In 1877, the years of the expedition were credited to Chubynsky as state service.

In 1875, Pavlo Chubynskyi received a gold medal of the 2nd class of the council of the international congress in Paris for his works on ethnography and statistics. In 1879, the Uvariv Prize for the work of the expedition in the South-West Region [3, p. 346].

P. Chubynskyi received high praise for his multi-volume work from Academician N. Veselovskyi: "In front of such a comprehensive work, which opened up a lot of new data to science, the critic's hands should have lowered in shame, in what required so much effort and time and collected so much material, there are only a few misunderstandings and parties that cause methodological doubts" [30, p. 12].

One of P. Chubynskyi's colleagues, the anthropologist and ethnographer F. Vovk, left us a high assessment of his scientific work: "His collection is a huge, still almost unprocessed and unused scientific material, which will be enough for a long time." Meanwhile, "the trace left by him in the ethnography of Ukraine is so great, his merits

are so significant that they would be enough for several professional scientists..." [39, p. 4].

Pavlo Platonovych himself assessed his scientific output quite modestly, believing that after the publication by Nomis of the collection "Ukrainian proverbs, proverbs and such" any other edition would seem poor in terms of the depth and volume of the material covered in it.

"Labor" played a big role in the development of cultural and national self-awareness of Ukrainians. According to the memoirs of Olga Kosach-Kryvynyuk, little Lesya Kosach (Ukrainian) considered volumes with fairy tales and songs to be her favorite books [25, p. 8].

Having finished such an important work for science, P. Chubynsky did not sit still. In order to have an income, in the second half of 1870 he moved to Horodysh (now Cherkasy region), got a job in the administration of the firm "Yakhnenka and Simyrenka Brothers", where he had to study the process of sugar making and collect statistical information of sugar factories. At the same time, he continues to prepare the collected ethnographic materials for publication.

South-Western Department of the Russian Geographical Society

Chubynskyi was elected secretary of the Kyiv branch of the Russian Technical Society. In his new position, he spends a lot of time on business trips. He has plans to open the Southwest Department of the Russian Geographical Society in Kyiv to improve the study of the region. In a letter dated January 25, 1872, to the authoritative scientist, corresponding member of the St. Petersburg Academy of Sciences M. Maksymovich, he asks to turn to the Governor-General Prince O. Dondukov-Korsakov with a request to be the patron of the department [13, p. 40].

Chubynsky was convinced of this in a letter with his signature to the Governor-General, who, as well as himself, petitioned the higher circles of St. Petersburg to open a department in Kyiv as a scientific institution. Chubynskyi's initiative was not in vain. Permission was granted. On February 13, 1873, the South-Western Department of the Russian Geographical Society was officially opened with the participation of Governor-General O. Dondukov-Korsakov himself, who declared the department open

and declared his readiness to support its activities. Hryhoriy Pavlovich Galahan was elected head of the department, and Pavel Chubynskyi was elected head of affairs [13, p. 252-254].

The South-Western Department of the Russian Geographical Society (1873-1876) was an important component of Ukrainian national life in the second half of the 19th century. His discovery partially satisfied the overdue intellectual need for national self-awareness of Ukrainian society at that time [38, p. 43-44].

Despite the limits of the activity of the South-Western Department determined by the Statute, which territorially included the Kyiv educational district (i.e. Kyiv, Poltava, Chernihiv, Podilsk and Volyn provinces), a significant part of its representatives sought to cover Western Ukrainian territories with research, realizing the importance of such studies for the realization of the national aspirations of Ukrainians .

The South-Western Branch of the Imperial Russian Geographical Society was officially opened on February 13, 1873. The first meeting was held under the chairmanship of Kyiv, Podilsk and Volhynia Governor-General O. Dundukov-Korsakov. Of those present at the first meeting, 17 members (M. Bunge, von Bool, V. Shulgin, P. Chubynskyi, V. Berenstam, M. Konstantinovych, M. Yasnopolskyi, O. Rusov, P. Zhitetskyi, V. Zayonchevskyi, D. Kravtsov , M. Levchenko, M. Lysenko, F. Vovk, O. Klossovskyi) 10 were members of the Kyiv community [40, p. 7].

Thanks to his authority and organizational talent, P. Chubynsky convinced high-ranking government officials of the importance of opening a branch of the Russian Geographical Society, which legalized the work of the Kyiv community and all those who were burning with the desire to work for the benefit of their native land [8, p. 8].

Also, the historian D. Cherednychenko assures that the initiative to create the South-Western Department of the Imperial Geographical Society in Kyiv and bring this matter to a successful conclusion undoubtedly belongs to P. Chubynsky, who already had a well-known authority in the central Society in connection with the brilliant completion of the expedition. At that time, Chubynsky was only 34 years old [13, p. 287].

The number of members of the Department increased rapidly. Thus, on March 6, 1873, there were 50 active members, by June 1873 - 76 members, and by the end of 1873, the Department had 102 members. The total number of members in 1875 was 148 people. In 1876, the personnel of the Department increased to 192 [31, p. 66].

Its members included such well-known scientists and professors of Kyiv University as V. Antonovych, M. Bunge, M. Drahomanov, O. Kistyakivskyi, A. Rogovich, N. Tumasov, M. Yasnopolskyi, as well as the linguist P. Zhitetskyi, ethnographers P. Chubynskyi, O. Rusov, folklorist I. Rudchenko (brother of Panas Myrny), economist I. Zieber, composer M. Lysenko, anthropologist F. Vovk, writer-actor M. Starytskyi and others. The department was assisted by dedicated ethnographers-collectors such as I. Novytskyi, I. Manzhura [40, p. 13].

During the three years of the Department's existence, 182 of the best Ukrainian scientists and public figures, most of whom belonged to the Kyiv community, were involved in active scientific and cultural and educational activities [41, p. 7].

The newly created department was faced with the task of collecting, processing and distributing geographical, ethnographic and statistical information, mainly to study the provinces of the Kyiv educational district, that is, to study the native land, its culture, the way of life of the people.

In just a few years, this scientific institution published two volumes of "Notes of the South-Western Department of the Imperial Russian Geographical Society", where the works of M. Drahomanov, V. Antonovich, P. Chubynskyi, F. Vovka and many other scientists were published [37, p. 9].

From the first days of its existence, the South-Western Department launched an active cultural, educational and scientific research activity, which consisted, first of all, in the study of the modern and past Ukrainian people.

Popularization of Ukrainian song, Ukrainian folk music, Kobzar singing, organization of musical evenings [41, p. 8].

In two years, the Department collected a fairly significant library, which included more than 1,000 books and pamphlets on ethnography, statistics, land affairs, archeology, history, geography, natural history, etc. In addition, the Geographical

Society created a museum (of geography and ethnography), which housed more than 3,000 items of clothing, jewelry, children's toys, agricultural tools, collections of coins, birds, minerals, etc. [13, p. 281].

Chubynskyi's works on customary law became the first systematic works in this field and for Russian science as well [13, p. 283].

The department established cooperation with various Slavic scientific societies - Czech, Serbian, Galician, Slovak, Lusatian, Slovenian, with the Ossolinsky Institute in Lviv and others. Permanent contacts were established with the central and local Departments of the Russian Geographical Society (Northwestern, Orenburg, Caucasian), the Free Economic Society, the Archaeological Commission, agricultural, technical and land administrations, universities [33, p. 94].

The writer S. Rusova admired P. Chubynskyi, whom she considered a senior mentor, and in her memoirs she writes: "He so wanted to reveal all the rich individuality of the people of Ukraine, all the beauty of its folklore in those dead times!". Describing the appearance of the outstanding ethnographer, who was "tall, black, with black eyes, with thick eyebrows, a low loud voice, with powerful movements, a high forehead, the type of organizer who knows well what he is organizing, knows how to manage people and conducts his business through all obstacles", marked his intellectual and lively character [5, p. 144].

In 1877, at the initiative of the South-Western Department, a three-volume collection of the works of the first rector of Kyiv University named after St. Volodymyr Mykhailo Maksymovych was published, and for the first time, Ukrainian poems and songs from the repertoire of kobzar Ostap Veresai were published, which confirmed his status as a disseminator of cultural, educational and national ideas. In addition, the "Calendar of the South-Western Region for 1873", "Program for collecting ethnographic and statistical data", "Report on the activities of the South-Western Department of the Russian Geographical Society" for 1873-1874 [24, p. 462].

The idea arose among the members of the Department to have their own magazine or newspaper, where they could popularize their scientific works among the youth, involve them in the national movement, and highlight the urgent needs of the Ukrainian

people. In August 1874–July 1875, the department managed to take over the publication of the Kyiv Telegraph magazine, whose editors included V. Antonovych, F. Vovk, P. Chubynskyi, M. Dragomanov, M. Zieber and others.

Numerous materials on ethnography, history and language were printed on the pages of the magazine. F. Vovka's notes were devoted to the situation of the working class, M. Drahomanov's intelligence concerned the peculiarities of the development of the national movement in Galicia, S. Podolinskyi's materials touched on the peasant question, and M. Konstantinovych's - the state of education in Ukraine. This Ukrainian studies character of the magazine caused a wave of criticism from another authoritative publication - the newspaper "Kievlyanin". But, unfortunately, due to a conflict with the owner of the newspaper, the editors of the newspaper left the magazine [41, p. 9].

On March 2, 1874, members of the South-Western Department of the Russian Geographical Society conducted a one-day census of the city of Kyiv. P. Chubynsky also joined the Management Committee. The census began at 19:00 on March 2 and was completed by 24:00. Processing of the received data, their scientific analysis was summarized in the reports of the management committee to the governor-general of the region, scientific abstracts of P. Chubynskyi and S. Zavoyko, and official materials of the South-Western Department of the Imperial Russian Geographical Society [41, p. 10]. This census made it possible to find out the real number of Kyiv residents, the distribution of the Kyiv population by place of birth, age, marital status, language and nationality, religion and level of literacy. The department did not limit itself to the performance of purely official tasks, but also used it for in-depth acquaintance with the everyday life of the population. The main achievement of the census was that its results revealed that the population of Kyiv was almost 50% larger than was officially considered.

In addition, almost half of Kyiv residents named Ukrainian as their native language. Soon, censuses were conducted in Zhytomyr, Mykolaiv and Feodosia, following the model of Kyiv. Employees of the North-Western Department, who, following the example of Kyivans, decided to conduct a one-day census in Vilno [33, p. 95].

In some articles of "Kyiv telegraph" there are examples of extremely difficult socio-economic conditions of life of the population of Kyiv, their work and daily life. At the end of 1873, the board of the department came up with the idea of publishing notes that would include all meeting journals and abstracts that were read at them. The two volumes of "Notes of the South-Western Department of the Imperial Russian Geographical Society" reflect the entire range of the department's activities, inform both about the significant number of involved contributors, and about the problems that were actualized in contemporary ethnography.

Thanks to the support of the department, two volumes were published: "Historical Songs of the Little Russian People with Explanations by V. Antonovich and M. Drahomanov" (K., 1874–1875), "Malorusskie narodnye predaniya i raskassy" by M. Drahomanov (K., 1876) [42, p. 14].

While working as a clerk of the Department, P. Chubynskyi does not abandon scientific activities, but prepares scientific reports and essays ("The village of Sokyryntsy and the Sokyrynskoe credit-savings association", "Neskolko narodnykh historiskikh predany", "Inventory of the peasant farm", "Overview of data on the population of Kyiv" according to the 1874 census"); acts as the main organizer of the census in Kyiv on March 2, 1874; is actively published on the pages of the "Kyiv Telegraph" etc. [43, p. 16].

One of the most outstanding achievements of the South-Western Department of the Imperial Russian Geographical Society in the direction of popularizing the achievements of Ukrainian scientists and local historians was the participation in the III Archaeological Congress held in Kyiv on August 2-21, 1874.

At the congress, which received international status due to the participation in its work of such outstanding Russian scientists as I. Sreznevskyi, D. Ilavaiskyi, O. Miller, M. Kostomarov, as well as those well-known in the broad circles of Slavs O. Koler and J. Hanol from Prague, E. Kosta from Ludljana, Y. Danychich and S. Novakovich from Belgrade, B. Dudyk and G. Wenkel from Moravia, F. Racka from Zagreb, S. Tarnovsky, D. Samokvasov, I. Skimborovych from Poland and respected representatives of France L. Leger and A. Rimbaud and others, Ukraine (South-

Western region) was represented by 121 scientists, of which 86 were professors and archaeologists from Kyiv [41, p. 10].

The congress also acquired a Ukrainian studies direction as a result of the creation of a cultural program for its participants by members of the South-Western Branch of the Imperial Russian Geographical Society. It included such activities as conducting excursions along the Dnipro River, inspecting the Ukrainian archaeological exhibition, watching the performance of the folk choir with kobzar O. Veresai.

The Ukrainian theme of the reports of nine members of the South-Western Department of the Imperial Russian Geographical Society was very interesting: V. Antonovych - "About a coin with the name of Volodymyr", F. Vovka - "About Little Russian ornamentation", N. Dashkevich - "About Bolokhovskaya land", M. Drahomanov - "People's Little Russian songs about incest", P. Zhitetskyi - "About the Peresopnytsk Gospel of the 16th century" and "About Little Russian Dumas", M. Konstantinovich - "About the mounds of the Chernihiv district", P. Lebedyntsev - "About St. Sophia Cathedral", M. Levchenko - "On the preservation of ancient monuments" [41, p. 10]. The work of the congress showed the whole world all the spiritual treasures of the Ukrainian people.

Unfortunately, due to the non-acceptance by M. Yuzefovych, as a member of the editorial board of the "Kievlyanin" newspaper, of the Ukrainian studies direction of the Department, he submitted a note in the name of Alexander II, as a result of which a special investigative commission was created, which in May 1876 adopted the Resolution on the banning of Ukrainian publications and the closure of the Kyiv Branch of the Geographical Society, and M. Drahomanov and P. Chubynskyi were forbidden to live in the capitals [43, p. 12]. The threat of reprisal hung over many members of the Department. Some of them emigrated abroad (M. Drahomanov, F. Vovk, S. Podolynskyi), others were deprived of work [33, p. 96].

P. Chubynskyi was issued an order banning him from living in the Kyiv, Volyn, Podil, Kharkiv, Katerynoslav, Kherson, and Voronezh provinces. His financial and economic condition was bad, there was not enough money, he got into debt. Therefore, he was forced to send his family to his homeland in Boryspil [13, p. 291]. For

Chubynsky, it was not only a moral, but also a material blow. The poor P. Chubynskyi bought the copyrights of T. Shevchenko's works that were not published during his lifetime with his personal funds, which made it possible to make them public for the reader. Also, with his own money, P. Chubynskyi bought a house for the famous but homeless kobzar Ostap Veresai, which increased his debts [29, p. 10].

It should be noted that circumstances forced him to change the type of activity. Since 1877, he has served in the Ministry of Railways, held a high position in the department, and received instructions on the establishment, expansion and organization of railway schools. It deals with the creation of pension funds to provide for railway employees. Excellently fulfills its powers [3, p. 347].

In April 1879, P. Chubynsky was forced to resign due to a serious illness. He was bedridden for a long time. On January 26, 1884, Pavlo Platonovych Chubynsky, a great Ukrainian, died.

Ethnographer O. Pypin, characterizing the life path of P. Chubynskyi, noted that the scientist created a new type of scientist, which is necessary for science. According to his mind, personal character, and research methods, Pavlo Platonovych was an excellent ethnographer-collector, the only one of his kind in this industry. He characterized Chubynskyi as a person who strives to serve the people, dedicating his work and knowledge to it [13, p. 314].

Conclusions

Summing up, it should be noted that Pavlo Chubynskyi devoted his entire short life (45 years) to the struggle for the revival of the Ukrainian language, Ukrainian culture, and Ukrainian ethnography.

The views of P. Chubynskyi were formed during the period of growth of social and political activity of the Ukrainian intelligentsia, which took place in the second half of the 19th century. Scientists still call this period the second stage of the Ukrainian national revival, when the Ukrainian intelligentsia emphasized the need to assert the identity of the language and culture of the Ukrainian people, giving the most important importance in this matter to the issue of education development.

The main manifestations of the Ukrainian national movement in the second half of the 19th century. there was the emergence of semi-legal communities (associations of teachers and students, officials, military personnel, creative intelligentsia) who sought to get closer to the life of the people, and the publication of the literary and scientific magazines "Osнова", "Kievlyanin", "Kyiv Telegraf" - centers of struggle for the revival of Ukrainian culture against the regime of the Russian autocracy. The main theoretical tool of this struggle was the study of the material and spiritual culture of the Ukrainian people, scientific proof of their right to free existence.

Pavlo quickly joined the nationally oriented youth, plunged into social and political life, devoting himself to serving the interests of Ukraine.

At the end of 1862, P. Chubynskyi wrote a poem-song "Ukraine's glory and will are not dead yet" (the modern anthem of Ukraine), which quickly spread among the fighters for the national cause. The writing of this poem became one of the reasons for Chubynsky's exile to the north.

The six-year period of residence in the north of European Russia in the Arkhangelsk province (1863–1869) brought him imperial fame as an ethnographer and statistician. The scientific achievements of the ethnographer were duly appreciated by the imperial scientific societies of the time - Pavlo Platonovych was elected an associate member of several scientific societies, including a valid member of the Imperial Russian Geographical Society, which awarded him a silver medal.

From 1869 to 1870, the expedition under the leadership of P. Chubynsky made three trips through the provinces of the South-Western region; studied the life of Ukrainians in hundreds of counties. The publication of seven volumes of "Works" became a significant phenomenon in the cultural life of the Ukrainian people, convincingly showing the world the originality of the national spiritual culture.

In 1873, the Russian Geographical Society awarded Chubynsky a gold medal for his statistical and ethnographic expedition to the South-West Region, recognizing that the materials collected by him are important for the science of ethnography. In 1877, the years of the expedition were credited to Chubynsky as state service.

In 1875, Pavlo Chubynskyi received a gold medal of the 2nd class of the council of the international congress in Paris for his works on ethnography and statistics. In 1879, the Uvariv Prize for the work of the expedition in the South-Western Territory.

His activities in the study of the culture and lifestyle of the people, social aspects of life support were carried out not unsystematically, but purposefully, on the basis of well-tested programs, important, state-oriented projects.

The publication of seven volumes of "Works of the Ethnographic-Statistical Expedition to the Western Russian Territory" became a significant phenomenon in the cultural life of the Ukrainian people, convincingly showing the world the originality of the national spiritual culture.

Pavlo Chubynskyi played a decisive role in the opening of the South-Western Department of the Imperial Russian Geographical Society in Kyiv. launched an active cultural, educational and scientific research activity, which consisted, first of all, in the study of the modern and past Ukrainian people (popularization of Ukrainian song, Ukrainian folk music, Kobzar singing, formation of a library, which included more than 1,000 books and pamphlets on ethnography, statistics, land affairs, archeology, history, geography, natural history).

For a long time, the works of P. Chubynskyi, his poem "Ukraine is not dead yet", and the "Works" of the ethnographic expedition were banned, although in Soviet times scientists used them in their scientific research without reference to the author.

His own folklore and ethnographic research and the involvement of comparative material make his works almost an encyclopedic manual of folk spiritual culture. He significantly expanded the boundaries of contemporary research, improved the collection and processing of folklore on a scientific basis, managed to organically combine historical, statistical, legal, economic data with rich folklore and ethnographic materials.

References

1. Chubynskyi P.P. Trudy etnohrafychesko-statystycheskoi ekspedytsyy v Zapadno-russkyi krai, snariazhennoi Ymperatorskym Russkym Heohrafycheskym Obshchestvom. Yuho-Zapadnyi otdel. Materyaly y yssledovanyia [Proceedings of the

ethnographic and statistical expedition to the Western Russian region, equipped by the Imperial Russian Geographical Society. South-Western department. Materials and studies]: [v 7 t.] / sobral P. P. Chubynskiy. Sankt-Peterburh : [b.y.], 1872-1878. SPb., 1877. T. 7, vyp. 2 : [Malorussy Yuho-Zapadnoho kraia] / yzd. pod nabliudenyem P. A. Hyltebrandta. 1877. S. 343-608.

2. Zapysky Yuho-Zapadnoho otdela Ymperatorskoho russkoho heohrafycheskoho obshchestva.[Notes of the South-Western Department of the Imperial Russian Geographical Society]. V 2-kh t. Kyev, Typohrafiya Unyversyteta Sv. Volodymyra, 1873. Tom 1. 366 s.

3. Kystiakovskyi A. Pavel Chubynskiy. Nekroloh. [Pavel Chubynskiy. Obituary]. *Kyevskaia staryna*. 1884. T.8. S. 343-350.

4. Rusova S. K 40-letnemu yubyleiu Yuho-Zapadnoho Otdela Ymperatorskoho Heohrafycheskoho Obshchestva. [To the 40th anniversary of the South-Western Department of the Imperial Geographical Society]. *Ukraynskaia zhyzn*. 1913. № 11. S. 28– 40.

5. Rusova S. Moi spomyny. [My memories]. Lviv: Khortytsia, 1937. 284 s.

6. Zyl A. Narodoznavets. Pavlo Chubynskiy i yoho doba. [Ethnologist. Pavlo Chubynskiy and his time]. Kyiv, vydavnytstvo «Kazka», 2009. 500 s.

7. Zyl A. Do kraiu Zemli : pivnich. storinky biohr. Pavla Chubynskoho. [To the edge of the Earth: north. biography pages Pavlo Chubynskiy.]. *Den*. 2006. 18 liutoho. S. 7.

8. Zyl A. Pavlo Chubynskiy: enerhiia dushi ta rozum : [pro tvor. shliakh vydat. ukr. narodoznavtsia, etnohrafa, poeta Pavla Chubynskoho]. [Pavlo Chubynsky: energy of the soul and mind: [about the work. way out Ukrainian folklorist, ethnographer, poet Pavlo Chubynskiy]. *Den*. 2013. 1–2 liutoho. S. 8.

9. Zyl A. Vin sam vyzvolyyv sebe iz zaslannia : [do 170-richchia vid dnia narodzh. Pavla Chubynskoho]. [He freed himself from exile: [to the 170th anniversary of his birth. Pavlo Chubynskiy].*Dzerkalo tyzhnia*. 2009. 24 sichnia. S. 9.

10. Cherednychenko D. Bezsmertne slovo poeta yak osnova narodnoi pisni i Derzhavnogo himnu Ukrainy [Noty, rukopys] : [Do 165-richchia vid dnia

narodzhennia Pavla Chubynskoho]. [The immortal word of the poet as the basis of the national song and the National Anthem of Ukraine [Notes, manuscript]: [To the 165th anniversary of the birth of Pavel Chubynskyi]]. Narodna tvorchist ta etnohrafiiia. 2004. № 1/2. S. 18-21.

11. Berezovska O. V. Pavlo Chubynskyi u hromadivskomu seredovyshchi druhoi polovyny KhIKh st. (za spohadamy suchasnykiv). [Pavlo Chubynskyi in the community environment of the second half of the 19th century. (according to the memories of contemporaries)]. Arkhivy Ukrainy. 2015. № 2. S. 69-79.

12. Skrypnyk, H. A. Pivdenno-Zakhidnyi viddil RHT: novatorski doslidnytski praktyky i naukovo-orhanizatsiini zdobutky. [The South-Western Department of RGT: innovative research practices and scientific and organizational achievements]. Narodna tvorchist ta etnohrafiiia. 2009. № 6. S. 58-77.

13. Cherednychenko D. Pavlo Chubynskyi. [Pavlo Chubynskyi]. Kyiv: Alternatyvy, 2005. 374 s.

14. Kapeliushnyi V. P., Kazakevych H. M., Chernyshchuk N. V. Ukrainska etnoloiiia u yevropeiskomu konteksti (druha polovyna XIX st. – 20-ti rr. XIX st.). [Ukrainian ethnology in the European context (second half of the 19th century)]. Vinnytsia: TOV «Nilan-LTD», 2013. 208 s.

15. Dudko V. Pavlo Chubynskyi i literaturnyi fond [Pavlo Chubynskyi and the literary fund]. [Tekst]. Kyivska starovyna : Naukovyi istoryko-filolohichnyi zhurnal. 1999. № 1. S. 165-175.

16. Ivanovska O. Kontseptualni zasady naukovoii diialnosti Pavla Chubynskoho. [Conceptual foundations of Pavlo Chubynskyi's scientific activity]. Literatura. Folklor. Problemy poetyky. Vyp. 32. K., 2009. S. 19-27.

17. Illiusha O. Vplyv prosvitnytskykh idei P. Chubynskoho na hromadsku, osvitu ta naukovu diialnist podruzhzhia Rusovykh Ukraina v etnokulturnomu vymiri stolit. [The influence of P. Chubynskyi's educational ideas on the public, educational and scientific activities of the Rusov couple Ukraine in the ethno-cultural dimension of the centuries]. //Do 175-richchia z dnia narodzhennia vydatnoho ukrainskoho

etnohrafa Pavla Chubynskoho. Zb. nauk. prats. Vidpovid. redaktor P. M.Cherneha. K., Natsionalnyi pedahohichnyi universytet imeni M. P. Drahomanova, 2014. S.135-143.

18. Zubchenko S. Natsionalno-patriotychni idei «narodnytstva» u naukovii diialnosti Pavla Platonovycha Chubynskoho Ukraina v etnokulturnomu vymiri stolit. [National-patriotic ideas of "populism" in the scientific activity of Pavel Platonovych Chubynsky Ukraine in the ethno-cultural dimension of the centuries].//Do 175-richchia z dnia narodzhennia vydatnoho ukrainskoho etnohrafa Pavla Chubynskoho. Zb. nauk. prats. Vidpovid. redaktor P. M.Cherneha. K., Natsionalnyi pedahohichnyi universytet imeni M. P. Drahomanova, 2014. S. 70-81.

19. Shyp N.A. Taras Shevchenko, Pavlo Chubynskyi – dukhovni symvoly ukrainstva. [Taras Shevchenko, Pavlo Chubynskyi - spiritual symbols of Ukraine]. K.: Svit Uspikhu, 2014. 120 s.

20. Makovei Ye. Porivnialnyi analiz etnografichnoi ta folklorystychnoi diialnosti P. Chubynskoho ta P. Kulisha Ukraina v etnokulturnomu vymiri stolit. [Comparative analysis of the ethnographic and folkloristic activities of P. Chubynskyi and P. Kulish Ukraine in the ethnocultural dimension of the centuries]. //Do 175-richchia z dnia narodzhennia vydatnoho ukrainskoho etnohrafa Pavla Chubynskoho. Zb. nauk. prats. Vidpovid. redaktor P. M.Cherneha. K., Natsionalnyi pedahohichnyi universytet imeni M. P. Drahomanova, 2014. S. 120-125.

21. Shyp N.A. Chubynskyi Pavlo Platonovych – pobornyk etnonatsionalnykh prahnen ukrainsiv. [Pavlo Platonovych Chubynsky is a champion of ethno-national aspirations of Ukrainians].//Do 175-richchia z dnia narodzhennia vydatnoho ukrainskoho etnohrafa Pavla Chubynskoho. Zb. nauk. prats. Vidpovid. redaktor P. M.Cherneha. K., Natsionalnyi pedahohichnyi universytet imeni M. P. Drahomanova, 2014. S. 27-47.

22. Ivanova L. P. Chubynskyi ta Kyivska hromada (60-ti roky XIX st.). [Chubinsky and Kyiv communities (60s of the XIX century)]. Nauka i suspilstvo. 2015. № 9/10. S. 2–8.

23. TsIAU, f.442.op.812.spr.166.ark.1 zv.

24. Sharov I. F. Chubynskiyi Pavlo Platonovych (1839-1884) [Tekst] : Etnohraf, folkloryst, poet. [Chubynsky Pavlo Platonovych (1839-1884) [Text]: Ethnographer, folklorist, poet]. / I.F.Sharov // Sharov I. 100 vydatnykh imen Ukrainy. K., 1999. S. 458-463.
25. Shpak V. Yoho doslidzhennia staly uliublenymy knyzhkamy Lesi Ukrainky : 175 rokiv tomu narodyvsia avtor Himnu nashoi derzhavy Pavlo Chubynskiyi. [His research became Lesya Ukrainka's favorite books: 175 years ago, Pavlo Chubynskiyi, the author of the Anthem of our country, was born].Uriadovyi kurier. 2014. 28 sichnia. S. 8.
26. Koliada I. Naukovo-kulturnytska ta hromadska diialnist P. Chubynskoho [Scientific, cultural and social activities of P. Chubynskiyi]./ I. Koliada // Istoriiia v suchasni shkoli : naukovo-metodychnyi zhurn. 2012. № 11/12. S. 49-51.
27. Cherkaska H. Na zaslanni Chubynskiyi proviv maizhe sim rokiv.[Chubynsky spent almost seven years in exile]. Ukrainske slovo. 2015. 4–10 liutoho. S. 14.
28. Zyl A. Naukova diialnist P.P.Chubynskoho na zaslanni v Arkhanhelskii hubernii (1862 – 1869 rr.). [Scientific activity of P.P. Chubynskiyi in exile in Arkhangelsk province (1862-1869)].//Do 175-richchia z dnia narodzhennia vydatnoho ukrainskoho etnohrafa Pavla Chubynskoho. Zb. nauk. prats. Vidpovid. redaktor P. M.Cherneha. K., Natsionalnyi pedahohichnyi universytet imeni M. P. Drahomanova, 2014. S. 11-27.
29. Shpak V. Pavlo Chubynskiyi. Zabuta dolia. [Pavlo Chubynskiyi. Forgotten fate].Uriadovyi. kurier. 2006. 23 veresnia. S. 10.
30. Mauritsson M. Pavlo Chubynskiyi pidniav ukrainsku etnohrafichnu nauku na yevropeyskyi riven. [Pavlo Chubynskiyi raised Ukrainian ethnographic science to the European level].Ukrainske slovo. 2012. 25 kvitnia – 1 travnia. S. 12.
31. Telehuz A. Zhyttievyyi shliakh ta naukova etnohrafichna diialnist P.Chubynskoho: etapy i zdobutky Ukraina v etnokulturnomu vymiri stolit. [The life path and scientific ethnographic activity of P. Chubynskiyi: stages and achievements of Ukraine in the ethnocultural dimension of the centuries]. //Do 175-richchia z dnia

narodzhennia vydatnoho ukrainskoho etnohrafa Pavla Chubynskoho. Zb. nauk. prats. Vidpovid. redaktor P. M.Cherneha. K., Natsionalnyi pedahohichnyi universytet imeni M. P. Drahomanova, 2014. S. 60-70.

32. Mudrist vikiv: ukrainske narodoznnavstvo u tvorchii spadshchyni Pavla Chubynskoho [The wisdom of the ages: Ukrainian folklore in the creative heritage of Pavlo Chubynskyi].: u 2 kn. / P. P. Chubynskyi; uporiad. S. K. Harkavyi, Yu. O. Ivanchenko. Kyiv: Mystetstvo,1995. Kn. 1. 1995. 224 s.

33. Ostapenko, O. Pavlo Chubynskyi: narysy biohrafii i naukovoï tvorchosti [Pavlo Chubynskyi: essays on biography and scientific creativity].[Tekst]. Narodna tvorchist ta etnohrafiiia. 2004. № 4. S. 91-97.

34. Tymchyk N. Etnohrafichni nadbannia chleniv Pivdenno-Zakhidnoho Viddilu Rosiiskoho Heohrafichnoho Tovarystva.[Ethnographic assets of members of the South-Western Department of the Russian Geographical Society]. Etnichna istoriia narodiv Yevropy: Zbirnyk naukovykh prats. Sektsiia 1. Teoretychni problemy etnologii. K.,1999. S. 79–83.

35. Kotenko A.L. Etnohrafichno-statystychna ekspedytsiia P. Chubynskoho v Pivdenno-Zakhidnyi krai. [Ethnographic and statistical expedition of P. Chubynskyi to the South-West region].Ukrainskyi istorychnyi zhurnal. 2014. № 3. S. 128–151.

36. Karpenko S. Epokhalna rol doslidzhen ukrainskykh narodnykh kazok P. Chubynskym: problematyka klasyfikatsii Ukraina v etnokulturnomu vymiri stolit. [The epoch-making role of the researches of Ukrainian folk tales by P. Chubynskyi: the problem of classifications Ukraine in the ethno-cultural dimension of the centuries].//Do 175-richchia z dnia narodzhennia vydatnoho ukrainskoho etnohrafa Pavla Chubynskoho. Zb. nauk. prats. Vidpovid. redaktor P. M.Cherneha. K., Natsionalnyi pedahohichnyi universytet imeni M. P. Drahomanova, 2014. S. 81-92.

37. Pavlo Chubynskyi [Pavlo Chubynskyi].[Tekst] Chumatskyi shliakh. 2009. № 1. S. 8-9.

38. Mishchanchuk N. Ukrainski intelektualni komunikatsii M. Lysenka u skladi Pivdennozakhidnoho viddilu Rosiiskoho heohrafichnoho tovarystva (1873-1876). [Ukrainian intellectual communications of M. Lysenko as part of the

Southwestern Department of the Russian Geographical Society (1873-1876)].Hrani. Tom 24. № 10. 2021. S. 41-53.

39. Skrypnyk H. Narodoznavcha spadshchyna Pavla Chubynskoho z pohliadu suchasnoi etnologii. [The ethnographic heritage of Pavel Chubynsky from the point of view of modern ethnology].Narodna tvorchist ta etnohrafiiia. 2009. № 2. S. 4.

40. Petruk N. Pivdenno-Zakhidnyi Viddil Rosiiskoho Heohrafichnoho Tovarystva v suspilno-politychnomu rusi Ukrainy u druhii polovyni XIX stolittia. [The South-Western Department of the Russian Geographical Society in the social and political movement of Ukraine in the second half of the 19th century].Avtoref. dys. kand. ist. nauk: 07.00.01 / N. Petruk. K., 2002. 17 s.

41. Koliada I. «...Rozburkav natsionalnu svidomist bahatokh mliavykh, pryhnychenykh ukrainsiv» (do 135-richchia zasnuvannia Pivdenno-Zakhidnoho Viddilu Imperatorskoho Rosiiskoho Heohrafichnoho Tovarystva) ["...Stirred up the national consciousness of many lethargic, depressed Ukrainians" (to the 135th anniversary of the founding of the South-Western Branch of the Imperial Russian Geographical Society)].// Istoriiia v suchasni shkoli : naukovo-metodychnyi zhurnal. 2008. № 1. S. 6-12.

42. Chybyrak S. V. Rozvytok etnohrafichnoi nauky v Naddniprianskii Ukraini u 60–80-kh rokakh XIX stolittia [The development of ethnographic science in Trans-Dnieper Ukraine in the 60s–80s of the 19th century]. avtoreferat dys. kand. nauk: 07.00.05. K., 2012. 22 s.

43. Koliada I. P. P Chubynskyi : shtrykhy do istorychnoho portretu.[P. Chubynskyi: touches to a historical portrait]. Istoriiia v shkoli. 2008. № 4. S. 12–17.

44. Koliada I. "On umel metko nabliudat narodnyi obychai, skhvatyvaia eho sushchestvennye cherty". P. P. Chubynskyi: naukovo-kulturnytska ta hromadska diialnist. ["He was able to accurately observe folk customs, grasping its essential features." P. P. Chubynskyi: scientific, cultural and social activities].Istoriiia v shkoli. 2012. № 2. S. 9-14.

3. Activities of non-government organizations of commodity proucers of Ukraine under the conditions of reforming economic relations (90s of the 20 century)

3.1.1 Statement of the problem

With the declaration of Ukraine's independence, a transitional period in its history began. It consisted in carrying out radical changes in the political and economic systems of Ukrainian society. The most profound changes were to take place in the economic sphere. This is the revival of various forms of ownership and management, which required taking into account the interests of all sections of the population. Fundamental changes in the socio-economic course of the state were accompanied by a sharp decrease in the standard of living of citizens, the inability in the conditions of the socio-economic crisis to ensure the necessary concentration of material and financial resources for the rapid reformation of economic sectors.

The failure of state structures to ensure compliance with basic constitutional and legislative guarantees in the field of labor, employment, and social protection of the population increased tension in society, led to growing dissatisfaction with both the institutions of power and the nature of economic transformations carried out by them. In these conditions, trade union organizations, as the most representative public organizations of workers, had to prove to the power structures their position, their vision regarding the directions for overcoming the crisis and further social development. For this, trade unions of Ukraine needed to change the concept of activity, develop its new strategy and tactics in the conditions of democratization of society and economic reforms.

Associations of entrepreneurs, farmers, tenants, etc. are included in public organizations operating in the economic spheres. employers and private owners. They are the result of the self-organization of commodity producers, which contributes to increasing the structuring and self-regulation of the economy. Unlike trade unions, public associations of entrepreneurs faced other tasks, which consisted in the formation of corporate interests and awareness of the need to develop their own consistent and comprehensive economic policy.

3.1.2 Analysis of recent research and publications

The study of the forms and methods of activity of the Federation of Trade Unions of Ukraine (FPU), the role of the trade union movement in the process of socio-economic transformations in Ukraine during the 90s of the 20th century. dedicated to the scientific researches of H. Stoyan and H. Osovoy. Researchers emphasize that the FPU remained the main trade union organization with which government structures were reckoned and which influenced the socio-economic life of the state.[1]

A qualitatively new period in the history of the trade union movement, marked by its return to the original purpose of trade unions - the social protection of workers' rights, began in 1990 - O. Stoyan believes. [2] The author paid the main attention to the analysis of the strategy and tactics of the FPU in the conditions of the introduction of market relations. The difficult dialectic of trade union centers' relations with state structures is highlighted. At the same time, the study did not pay attention to the creation and activity of trade unions that were not part of the FPU. When analyzing the above-mentioned studies, one should take into account the fact that their authors were trade union functionaries who headed the FPU for a long time. Therefore, the main attention in their scientific research was focused on the positive trends of the official trade union movement in Ukraine.

Organizational, economic and legal problems of the creation and functioning of farms in the process of market transformations were reflected in the works of agrarian economists. Thus, in the article of S. Amons, the main problems in the functioning of farms as one of the forms of management of the agrarian sector of the economy of Ukraine are identified, namely: imperfection of state support, insufficient land allotments for effective management, lack of mechanism of long-term lending.[3] S. Groshev focused considerable attention on the economic aspects of the development of the farming movement during the years 2000-2017, when the performance indicators of farms became economically and statistically significant. [4]

T. Melnychuk successfully applied historical-statistical methods to analyze the contradictory processes of formation and activity of farms in Ukraine for the period 1990-2010.[5] Whereas M. Zayachuk, trying to use economic and geographical

methods to study the process of formation of farming in Ukraine, used commonly used sources, which reduced the value of his research.[6]

However, researchers did not pay much attention to studying the activities of the Association of Farmers of Ukraine, which during the 90s of the XX century. was an expression of economic, social and political interests of farmers.

3.1.3 Development of the trade union movement

During the years of the economic crisis (1990-1999), the gross domestic product (GDP) of Ukraine decreased by 59.2 percent, the volume of industrial production - by 48.9 percent, the volume of agricultural production - by 51.5 percent, real wages decreased by 3.82 times, and real pension payments - 4 times. The Ukrainian economy experienced the most significant losses in 1990-1994. During this time, the volume of GDP decreased by 45.6 percent, industrial production - by 40.4 percent, agriculture - by 32.5 percent. During 1994, the GDP fell by 22.4 percent. The financial system turned out to be completely unbalanced. Particularly painful were the consequences of hyperinflation, a record by world standards, which exceeded 10,000 percent in 1993. The state budget deficit was covered by the direct money issue of the National Bank of Ukraine. Only in 1994, the exchange rate of the Ukrainian ruble in US dollars decreased by 8.3 times.[7] According to the calculations of experts of the Federation of Trade Unions of Ukraine, the purchasing power of salaries of employees of the public sector of the economy decreased by 4 times for the years 1991-1994. The average level of wages in May 1994 was equal to 59 krb. 1990. [8]

The failure of state structures to ensure compliance with basic constitutional and legislative guarantees in the field of labor, employment, and social protection of the population increased tension in society, led to growing dissatisfaction with both the institutions of power and the nature of economic transformations carried out by them. In these conditions, trade union organizations, as the most representative public organizations of workers, had to prove to the power structures their position, their vision regarding the directions for overcoming the crisis and further social development. For this, trade unions of Ukraine needed to change the concept of

activity, develop its new strategy and tactics in the conditions of democratization of society and economic reforms.

The evolution of the trade union movement in the conditions of the independent Ukrainian state was influenced by two trends. The first was the strengthening of centrifugal processes in the trade union environment and the formation of new trade unions. In October 1990, the Federation of Independent Trade Unions of Ukraine was established on the basis of the Ukrainian Republican Council of Trade Unions (since November 1992, the Federation of Trade Unions of Ukraine). Some sectoral trade union organizations refrained from joining the FNPU and began to act autonomously (trade union of railway transport and transport construction workers). By separating from the union of aviation workers of Ukraine, the unions of dispatchers, flight crew and engineering and technical workers were formed.[2, p. 574] During 1990-1991, new trade unions were created on the basis of strike committees: the Independent Trade Union of Miners, Solidarity Trade Unions of Ukraine, Free labor unions.

The second trend was manifested in the decrease in the number of trade unions. At the end of 1995, four types of public associations were active in the trade union space of the state. Federation of Trade Unions of Ukraine (FPU) united 67 sectoral organizations and 26 regional inter-union associations with a total membership of 20 million 800 thousand people. [9, p. 7] This trade union structure was the legal successor of the Soviet trade unions, which at the beginning of 1989 included 25 million 700 thousand workers and employees. The main reason for leaving traditional trade unions, according to the head of the FPU O. Stoyan, was the despair of individual workers in the ability of trade union structures and, first of all, trade union committees to defend people's interests in conditions of a sharp decline in the standard of living.

The National Confederation of Trade Unions of Ukraine united the Solidarity trade unions of Ukraine, the trade union of journalists "Nezalezhnyst", the trade union of employees of the National Academy of Sciences, the trade union of employees of innovative and small enterprises, the Federation of trade union organizations of joint enterprises "Community" and "Solidarity" with a total number of 700,000 members. The third group of trade union organizations consisted of independent trade unions of

miners, pilots, air traffic controllers, engineering and technical workers of the "Ukrainian Airlines" company, military personnel and individual regional trade unions, united in the Association of Free Trade Unions of Ukraine - 80 thousand members.

Some trade unions acted independently. In particular, the All-Ukrainian Association of Solidarity of Workers, which, having structures in 22 regions of Ukraine, included only 15,000 workers, represented an insignificant force. The Federation of Representatives of Cooperative Workers and Other Forms of Entrepreneurship in Ukraine did not show a particular desire to cooperate with other trade union organizations.[9, p.8]

The Federation of Professional Unions of Ukraine remained the most influential among trade union associations. At the second (extraordinary) congress in November 1992, the Program and Statute of trade unions of Ukraine were adopted. The program expressed new conceptual approaches to the place and role of trade unions in new socio-political conditions. The first is the definition of the role of trade unions as organizations of social protection of employed people, in contrast to the doctrine of the "school of communism". The second is the dominance of the principles of social partnership in relations with state authorities, which provide for the conclusion of General and branch agreements, collective agreements. Use of methods of forceful pressure as necessary - protest actions, strikes, demands on the government. The third is the declaration of neutrality of trade unions in relation to political parties and movements and cooperation with them on specific issues of social and economic protection of workers. The fourth is the use, if necessary, of political methods of activity in order to protect the legitimate interests of trade union members. The fifth approach is to provide the organizational structure and principles of building trade unions with federal principles, delimiting the powers of different levels of trade union organizations.[10]

According to the statute, the FPU saw its main goal as demanding from state authorities, employers and their associations the implementation of economic and social policies that would ensure an efficient economy and a normal standard of living for trade union members, based on fair remuneration for work and social protection

poor people The Federation developed and implemented the policy of trade unions, expressed, represented and defended the interests of trade union members, member organizations included in it, in state authorities, local and regional self-government. As stated in the statute, all-Ukrainian industry trade unions could be members of the FPU; unions (associations) of trade unions of Ukraine, regional and inter-union associations. Article 17 of the charter guaranteed freedom of action and preservation of powers to collective members of the Federation in accordance with their charters and decisions. At the same time, the main attention of sectoral trade unions and associations - members of the FPU should be focused on issues of wages, conditions of labor protection for workers, legal protection of the primary trade union organization, negotiations with employers and conclusion of sectoral tariff agreements.[11] The FPU included trade unions of workers of the agro-industrial complex (AIC) of Ukraine. The basis of their organizational structure is the interaction of three sectoral trade unions: a) workers in the agrarian sector; b) food and processing industry workers; c) village builders. The composition of the trade unions of the AIC of Ukraine testified that it is a voluntary, independent organization created to represent and protect the economic, social labor rights and interests of its members. In the new socio-economic conditions, the forms and methods of the organization's activity have changed. In order to achieve their programmatic goals and objectives, trade unions have acquired the right to: a) develop a unified policy for conducting negotiations with employers, concluding collective agreements, agreements in the agricultural sector, monitoring their implementation by owners and state administration bodies; b) send demands and proposals to state authorities and management bodies regarding changes or cancellation of laws or regulations that limit the rights and interests of trade union members and the adoption of new legislative acts aimed at the social protection of employees; c) monitor compliance by the owners or their authorized bodies with labor and housing legislation, the Law "On Labor Protection", provide trade union members with legal assistance; d) use the forms of conflict resolution provided for by current legislation to protect the rights and interests of trade union members: consultations, negotiations, meetings, demonstrations, picketing, strikes and other protest actions; e) strive to create safe

working conditions, ensure the protection of life and health of people; f) actively use mass media to highlight their tasks; f) create funds, mutual aid funds, credit unions necessary for the implementation of statutory activities; g) manage and control the use of social insurance funds, participate in the organization of sanatorium-resort treatment and rest for trade union members and their families.[12]

Thus, trade union organizations in independent Ukraine gained the right to conclude collective agreements with the administration of enterprises, institutions and organizations; the right to strike as a civilized form of protest and the right to dispose of one's property. At the same time, the statutes of the associations that were part of the FPU lacked an article prohibiting representatives of the administration of enterprises and institutions from being members of trade unions, which created conditions for the transfer of trade union organizations under the informal control of employers.

FPU inherited a significant material base from Ukrprofrada, which included an extensive network of sanatoriums, recreation centers, cultural centers and sports facilities. In 1991, 117 hotels, bases and camping sites with 50,000 places, 139 travel and excursion bureaus, 26 automobile companies, 29 restaurants and cafes, and construction organizations operated under the supervision of the Ukrainian Republican Council for Tourism and Excursions of Trade Unions.[2, p. 691] In particular, the property of FPU in the first half of the 90s is the joint-stock companies "Karpatkurortbud", "Start", "Odesaturist", "Energopolis" Joint-Stock Insurance Company, "Slovyanskyi Hotel", etc. In 1994, only one joint-stock company "Ukrproftur" brought more than 1 trillion to the Federal Public Fund krb profit.[13, p. 64] At the end of 1991, the FPU and the Social Insurance Fund of Ukraine created a closed-type joint-stock company "Ukrprofozdrovnytsia", to whose statutory fund all sanatorium-resort facilities that were under the trust of Ukrprofrad were transferred.[14] According to the results of 1995 and six months of 1996, trade union enterprises and institutions received 48 trillion. krb gross profit. About 50,000 workers were employed in the system of enterprises of the Federation of Trade Unions of Ukraine. In 1995 and 9 months of 1996, trade union medical, sanatorium-resort

facilities of the FPU treated and rehabilitated more than one million workers at a cost of tickets 30-40 percent lower than in similar facilities of other departments. According to the estimates of representatives of the FPU, trade union health workers had only 30 percent of the total number places in sanatorium-resort institutions of Ukraine, but provided their services to 63 percent of all vacationers, including 90 percent of children.[15]

Thanks to the commercial use of the property, the FPU used the resources necessary not only to maintain more than 20 thousand dismissed trade union functionaries. Constant financial income created favorable conditions for the successful performance of statutory tasks. Thus, the State Budget of Ukraine provided 2 trillion for the rehabilitation of children during the summer vacation of 1996. 360 billion rubles. Whereas, thanks to the Fund, more than 7 trillion have been accumulated. krb., which were sent to children's recreation. [16, p. 75]

During the first half of the 90s of the 20th century. the greatest attention was paid to the protection of social and economic rights of workers. The FPU was based on the fact that in the conditions of a socio-economic crisis, the role of the state is not limited to helping the disabled and low-income sections of the population. Social payments of the state were supposed to become a lever for the formation of social and economic infrastructure. The system of remuneration existing during the Soviet times did not reimburse part of the costs associated with both simple and extended reproduction of the labor force, as its organic addition, it provided for social payments from the state. The transition to the value assessment of social costs and their monetary compensation in the absence of many goods and services contributed to inflation, which turned social costs into a fiction. Therefore, the main goals of the social policy of the FPU declared the activation of the labor and economic policy of the population, the provision of a workplace to every able-bodied person and the creation of conditions that, depending on the results of work, would ensure the well-being of every employee and his family. In order to ensure normal working conditions for workers and social protection of the poor, the FPU used opportunities to influence the rule-making process in the state, carried out an examination of draft laws and other regulatory acts, and

developed its own draft laws. Thus, in 1993-1994, the specialists of the FPU worked out more than 40 draft laws, and 10 of their own projects were prepared. Among them are draft laws "On wages", "On the limit of low income", "On trade unions", "On the minimum consumer budget".[8]

A 40-hour work week was introduced in Ukraine at the end of 1993 under the pressure of trade unions. The concept of price liberalization, which was implemented by the governments in 1992 and the first half of 1993, did not include wage liberalization, which caused a sharp drop in the standard of living of the population and increased social tension in society. In January 1993, the FPU Council together with the Commission of the Verkhovna Rada of Ukraine on social policy and labor adopted a joint resolution expressing concern about the state of affairs with social protection of the population. It criticized the government's actions to curb inflationary processes at the expense of cutting social programs, the loss of a number of guarantees enjoyed by low-income citizens. In particular, by the government's decision at the end of 1992, the indexation of the population's monetary income, benefits for pensioners for travel in city and suburban transport were canceled. The Cabinet of Ministers was recommended to establish fixed prices for essential food products; to officially approve the size of the minimum consumer budget and the poverty line not lower than the physiological subsistence minimum; increase the amount of assistance to citizens with low incomes; establish benefits for pensioners for travel in city and suburban transport, payment for housing and communal services, etc. [17, p. 11-14]

Market relations required the creation of new principles of social partnership, the establishment of a legal model of interaction between the government, employers and trade unions representing employees. In July 1993, the Law of Ukraine "On Collective Agreements and Agreements" developed with the participation of the Federal Labor Organization entered into force, according to which social and labor relations were put on a contractual basis. At the insistence of the trade unions, a tripartite body for permanent coordination of positions was created - National Council of Social Partnership. But during 1993-1996, the General Agreement was concluded only between the government and the trade unions.

In May 1993, the Cabinet of Ministers and trade unions of Ukraine concluded the General Tariff Agreement for 1993. According to the agreement, the Cabinet of Ministers undertook to make decisions on issues of remuneration, formation and regulation of the consumption fund with the participation of trade unions; to develop and implement, in agreement with trade union organizations, a mechanism for adjusting the minimum wage, pensions, and scholarships depending on the increase in prices for consumer goods and services; to develop the low-income limit as a social standard for determining persons in need of assistance from the state, etc. The government has undertaken to jointly study the state of underemployment with trade unions and develop proposals for a mechanism of social guarantees for workers who have lost their jobs. In turn, the trade unions undertook to promote the activities of the labor collectives of enterprises to ensure an increase in production volumes, strengthening of labor discipline, and to refrain from organizing strikes on issues, the resolution of which was not provided for in the agreement.[18]

Trade union committees monitored the implementation of the General Agreement. Thus, in February 1996, the FPU presidium reviewed the implementation of the General Agreement between the Cabinet of Ministers and trade unions in 1995. Of the 68 provisions of the agreement that were subject to control, 20 were fully fulfilled, 19 were partially fulfilled. The implementation of the provisions of the General, sectoral and regional agreements, collective agreements, for the first time during the years of the crisis, contributed to the growth of real wages in the national economy (for 1995 - by 131.4 percent). At the same time, as a result of the government's evasion of effective regulation of financial circulation, the crisis of non-payment of enterprises during the second half of 1995, the number of violations of the current legislation regarding the terms of payment of wages increased rapidly. Delays in the payment of wages reached 3-4 months, the amount of debt amounted to 86 trillion. krb., or two-thirds of the monthly wage fund in Ukraine. Hidden unemployment in the form of reduced working hours and forced unpaid vacations continued to spread at state-owned enterprises. An additional factor in increasing social tension was the government's increase in tariffs for housing and communal services

since January 1996.[19] In response, on February 21, 1996, the Presidium of the Federal Labor Union called on trade unions of all branches to hold an All-Ukrainian protest action, during which about 5,000 enterprises and institutions stopped work for one hour. 250 rallies were held in the central squares of cities and towns of Ukraine.[20] Despite the scale of the protest actions, their effectiveness was low and did not pose a real threat to the authorities. Crisis phenomena in the economy of Ukraine continued, which caused the second wave of trade union protests - in the fall of 1996. About 1.5 million people took part in it. In the resolution of the participants of the all-Ukrainian protest, it was noted that the government's flawed social and economic policy, the basis of which is the cutting of social programs and guarantees, leads to an increase in poverty not only among socially vulnerable sections of the population, but also the basis of society - working citizens.[21]

Among other trade unions, the Independent Trade Union of Miners (ITUM), whose representatives led the spontaneous demonstrations of Donbas miners in the summer of 1993 and 1996, stood out for their considerable activity in conducting strikes. At the same time, in 1996, the ITUM spoke together with the coal industry workers' union, which was part of the FPU. On July 3, the miners of Donbas blocked the highways, and the miners of Pavlograd sat on the rails, which caused a harsh reaction from the authorities. The head of the Donetsk strike committee, M. Krylov, was arrested and sentenced to two years in prison for organizing mass riots.[22]

In the first half of the 1990s, the FPU positioned itself as a public structure neutral in relation to political parties and movements. This was facilitated by the significant authority of the union in society, an extensive network of trade union organizations, financial self-sufficiency thanks to property accumulated over decades. This made it possible to take an active part in the social and political life of the country. The Trade Union Platform for the elections of the Verkhovna Rada of Ukraine emphasized that "trade unions are not political organizations, they do not seek power. And only the catastrophic situation of the workers of Ukraine forces us to fight for proper representation in the parliament".[46] During the election campaign, trade union organizations supported 240 candidates, including 129 trade union workers. As a result

of the elections, only seven functionaries of the Federal State Police were elected as People's Deputies of Ukraine. During the work of the Verkhovna Rada of Ukraine of the second convocation, FPU specialists through their deputies submitted sixteen draft laws, worked on thirteen draft state programs, over 360 draft laws related to social and economic protection of the population.[2, p. 588]

Deputies from trade unions participated in the drafting of the Constitution of Ukraine. Thanks to their persistence, Article 36 was adopted, which guarantees the right of citizens to participate in trade unions in order to protect their labor and socio-economic interests, which was absent in the first draft of the Basic Law. In total, trade union representatives submitted more than 300 general comments and suggestions to the special commission for finalizing the draft Constitution. At the same time, the trade unions lost the right of legislative initiative, the right to report the heads of enterprises to the trade unions and to determine the expediency of the tenure of this or that head.[23]

During 1995-1996, the conflict over the Social Insurance Fund of Ukraine intensified. The fund was created in February 1990 thanks to the joint resolution of the Council of Ministers of the Ukrainian SSR and the Council of the Federation of Independent Trade Unions of Ukraine "On the Management of Social Insurance". The fund was in the hands of professional unions and accumulated funds that went to pay for sick leave, help with the birth of a child, and reduced the cost of travel for workers for treatment and recovery. The board of the fund included representatives of the Independent Trade Union of Miners, the Council of the Federation of Workers of Cooperatives and Other Forms of Entrepreneurship, the Council of Trade Unions of Customs Authorities of Ukraine, and the Railway Workers' Union, but the final say in the distribution of funds accumulated by the fund belonged to the representatives of the FPU. In 1995, the fund's activities covered 17 million employees with a budget of UAH 644.2 million, which was 15 times more than the budgets of the corresponding funds of the trade union associations independent of the FPU. The main item of payments remained temporary disability benefits - UAH 282.2 million. Considerable attention was paid to improving the health of workers and members of their families.

In 1996, trade union committees distributed 150,000 discounted tickets (with payment of 10-20 percent of the cost) for rest and treatment in health facilities, which were built by trade unions using the funds raised. At the same time, 72.3 percent of the property was created at the expense of trade union funds, 14.3 percent of the Social Insurance Fund.[24]

Representatives of the "Solidarity" trade union and the Solidarity Trade Unions of Ukraine accused the FPU of misusing the funds of the fund, stressing that only the functionaries of the FPU and the administration of enterprises and institutions have the opportunity to receive a discounted ticket for rest and treatment. In response, on the initiative of the members of the FPU, People's Deputies of Ukraine O. Stoyan, L. Vernyhora, Yu. Donchenko, N. Pimenova, the Commission on Social Policy and Labor in December 1995 turned to the General Prosecutor's Office with a request to check the use of social insurance funds independent of FPU trade unions. The FPU refused to participate in the development of the draft law "Basics of the legislation of Ukraine on social insurance", according to which the Social Insurance Fund was supposed to become an independent state structure. The representatives of the FPU argued their position by the lack of the necessary organizational and material resources in the state in the conditions of the economic crisis, which will lead to the destruction of the fund, and the need to preserve the right for trade unions to manage part of the social insurance funds.[25]

3.1.4 Public organizations of commodity producers

At the end of the 90s of the XXth century, according to the estimates of a non-governmental research organization - the Center for Anti-Crisis Studies - there were about 70 organizations of commodity producers at the all-Ukrainian level.[26, C.9]

In February 1992, the Ukrainian Union of Industrialists and Entrepreneurs (UUIE) was established. The predecessor of the union was the Association of Industry, Construction, Transport and Communications "Ukraine". The strategic goal of the newly created association of industrialists, entrepreneurs and employers of Ukraine was to protect the rights and interests of national business. Effective support of the domestic producer, constructive influence on the state socio-economic policy,

promotion of the achievements of industry and science, the possibilities of their use in the conditions of market relations, dissemination of professional knowledge and acquired experience determined the main directions of the organization's activities. At the beginning of 1993, the central and regional structures of the UUIE included 2,082 collective members and over 300,000 individual members. Regional associations or branches of the Union operated in 18 regions of Ukraine.[27] Since 1994, within the framework of the TACIS technical assistance program, the Agency for the Development of Entrepreneurship has been operating at the USPP, the purpose of which was to promote the economic growth of Ukraine through organizational support of small and medium-sized enterprises.

Crisis phenomena in the economy of the state caused the active participation of UUIE in social and political life. At the IV congress of the organization in April 1994, the worsening of the socio-economic situation in Ukraine was ascertained, the economy of which actually entered the phase of the collapse of production. Only in the first quarter of 1994, industrial production decreased by a third. Most Ukrainian enterprises worked 2-3 days a week. At the congress, demands were made to the representatives of the authorities regarding the need to hold consultations with the UUIE in order to find ways to overcome hyperinflation, the crisis of the financial and credit system, a decrease in production, and a sharp decline in the population's life. The Congress called to support the candidacy of L. Kuchma, who at that time headed the UUIE, for the post of President of Ukraine in the June 1994 elections.[28]

The Association of Ukrainian Banks (AUB) was founded in 1989. During the 90s of the XX century. it included more than 70 percent of operating banks. The activity of the public structure was aimed at solving the problems that stood in the way of the development of the Ukrainian banking system in the conditions of economic reform - this is legislative regulation, tax policy of the state, relations with the National Bank. AUB lobbied the interests of the banking sector in the Verkhovna Rada of Ukraine, participating in the development and introduction of amendments to the Law of Ukraine "On Banks and Banking Activity".[29, p. 22]

But the driving motive for the unification of bank representatives in a public organization was the need to protect their rights in relations with state structures. Thus, in 1998, the tax administration issued an order according to which banks had to systematically inform the supervisory authorities about their operations. With the support of UUIE lawyers, AUB appealed the order in court. The Union of Tenants and Entrepreneurs of Ukraine was established in 1990. The main directions of the association's activity were defined as: advisory and legal assistance and practical assistance to members of the union in the development of entrepreneurial activity; submission of proposals to state authorities regarding legislative acts aimed at regulating the activities of the domestic producer; provision of informational advisory assistance to members of the union on economic and legal issues. The union contributed to the formation of the Confederation of Employers of Ukraine, took part in the drafting of the Tax Code, and signed the General Agreement with trade unions. [26, p. 36,59] Changes in the political and economic systems of the country radically affected the processes in the agricultural sector - one of the most important components of the national economy of Ukraine.

On December 18, 1990, the Verkhovna Rada of the Ukrainian SSR adopted the Resolution "On Land Reform", according to which from March 15, 1991, all lands of the Ukrainian SSR were declared subject to land reform. Local councils of people's deputies, the Council of Ministers of the Ukrainian SSR were instructed to register citizens who wish to organize a peasant (farm) economy. On the basis of the inventory materials, part of the land that was not used for its intended purpose was transferred to the composition of the land reserve for the next provision as a priority to citizens for the organization of farms.[30, p.100]

Therefore, the reforming of the agrarian sector began with the land reform, which contributed to the establishment of pluralism of ownership and management, the revival of the farmer as a master with the right to dispose of the land, his property, and produced products. The development of farming in Ukraine took place with considerable difficulties. Factors restraining the development of farms in Ukraine were: small plots of land allocated to farmers; lack of necessary livestock, equipment,

seed materials; undeveloped market of agricultural machinery and products; lack of effective state aid; non-implementation of the legislative acts adopted in support of farming in full, unresolved issue of training and retraining of future farmers. Thus, as of July 1, 1992, farmers owned only 0.3 percent of agricultural land. On average, 20 hectares of land were assigned to each household, of which 17 were arable. 44 percent had no agricultural land at all. Two cattle, three pigs, two sheep, and 20 poultry belonged to the farm. Indicators characterizing the availability of agricultural machinery among private owners remained very low. On average, there is only one tractor for two farms, one truck for three farmers, and a combine harvester for 20 farmers.[31]

Despite the difficult circumstances that accompanied the process of revival of the owner in the village, farms achieved significant results. If, as of November 1, 1991, there were 1,700 farms on 27,000 hectares of land in Ukraine, then at the beginning of 1997 there were more than 35,000 farmers working on 835,000 hectares of land, which was 2 percent of agricultural land. or 15 percent of reserve lands. At the same time, in 1996, farmers harvested 1.6 percent of cereals, 2 percent of sugar beets, and 3 percent of sunflowers.[32, p. 1]

An important role in the formation of the farmers' movement was played by the Association of Farmers of Ukraine (AFU), created in February 1991. The formation of the citizens' association was prompted by the dissatisfaction of activists of the farming movement with the lack of effective actions of local councils to register those willing to create a farm. The main goal of the association was to help establish the private family sector of agricultural production. AFU openly came out in support of the course to speed up the processes of privatization of the agro-industrial complex, the removal of any legislative restrictions on the size of land plots of farms. In his speech at the 7th Congress of the Association in February 1997, the president of AFU M. Shkarban noted that "in Ukraine, reform is needed not only to increase the efficiency of agricultural production. It should strengthen the spiritual content of the Ukrainian peasant through love for his own land".[32, p. 2]

In its activities, the AFU, protecting the interests of private rural commodity producers, appealed to the Verkhovna Rada, the President and the Prime Minister of Ukraine regarding the improvement of legislative support for the establishment of farming and the strict implementation of already adopted legal acts. Taking into account the practical experience of implementing the Law of Ukraine "About peasant (farming) economy, representatives of the AFU took an active part in improving the "farming" legislation, demanded acceleration of reforms in the agrarian sector. Thus, in 1993, the Krasnolymsk Farming Association proposed to exempt farmers from bank loan payments for 5 years, and postpone loan repayment for three years. The Sumy regional organization of the AFU was concerned about the introduction of value added tax for farmers; allocating meager allotments, which cannot be profitable, for those wishing to create a farm; lack of sale of agricultural machinery necessary for farmers; attempts of some heads of collective farms to evict farm families from houses belonging to collective farms. The Vinnytsia regional organization of the AFU proposed introducing AFU representatives with the right to a decisive vote in the district land commissions; not to limit the size of the farm, if they are scientifically based and correspond to a certain specialization (growing of grain, technical crops, horticulture, animal husbandry); guarantee the allocation of up to 70 percent of reserve land for farmers; educate children of farmers at the expense of the state. [33, p. 125-126]

The demands of local farmers' organizations were accumulated in the legislative proposals of the People's Deputy of Ukraine, President of the AFU M. Shkarban. During the first half of 1993, the proposals were repeatedly discussed by the working group on the preparation of the Law "On Amendments and Additions to the Law of Ukraine "On Peasant (Farm) Economy", at meetings of the Commission on Revival and Social Development of the Village and Agro-Industrial Complex and in the Ministry of Agriculture. In the final version of the Law, out of eight proposals, only two were fully taken into account - the reserve lands were restored and a real farm fund was created on their basis, and the reserve lands unused by farmers were leased to former users for one year.[33, p.228-230]

M. Shkarban noted the contribution of People's Deputies of Ukraine S. Plachinda, M. Porovskyi, I. Zayets, V. Filenko, O. Barabash, M. Horyn, V. Shevchenko, B. Yaroshynskyi and the parties they represent in protecting interests farming movement. In particular, People's Deputy, member of the AFU Council V. Shevchenko sent a parliamentary appeal to the Prime Minister of Ukraine regarding the observance of government guarantees regarding the financing of the development of Ukrainian farming. In the appeal, it was noted that Article 35 of the Law of Ukraine "On Peasant (Farm) Economy" obliges to plan funds in a separate line in the state budget for the needs of the Ukrainian State Fund for the Support of Peasant (Farm) Economies - a state institution called, according to the legislation, to act as a guarantor implementation of programs for the development of farming, crediting of farms, allocation of land plots, scientific and information support for farming, etc. The state budget for 1996 provided meager funds, but the government did not allocate them either, financing the needs of the Fund by 15.78 percent. The draft State Budget for 1997 did not provide for funding of the Fund's activities at all. "Many farmers do not have a single tractor, but are deprived of the opportunity to obtain bank loans even on unfavorable terms, as banks no longer recognize the Fund's guarantees. Meanwhile, farmers are, for the most part, yesterday's collective farm workers, who do not have financial savings or property, thanks to which they could purchase tools of production," V. Shevchenko stressed.[34]

At the VI Congress of the AFU in February 1996, a submission to the Verkhovna Rada of Ukraine was approved. In it, farmers drew the attention of legislators to the inadmissibility of creating such legislative acts in which double understanding and interpretation is possible. Thus, in the Resolution of the Verkhovna Rada of December 20, 1991, confirmed by the Resolution of June 24, 1993 "On the Procedure for Enacting the Law of Ukraine "On Peasant (Farm) Economy" and Amendments to the Law of Ukraine "On Peasant (Farm) Economy" , farmers "as a rule" should be provided with land not far from home. At the local level, farmers received land for 5-10 km, which created problems for executive authorities when allocating funds for the construction of roads and other infrastructure elements.[35]

Local associations of AFU, cooperating with state structures, contributed to the development of the farming movement in the regions. Thus, during 1992, the board of the Farmers' Association of the Kherson region, together with representatives of the State Fund for the Support of Peasants (farms), contributed to the sending of state funds to pay for land development projects of farm allotments, issued guarantees for loans to farmers. The creation of a production farming infrastructure was initiated, which included a number of processing small enterprises, workshops, districts and the formation of a trade network.[36] In the Poltava region, the Association of Farmers headed by S. Lyho fought for the right of farmers to receive a share of reserve land. At the end of 1992, out of 150,000 hectares of reserve land, only 6,000 hectares became the property of farmers. Most of the land was redistributed for personal subsidiary management at the initiative of the Council of Collective Agricultural Enterprises (former Council of Collective Farms) of Poltava region. Peasants who aspired to become owners of their land were allocated worse land that was unsuitable for farming without special agrotechnical and reclamation measures. For the implementation of advanced technologies for the production of plant and animal products, the Association of Farmers of the Poltava region together with the Peasants' Union organized individual training of farmers.[37]

Most of the heads of regional associations contributed to the creation of district associations of farmers, small insurance companies and banking structures, and contributed to the development of industrial cooperation. Thus, dozens of farmers from the Ivano-Frankivsk, Ternopil, and Chernivtsi regions were members of the "Ratai" cooperative for growing hybrid corn seeds. During 1993-1995, hundreds of tons of grain were grown with a yield one and a half to two times higher than in nearby collective farms.[38]

In order to protect the interests of farmers and quickly implement market reforms in the agrarian sector, the AFU intensified its participation in the social and political life of Ukraine. The resolution of the 6th Congress of the AFU (February 1996) recommended the members of the association to more boldly use political opportunities to fulfill statutory tasks, to be active participants in political movements of a national-

democratic direction. The congress called on the members of the AFU by all means to contribute to the establishment of the Peasants' Democratic Party (SDP) as the program closest to farmers' problems. It was recommended to all the lower ranks of the association to take part in the development of a joint election program with the SDP and to actively prepare for joint participation in the next elections.[39] It should be noted that the next year at the regular congress of the association, the need for party building was not mentioned.

For successful management, farmers need qualified advice from agricultural specialists, introduction of advanced technologies into production, recommendations of leading scientists. To provide advisory assistance to farmers, AFU has gained significant international support, in particular, from the American Business Association, the Canadian Technical Assistance Bureau, the German, the Netherlands, and other governments of the European Community through the TACIS programs.[38] AFU became the initiator of holding conferences, seminars, "round tables" devoted to agrarian reform, improvement of land relations, solving the issue of training farmers, improving economic relations between farmers and the state. So, in Kyiv on October 22-23, 1992 at the Institute of Agrarian Economy named after Shlichter, a scientific and practical conference dedicated to the development of farming in Ukraine was held. Scientists from the Institute of Economics of the Academy of Sciences of the Ukraine, the Institute of Mechanization and Electrification of Agriculture, the Institute of Irrigation Agriculture, the Institute of Fodder, the Institute of Animal Husbandry of Steppe Regions, and a number of agricultural universities took part in the conference. The conference approved the "Recommendations for the organization of peasant (farm)" developed by scientists farms in Ukraine", "Cost norms for growing agricultural crops in farms" and "Methodology for calculating the optimal size of peasant (farm) farms".[40]

The pages of the newspaper "Nash Chas" and the magazine "Silski obryi", whose publishing house was founded by AFU, contained the materials of the Association's congresses, appeals to the Verkhovna Rada, the Government of Ukraine, printed information on the development of regional associations, recommendations of

scientific and practical conferences, which contributed to the popularization new forms and methods of farming in the countryside.

The Peasants' Union of Ukraine (PUU), which represented itself as an organization created on the grassroots initiative of all rural producers - representatives of collective farms, state farms, farmers and other land users - had a different view on the future of the agricultural sector of Ukraine, the pace and direction of reforms. The head of the PUU I. Mozgovyi singled out the main principles and directions of activities of the Peasants' Union in the first years of agricultural reform: "First, we protect everyone who lives and works in the countryside... Second, we proceed from the fact that the rise of rural farms should become a material and technical base and personnel. Thirdly, ... the driving force behind the recovery of the domestic economy from the crisis is only agricultural production... Fourthly, we advocate all forms of labor organization and all forms of ownership. And categorically against revolutionary processes in agricultural production."

V. Voshchevskyi, deputy head of the PUU, was more categorical: "... the main thing is that we must preserve large agricultural producers. We can discuss what kind of organizational form the former collective farms should turn into (whether they will be joint-stock companies, or some kind of unions, associations), but the main task, which must be solved as soon as possible, concerns a purposeful state policy to preserve a large producer of goods"[41 , p. 4-5]

Therefore, the PUU, speaking on behalf of collectives of collective farmers, workers and specialists of state farms, representatives of other enterprises serving agriculture and processing its products, sought slow, evolutionary changes in the agrarian sector of Ukraine, tried to adapt the collective farm-state farm system to market relations. At the same time, they referred to the proven practice of the developed countries of the world, that only large agricultural enterprises can integrate and use advanced technologies that would not find application in small-scale production. Large commodity producers will be able to plan and finance costs for the development of agricultural production. The state should direct subsidies to effective owners, regulate prices for agricultural products.[42]

The PUU advocated the creation of equal political and legal conditions for the development of various forms of labor organization and management on land (collective farms, state farms, farming, private rental farms, etc.), emphasizing that collective forms of management will be gradually reformed. The PUU paid considerable attention to solving social, cultural and educational problems, which should contribute to the revival and improvement of the demographic situation in the countryside. Yes, during the 90s of the XX century. representatives of the Peasant Union advocated improving the quantitative and qualitative composition of applicants to agricultural higher educational institutions and creating conditions for rural youth to receive education, which contributed to the adoption of the resolution of the Cabinet of Ministers of Ukraine "On the training of specialists for work in rural areas" in June 1999. The specified document provided for the quota of places upon admission to higher educational institutions for the training of specialists from among rural youth within the limits of the state order, and ensuring their employment according to the specialty upon completion of the study period.

Since 1993, the enterprises that made up the material and technical base of the public association operated in the structure of the PUU. Yes, for initiatives the chairman of the union I. Mozgovoi, the Peasant Investment Company "Sinkom" was created, which in 1996 had 34 branches. Efforts to attract funds from Western investors initiated the creation of the Ukrainian Agrarian Investment Fund. In 1996, SSU began cooperation with Agronaftaprodukt corporation. In the same year, 250,000 tons of oil and 170,000 tons of crude oil were delivered to oil refineries. Oil products made from it were sent to the countryside and became an important stabilizing factor in providing fuel for machinery during the harvest period.[43] At the same time, the Ukrainian League of Entrepreneurs of the Agro-Industrial Complex expressed concern over the introduction in 1995 of the value-added tax for imported light petroleum products, which led to an increase in their price by 25-35 percent. League proposed not to tax light petroleum products, herbicides, agricultural machinery, and spare parts that are imported for the needs of agricultural producers.[44, p.1-2]

The lack of unity in the views on the dominant forms of labor organization and ownership in the agricultural sector prevented the consolidation of public organizations that expressed the interests of different strata of the Ukrainian peasantry. Thus, in 1993, the attempt of the PUU and the Council of Collective Agricultural Commodity Producers to hold an All-Ukrainian Extraordinary Peasant Congress failed. At the congress, the ways and methods of protecting the interests of the Ukrainian peasantry in the conditions of the economic crisis, the creation of the Agrarian Union, which should unite the largest organizations of rural commodity producers, were to be considered. AFU refused to participate in the work of the congress, accusing the heads of collective farms and directors of state farms of stalling land reform. The situation was complicated by the different political orientation of public organizations. If the AFU cooperated with national-democratic associations from the moment of its creation, the PUU announced cooperation with the Peasant Party, the Socialist and Communist Parties, which, according to H. Chepurny, "can ensure that a significant number of deputies pass to the parliament in the upcoming elections from the workers, in particular from the peasants." [45]

3.1.5 Conclusion

Social protection of workers was declared as the main activity of trade unions of Ukraine in the conditions of economic reform. The lack of unity of the trade union movement, conflicts between the leaders of trade union associations, and the disbelief of a part of the workers in the possibilities of trade unions as defenders of their interests hindered the complete fulfillment of the assigned task. The Federation of Trade Unions of Ukraine remained the largest in terms of numbers, financial and organizational capabilities. The FPU took an active part in political processes in Ukraine, showing some restraint in contacts with political parties and preferring dialogue with the government.

Public organizations of industrialists, entrepreneurs and commodity producers sought to identify and generalize the obstacles that were on the way to a market economy; made proposals regarding the necessary measures of state economic policy, regarding the direction and pace of reforms; ensured the operational exchange of

political and economic information between association members and between associations. The largest and most influential organization of industrialists and entrepreneurs was the UUIE, which united production managers, the board of directors and business representatives.

Reforming the agricultural sector of Ukraine contributed to the revival of the farming movement, which needed significant organizational and financial support. In the conditions of the economic crisis, the state could not fully perform the functions of protection and development of new forms of farming in the countryside, which led to the formation of the Association of Farmers of Ukraine. Agrarian and land reforms in Ukraine were complicated by the opposition of the AFU and the Peasants' Union regarding the directions and pace of reforms.

References

1. Osovy H. Trade union movement in Ukraine: current state and development prospects. *Visnyk APSVT*. 2018. No. 1. PP. 76-85.
2. *Essays on the history of trade unions of Ukraine* / edited by O. Stoyan. Kyiv: VVP "Missioner". 2002. 732 p.
3. Amons, S. Farms and their role in the development of the agricultural sector of the economy. *Ekonomika. Finansy. Menedzment.: aktualni pytannya nauky i praktyky*. 2019. Vol. 5. PP. 17-28.
4. Groshev, S. The current stage of development of farms in Ukraine. *Ukrayinskyy zhurnal prykladnoyi ekonomiky*. 2018. Vol. 3. PP. 186-194.
5. Melnychuk, T. Realities of development of farms of Ukraine at the present stage. *Naukovi zapysky Vinnytskoho derzhavnoho pedahohichnoho universytetu. Seriya "Istoriya"*. 2015. Vol. 23. PP.129-133.
6. Zayachuk, M. Formation of farming in Ukraine: spatio&temporal analysis. *Ukrayinskyy heohrafichnyy zhurnal*. 2014. Vol. 4. PP. 57-62.
7. Message of the President of Ukraine to the Verkhovna Rada of Ukraine on the internal and external situation of Ukraine in 2000. Kyiv: Derzhkomstat of Ukraine, 2001. 404 p.

8. On the tactics of actions of the Federation of Trade Unions of Ukraine to ensure social guarantees of workers: the report of the head of the Federation of Trade Unions of Ukraine O. M. Stoyan at the III Congress of the Labor Union of Ukraine (June 29, 1994). Profspilkova hazeta. 1994. No. 26. July 6.
9. 90 years of the emergence of the mass trade union movement in Ukraine: M-ly Nauk. conference "Trade union movement in Ukraine: actual problems of theory, history and modernity", dedicated. On the 90th anniversary of the mass trade union movement in Ukraine. Kyiv: Logos, 1996. 321 p.
10. On the progress of implementation of the program of trade unions of Ukraine, adopted at the II (extraordinary) congress of the Federation of Trade Unions of Ukraine: the report of the head of the Federation of Trade Unions of Ukraine, People's Deputy of Ukraine O. M. Stoyan at the 5th Congress of the Federation of Trade Unions (April 11, 1996). Profspilkova hazeta. 1996. No. 16. April 18.
11. Statute of the Federation of Professional Unions of Ukraine (FPU). Profspilkova hazeta. 1993. No. 9. March 6.
12. Statute of trade unions of employees of the agro-industrial complex. Kyiv. 1995. 14 p.
13. Pikhovshek V., S. Kononchuk. Development of democracy in Ukraine 1994-1996. Kyiv: "Ukraine Agency", 1998. 452 p.
14. Vernyhora L., M. Lavrynenko, V. Semenyuk. The property of the Federation of Trade Unions of Ukraine will work for the benefit of workers. Profspilkova hazeta. 1996. No. 45. November 6.
15. Regarding the property of organizations: the speech of the head of the FPU O. Stoyan at the session of the Verkhovna Rada of Ukraine (November 1, 1996). Profspilkova hazeta. 1996. No. 45. November 6.
16. Correspondence with ministries, departments and public organizations (January 26 - December 30, 1996). Central State Archive of the Higher Authorities and Administration of Ukraine. Fund 1. Description 22. Case 3609. 176 p.
17. Minutes of meetings of the Commission of the Verkhovna Rada of Ukraine on social policy and labor issues and related documents (remarks and proposals) No. 63-

- 89 (12. 01. - 21. 12. 1993). Central State Archive of the Higher Authorities and Administration of Ukraine. Foundation 1. Description. 22. Case. 1906. 115 p.
18. General tariff agreement between the Cabinet of Ministers of Ukraine and trade unions of Ukraine for 1993. Profspilkova hazeta. 1993. No. 17. May 8.
19. On the implementation of the General Agreement between the Cabinet of Ministers and trade union organizations in 1995. Profspilkova hazeta. 1996. No. 7. February 14.
20. Kamenetskyi V. All-Ukrainian protest action was held. Profspilkova hazeta. 1996. No. 10. March 6.
21. Stoyan O. About the campaign - from official sources. Profspilkova hazeta. 1996. No. 43. October 23.
22. Shibalov E. Summer rebels, or the driving pass of domestic capital. Dzerkalo tyzhnya. 2009. March 21.
23. Stoyan O. "We need a law on trade unions!" Profspilkova hazeta. 1996. No. 38. September 18.
24. Vernyhora L., Yefimenko O. Healthy people - a healthy state. Profspilkova hazeta. 1996. No. 49. December 4.
25. On the progress of implementation of the program of trade unions of Ukraine, adopted at the II (extraordinary) congress of the Federation of Trade Unions of Ukraine: the report of the head of the Federation of Trade Unions of Ukraine, People's Deputy of Ukraine O.M. Stoyan at the 5th congress of the Federation of Trade Unions of Ukraine (April 11, 1996). Profspilkova hazeta. 1996. No. 16. April 18.
26. Public associations of entrepreneurs in the modern market economy (round table "Security of economic transformations". Materials of the fifth meeting on April 14, 1999). Kyiv: State Enterprise "Collegium", 1999. 64 p.
27. From overcoming crisis phenomena to sustainable development. Visnyk USPP. 2007. No. 4(9).
28. Osovyi H. Survive in a good tandem. Profspilkova hazeta. 1994. No. 16. April 27.
29. Comments and proposals of ministries, agencies, organizations to draft laws (January 3 - November 22, 1996). Central State Archive of the Higher Authorities and Administration of Ukraine. Fund 1. Description 22. Case 3145. 72 p.

30. Resolution of the Verkhovna Rada of the Ukrainian USSR "On Land Reform" dated December 18, 1990. Information of the Verkhovna Rada of the Ukrainian SSR. 1991. No. 10. P. 100.
31. Shevchuk O. Our farmer. Nash chas. 1992. July 21.
32. Out of the attention of the state: the report of the president of the Association of Farmers of Ukraine M. Shkarban at the 7th congress of the association. Nash chas. 1997. February 7. P. 1-2.
33. Documents on the development of the Law of Ukraine "On Amendments and Supplements to the Law of Ukraine "On Peasant (Farm) Economy" (text of the Law, submissions, comments and suggestions). (February 4 - June 24, 1993). Central State Archives of the Higher Authorities and Administration of Ukraine Fund 1. Description 22. Case 1884. T. 1. 235 p.
34. Deputies' appeal "On the financing of the Ukrainian State Fund for the Support of Peasant (Farm) Farms". Nash chas. 1996. December 6.
35. Submission of the VI Congress of the Association of Farmers of Ukraine to the Verkhovna Rada of Ukraine. Nash chas. 1996. February 23.
36. Barulin F. The state gave a handful of money. Nash chas. 1992. August 21.
37. Lyho S. Organized struggle against farming? Nash chas. 1992. November 27.
38. We are with those who want good for Ukraine: the report of the president of AFU M. Shkarban at the 6th Congress of Farmers of Ukraine. Nash chas. 1996. February 9.
39. Resolution of the VI Congress of the Association of Farmers of Ukraine. Nash chas. 1996. February 23.
40. The conference decided. Nash chas. 1992. October 30.
41. The union advocates evolutionary reformation in the countryside. Selyans'ka spilka. 1997. May 13-19. P. 4.
42. Chepurny A. An emergency situation requires an extraordinary peasant congress. Sil's'ki visti. 1993. January 14.
43. Voshchevskyi V. Only the one who walks can overcome the road. Selyans'ka spilka. 1997. July 8-14. P. 4-5.

44. Comments and proposals of ministries, agencies, organizations to draft laws (January 3 - November 22, 1996). Central State Archive of Higher Authorities and Administration of Ukraine. Fund 1. Description 22. Case 3145. 72 p.
45. Gruzin V. The peasant congress will take place. *Sil's'ki visti*. 1993. March 20.
46. Platform of trade unions of Ukraine for the Verkhovna Rada elections in 1994. *Profspilkova hazeta*. 1993. No. 36. November 20.

DOI: 10.46299/979-8-88896-532-0.4

4. Market of educational services of Ukraine. Analysis, perspectives and development trends

The expansion of the supply and differentiation of the range of goods and services presented on the market objectively determine the corresponding processes in the field of education, starting from kindergartens and ending with the MBA degree.

An educational service is the result of various (pedagogical, educational, scientific, organizational and managerial) activities by employees of the education sector to meet the educational needs of individuals and the entire society.

An educational service is a product that in the process of implementation is transformed into a workforce, the quality of which depends not only on the totality of the services received, but also on the quality and quantity of one's own labor spent in the process of consumption.

The main law of our country - the Constitution of Ukraine - states the right to free education guaranteed by the state. However, it is no secret that education is paid for in many cases - either officially or through bribes ("a feature of national education" is the ability to buy a diploma). Of course, the market of educational services is quite capacious and it is impossible to fill it completely with state funds at the expense of budget expenditures. A possible option may be to study for credit.

In the conditions of a market economy and fierce competition, it is important not only to provide a "solid baggage" of knowledge, but also to prepare students for life, to form a market mentality. The quality of the acquired knowledge is important, which must be ensured by the compliance of the educational institution with the standards developed by the state. This will allow you to navigate among a large number of recently created educational institutions. In addition, the reform of the educational system of Ukraine aims to bring it closer to European standards, to make our diploma "liquid".

The thesis of "lifelong learning", adopted in relation to education in Ukraine, should apply not only to students, but also to teachers and educators. It is necessary to create conditions that would stimulate the teacher to improve his own qualifications,

to work on himself. Of course, not the last role should be played by material encouragement, which at the present stage is almost absent in public schools.

One of the main resources of modern society is education. Today, significant shifts in the socio-economic structure of society are becoming more and more present; this shift has a qualitatively different character from all previous social changes. Their main content is unprecedented in the history of human development, increasing the importance and role of knowledge, as well as man, as the main imperative and goal of economic and social development. Due to this, the research of those areas in which the reproduction and development of man and knowledge takes place, i.e., first of all, education.

The relevance of the problem of education in various areas of human knowledge is connected with such modern trends of world social development as the intensive change of traditional models of learning, the creation of alternative educational institutions, as well as with the orientation of Ukrainian educational policy towards integration into the European educational space, democratization and free choice of programs training and education, creation of a system of continuous education, its humanization, humanitarianization, informatization and computerization.

In order to comprehensively study the market of educational services, leading scientific teams conduct analytical studies, the results of which, in particular, are reflected in analytical notes: "Ukraine on the international market of educational services of higher education" [1].

"Determining the competitive advantages of obtaining higher education in the competing countries of Ukraine on the market of educational services for foreign students" and others [2].

The educational system of Ukraine, being an important component of the European area of higher education and occupying a corresponding share in the world market of educational services, is in demand among foreign students. In view of this, our article is devoted to the study of the current state of the educational services market in Ukraine for studying foreign students. The conducted analysis makes it possible to identify the strengths and weaknesses of the national system of higher education, and thus to

improve the quality of the provision of educational services and increase the export of higher education.

Theoretical foundations of the market of educational services. The final result of the activity of higher education institutions is a product - intellectual property in the form of textbooks, study guides, monographs, methodical materials, articles, publications, presentations at scientific and practical conferences of various levels, etc.; and service as a process of transfer of knowledge, skills, and abilities from the supplier (institution of higher education) to the customer-consumer (individual, enterprise, state, etc.) in the educational process. It is they who become the object of purchase and sale in the market of educational services, which is developing at a rapid pace.

Consumers of educational services can be divided into direct and indirect. Direct consumers of educational services are entrants, students, or graduates who acquire knowledge, skills, and abilities. And among the mediated ones should be counted: parents who encourage children to study and obtain these services in order to increase their status on the labor market, obtain a prestigious high-paying job for children and ensure a dignified old age; enterprises that receive as a result of highly qualified specialists and increasing the probability of increasing production efficiency; a state for which the provision of quality educational services can contribute to the growth of social and economic stability; and a society whose general well-being is growing noticeably.

The market of educational services is very specific. O. V. Mudra distinguishes the following its main features: information asymmetry, which implies a difference in the knowledge of some participants compared to others; unequal access of all market subjects to relevant resources; the formation of market relations in the field of education takes place on the basis of market competition under the influence of state regulation; the independence of higher education institutions in carrying out their activities, in particular, the ability to independently choose the direction of training specialists and conducting scientific research; high elasticity of demand for educational services, quick response to changes in demand; high elasticity of demand for educational services, quick response to changes in demand; the structuring of the

market of educational services is carried out according to economic and territorial locality, according to conjunctural and segmental characteristics; individuality and non-standardization of the provided services and technologies, high differentiation of the product in the same specialty; development of the function of adapting education and people to new opportunities for training, retraining, and professional development; changes in public opinion regarding the perception of education as the most important prerequisite and basis for material well-being; formation of non-state education at all levels; orientation of young people to prestigious professions [3, p. 38].

The development of the education system in Ukraine in the context of pan-European and global integration processes necessitates the renewal of the activities of all educational levels, in particular preschool, as well as primary, secondary and higher education, because globalization trends today place higher demands on the graduates of each of them for personal intellectual development

On the surface of society's life, education appears as a conditional mutually determined unity of two blocks - economic and non-economic. The economic function of education, on the one hand, consists in the reproduction of knowledge and labor, on the other hand, in providing society with a specific product - educational services. The non-economic block is a complex set of elements of a spiritual, mental, and cultural nature aimed at reproducing the spiritual-mental matrix of society. Thus, education, on the one hand, is the sphere of formation of a complex personality in the whole set of its spiritual, cultural, mental features and with a certain set of knowledge, abilities, skills, on the other hand, it is a means of reproducing values aimed at forming general ideas among members of society about correct goals and vectors of development of human activity. The above allows us to define education as a sphere of complex reproduction and development of a person and the socio-economic structure of society [4].

The peculiarity of today's economic situation is that the restoration of industrial and educational potentials and the renewal of education can and should be solved jointly, by combining the opportunities, potential, resources of the economic spheres and universities. At the same time, bilateral contractual relations provide for the

drafting of longterm programs for the training of specialists taking into account the prospects for the development of the industry and the characteristics of the enterprise; the target component of student training, implemented jointly by colleagues of the university and the enterprise; creation of a base for technological practice of students and graduates; creation of new and re-equipment of existing educational and scientific laboratories at the university; the organization of joint structures for the coordination of cooperation, including departments with a functional load and an organizational economic model.

Today, we can talk about a slight imbalance between supply and demand in the educational services market. At the same time, the main incentive for the formation of partnership relations should be mutual interest in improving the quality of training of specialists. Unfortunately, the country does not yet have a coordination mechanism for the personnel training system, although the technology for its creation is already being developed. Employment services and recruiting agencies continue to experience a mismatch between supply and demand in the labor market; higher educational institutions, as before, train specialists without taking into account the need for personnel in the labor market. It is about the need to use a systemic approach taking into account the strategy of economic development of the country, each specific region and city.

Real areas that need development in many universities include, for example, the implementation of scientific and practical work commissioned by enterprises. This refers to a situation where the company finances expenses in general or by individual items, and the university provides research work not only by the forces of scientific employees and teachers, but also attracts students and graduate students for this work, which in the future opens up real opportunities for targeted employment. As a result, cooperation in the field of training of leaders, top managers and employees of enterprises becomes the norm in the system of relations between universities and enterprises. As the company's management and employees are mostly aware of the need for continuous professional development, universities offer them training in professional development courses, postgraduate and doctoral studies.

We consider the practice of conducting seminars and other short-term training events for company staff or students to be effective, since most of those who came to business from theory feel a lack of practice. For their part, universities invite leaders and top managers of companies to give practical courses to students for the latter to acquire practical skills.

An interesting way of working with students even in the process of their studies in higher education can be the creation of special training centers, in which it is expedient to create workplaces that simulate the activities of real enterprises.

All the above directions of cooperation between universities and enterprises, in our opinion, will lead to the training of both students, postgraduates, and practitioners who are interested in improving the quality of specialist training.

Nowadays, the social importance of the education system has increased many times. Global and rapid changes in the political, technological, economic and social development of world civilization have turned into a strategic factor of the progress of society its scientific technical, socio-cultural and spiritual potential, the increase of which is directly related to the level of development of the socio-cultural sphere and, first of all, to the state education system, with an increase in the educational and professional level of the entire population.

Among the issues that require an urgent solution, the problem of optimizing the functioning of the domestic market of educational services stands out. The normal functioning of the educational services market primarily depends on the state of the competitive environment. As for the free entry into the market of sellers of educational services, it is somewhat limited by the highly bureaucratized procedure of licensing and accreditation of the specialty, the field of training and the educational institution as a whole. However, despite this, HEIs of all types and forms of ownership are, in principle, successfully positioned on the market of educational services, competing with each other [5].

An equally important trend in the development of the educational services market in Ukraine is the lack of pure (perfect) competition between sellers and buyers. In particular, private higher education institutions compete with public ones in terms of

price policy. They determine the cost of education exclusively taking into account the law of cost, demand and supply, while state higher education institutions are forced to include in the cost of education of a contract applicant the sums they do not receive for those students who study at the expense of the state budget. In view of this, fees for identical educational services in private universities are usually lower.

Another problem related to the functioning of the domestic market of educational services is social stratification in obtaining higher education. It is manifested in the fact that children mainly from families with a high level of income can act as buyers in the market of educational services. Therefore, it turns out that children from wealthier families receive higher education, which to a certain extent is a ticket to the highly qualified, highly paid labor market. Children from poor families cannot become subjects of the educational services market due to lack of funds, and at the same time they cannot get free education, because their level of knowledge is usually lower, because they cannot use the services of a tutor or various courses for pre-university training. Thus, the functioning of the market of educational services contributes to the stratification of society by the level of education and lays down the prerequisites for future stratification by the level of income [6].

The functioning of the educational services market has given rise to a tendency to ensure social and economic protection of its subjects. The fact is that the benefit from the acquired skills, knowledge and skills is not received by the owner (graduate), but by the one who directly buys the workforce. Also, if a graduate studied at the expense of the state budget, and goes to work for a non-state enterprise or organization, the state will bear the costs. Therefore, there is a need to regulate relations between sellers and buyers of educational services and buyers of highly qualified labor force.

The development of the educational services market makes the problem of using marketing elements in the management of an educational institution more and more urgent. This is due to the fact that one of the most important realities of the development of modern education is the growth of the number of non-state educational institutions and, as an alternative to this, an increase in the share of commercial admission of students to state universities. The lack of effective marketing of the market of

educational services causes a lack of information about the number of workers needed to ensure the reproduction process.

Today, the following negative trends are characteristic of Ukrainian higher education:

- the increase in the number of higher education institutions, which often does not lead to an increase in the quality of education;

- an imbalance between supply and demand in the educational services market, which is accompanied by an increase in the number of graduates of undemanding professions;

- decrease in the quality factors of the work of higher educational institutions, in particular the qualifications of graduates;

- the existence of a resource crisis, which manifests itself not only in the reduction of funding from the state budget, but also in the commercialization of educational activities;

- a steady trend towards mass education along with the deterioration of the qualification and age structure of employment;

- low level of remuneration in higher education institutions, which caused the outflow of personnel;

- aging of the material and technical base of higher educational institutions;

- growing competition of higher education institutions to attract potential students;

- insecurity of student places in dormitories;

- a significant reduction of state seats;

- the advantage of private higher education institutions in comparison with state ones in price policy.

Therefore, today in Ukraine, the market of educational services is not ready to fully satisfy the demand of employers in personnel and respond promptly to changes in their needs. The presence of a professional and qualification imbalance between the needs of the labor market and the training of personnel by educational institutions causes significant unproductive spending of public and personal funds of citizens, as well as moral losses of society. The lack of effective marketing of the market of educational

services leads to the fact that society does not know how many and which specialists are actually needed to ensure the reproduction process. Therefore, there is an urgent need for immediate state intervention in order to regulate relations between subjects in the market of educational services.

Today, there is a problem of trust in newly created institutions. If primary and secondary education institutions have largely overcome this problem (as the main criterion is the level of trust of parents who consider it prestigious to teach their child in a private school), higher private educational institutions have not yet had time to prove themselves by the achievements of their graduates. Potential employers prefer state universities, and among the reasons for mistrust is the dependence of the availability and color of a diploma on the amount of money a student (or rather, his parents) has.

Therefore, it is worth considering in more detail the competitiveness in the field of higher education, as well as analyzing the possible prospects of such new educational offers for the Ukrainian market as business education and distance education.

Universities. The market of educational services in the field of higher education is quite attractive due to its considerable capacity (demand outweighs supply). And also the possibility of obtaining profits.

The first three universities, which are leaders in the overall rating formed on the basis of experts' assessments, took the first three places in the rating formed on the basis of youth assessments. According to experts, only the National Technical University "Kyiv Polytechnic Institute" ranks second, and the National University "Kyiv-Mohyla Academy" - third, according to the opinions of young people - the opposite. There is a significant gap in the sum of the points scored by these three leaders (this especially applies to Taras Shevchenko National University) from the rest.

The main indicator of the competitiveness of a certain higher education institution can be the interest of potential employers in the graduates of this particular institution. Thus, surveys of employers have shown that the level of popularity of a particular higher education institution depends on the presence of prestigious faculties in it. For example, it is believed that the best economists and lawyers are trained by NaUKMA

and the University named after T. Shevchenko; qualified programmers and computer specialists - KPI, and the best bank employees - Kyiv National University of Economics.

So, among the advantages of state higher education institutions, employers note many years of experience in the education market, established traditions, good teaching staff, and most importantly, the thoroughness of the competitive selection of applicants (even the availability of money is not a guarantee of admission). Although both public and contract employees study in almost all universities today (the latter make up from 5 to 50% of the total number of students), they all take the same exams and tests.

Despite the outlined positive points, domestic diplomas are not yet recognized by Western employers. Although quite successful transformations and innovations have recently been introduced that bring Ukrainian diplomas closer to market requirements and Western standards: the list of possible specializations has been expanded, the transition to the "junior specialist-bachelor-specialist-master" scheme has been implemented.

Among the main disadvantages of public education are corruption, the formality of education (for example, in many regional educational institutions, a master's degree is obtained automatically, without special exams), as well as the outflow of qualified specialists due to the low level of remuneration for their work.

Today, the market of higher education is replenished with private institutions at a fairly fast pace. Among the main problems they have to overcome:

- mistrust regarding the level of education received, since here actually the competition begins and ends with signatures in the contract;
- almost all teachers work part-time at such higher education institutions, and therefore, the teacher has no interest in using his author's developments;
- the material and technical base, even under the conditions of financial infusions of applicants, cannot be built in such a short period of time; and finally, non-state universities appeared not so long ago (a little more than ten years ago), and they simply did not have the time and opportunity to prove themselves.

Although it should be noted that private universities are gradually beginning to compete with state "old-timers". The best example is the exit of the Interregional Academy of Personnel Management to 17th place in the ranking of higher education institutions of Ukraine. The factors that allowed to create the "name" of this higher educational institution are, among other things, orientation to the needs and requirements of the market (specializations offered by private universities are those that are in the greatest demand on the labor market), as well as the construction of educational programs according to Western samples.

By the way, giving preference to a state diploma over a private one, employers still point out that private educational institutions are ideal for obtaining a second higher education or retraining.

It is clear that for a certain period of time, private universities will not be able to compete strongly with the state education system. However, if the financing of public institutions of higher education does not improve, the situation may change quite dramatically.

As for the competitiveness of Ukrainian education in the world market of educational services, its price attractiveness is unquestionable. In addition to the fact that education here is quite cheap by European standards, the cost of living in Ukraine is also affordable.

For example, studying at a private university in Switzerland costs 20,000-25,000 USD per year, and even a fairly modest student life requires at least 1,000-1,500 USD. That is, the cost of one year of study in Switzerland is approximately equal to two full diplomas of higher education in the most prestigious universities of Ukraine. Even, say, in the recently attractive Czech Republic for our students (the cost of a modest life is about 120 USD per month, which roughly corresponds to similar figures for Ukraine), a year of study at the medical faculty of Charles University will cost 10 times more than a similar year at a Ukrainian medical university .

However, there is a significant drawback of even the best of our educational institutions - our educational standards do not correspond to European ones, and often - and vice versa: Western education is not recognized by our employers, and this

reduces the competitive attractiveness of Ukrainian institutions in the field of higher education.

Business schools. Business education has been introduced to the market of educational services since the beginning of the 90s. Business schools are educational institutions that offer educational programs in the field of business administration, organization and production management in all spheres of activity. The curricula of such schools are aimed at practical aspects of management and hardly focus on theoretical knowledge.

Compared to traditional Western education in this field, our business schools have their advantages and disadvantages.

First, the cost of an MBA program in Ukraine is almost three times lower than in the West. In addition, so far no Western business school will teach how to do business "Ukrainian" better than the players of the local market offer.

Now in Ukraine, there is quite a wide offer of business education, various author's programs and trainings. However, the MBA degree in its classical (as close as possible to Western standards and national characteristics) version is provided by the International Institute of Management (IIM), "Kyiv-Mohyla Business School" (KMBS), Lviv Institute of Management (LIM), Dnipropetrovsk Academy of Business and Law (DAUBP).

Among the main shortcomings of Ukrainian MBA programs is the non-recognition of their diplomas not only outside of Ukraine, but also within the country. In Ukraine, it is impossible to accredit an MBA program in the State Accreditation Commission, because it is not in the state register of educational programs. As an alternative, they offer a distance business education project (developed by the Kyiv Institute of Investment Management and the German Institute of International Relations), which will be accredited by the European Foundation for Accreditation of International Business Administration Programs (FIBAA). It is worth finding out the features of distance education, determining the advantages and disadvantages.

Distance Learning.

Distance learning is a form of organization of the educational process in which the main thing is the independent work of a person studying. This allows you to study at a time convenient for the student and in a place far from the teacher. This type of training provides an opportunity to get an education to a wide range of people who have limitations to study face-to-face.

DN is widely used in the world education system. There are centers of science and technology at all universities in the USA and Western Europe. Connecting the Centers to the global computer network allows creating virtual classes for students. Which are in different countries. The global Internet is an integral means of wide use of the Internet.

That is, the main problem of this form of education in Ukraine under the conditions of insufficiently active use of Internet resources (especially in the regions) is the difficulty in obtaining information.

Suggestions for solving the problem:

- Reforms in education financing.
- Approximation to European standards of education.
- Improvement of the legislative framework.

Justification of proposals and selection of alternatives. I believe that to start certain improvements, of course, it is necessary to be enthusiastic, but financially supported. An important source of support for the industry is the organization of the economic activity of educational institutions.

In the system of preschool child education, this is carried out at the expense of paid services based on the non-profit activity of preschool institutions. At the same time, the fee for maintaining children in preschool institutions is deducted from the total income of the family and is not subject to taxation. Budget allocations are allocated in the form of targeted subsidies to individual families to pay for their children's stay in preschools.

General secondary education is financed by the state and at the same time uses all the opportunities of the non-state sector. Parents' incomes intended to pay for education

in private schools, gymnasiums, lyceums, etc., as well as sponsorship contributions of commercial entities, are exempt from taxation. The receipt of additional funds does not affect the amount of budget funding.

Vocational and technical education is reoriented to the fulfillment of orders of specific business entities and is financed from their funds.

Higher education is financed based on both societal and individual needs. Social needs are provided through a state order with the allocation of appropriate budget allocations, which are distributed on a competitive basis. Individual needs are provided at the expense of paid education, including the introduction of payment at the expense of state interest-free loans for education.

An important prerequisite for the competitiveness of the national education system is the tradition of thorough and high-quality education. Today, it is important to bring Ukrainian education closer to international standards, enriching it with practical aspects, first of all, through a clear and transparent system of state accreditation.

Of course, all of the above should be legal, and therefore new developments in legislation regarding the field of educational services are needed.

Implementation of proposals by governmental and non-governmental organizations. Education management is carried out by state management bodies and public self-government bodies. State higher education management bodies include:

- ministry of Education and Science of Ukraine;
- central bodies of the executive power of Ukraine, to which educational institutions are subordinate;
- higher Attestation Commission of Ukraine;
- state accreditation commission.

These institutions provide leadership in the field of education, participate in determining state policy in the field of education, science, and professional training; develop education development programs, state standards; provide communication with educational institutions, state bodies of other countries on matters that are within their competence; carry out accreditation of higher and vocational educational institutions, issue licenses and certificates to them; organize the attestation of

pedagogical and scientific-pedagogical workers regarding the assignment of qualification categories, pedagogical and academic titles.

Bodies of public self-government in education are:

- All-Ukrainian congress of education workers;
- general meeting of the staff of the educational institution;
- district, city, regional conferences of pedagogical workers;

Bodies of public self-government in education make proposals for the formation of state policy in the field of education.

Other non-governmental organizations with the involvement of foreign capital also operate in Ukraine. Among the most famous are the international foundation "Renaissance" (part of the network of Soros foundations), the British Council, the French Cultural Center. All of them are international charitable organizations that finance projects that contribute to the national revival and democratization of education, support various programs, and provide grants.

Necessary resources and conditions. The Ukrainian market of educational services has all the prerequisites for development, but reforms in education financing are a prerequisite. First of all, due to the development of private education, as well as the attraction of loans for training, the creation and operation of special savings and insurance funds.

Our teaching staff is quite qualified, but without material incentives, a normal material and technical base, access to information resources and provision of educational literature, we will observe an outflow of talented teachers abroad, or an increase in the level of corruption, and as a result, the diploma will turn from an indicator of the level of education into income level indicator.

Changes and reforms must be declared by the government and be legislated.

The main task of educational institutions is to train highly qualified specialists for the branches of the economy who can compete on the market, work to increase the income of their enterprises and public welfare, and contribute to the growth of the country's prestige in the international arena.

The overall security of the country can be ensured only by simultaneously solving this issue in a number of different fields, namely: military, technical, technological, economic, financial, political, environmental, informational, etc. The educational sphere cannot be an exception from the above list, if only due to the fact that the primary task of its functioning is the training of highly qualified specialists for all the listed fields. And in this sense, aspects of education security are decisive for all other spheres of socio-economic life [7, p. 13].

The urgency of strengthening educational security is especially acute against the background of increasing internal contradictions and conflicts on various grounds. Therefore, there is a need to study internal threats, which should be considered: a possible decrease in the level of education and qualifications of graduates due to more active involvement of students in distance learning and the creation of a network of virtual universities, which has become especially relevant in connection with the spread of the corona virus; psychological pressure and violence against students by peers and teachers; manifestations of corruption; uncomfortable study conditions; rapid "obsolescence" of acquired knowledge and insufficient level of updating of educational programs; high cost of education, accommodation and food; physical inaccessibility of education due to the low density of placement of educational institutions; decrease in the quality of provided educational services due to insufficient state funding of the educational sphere, low level of material and technical and informational and technical support, etc.

In the field of education, a number of directions for its development to strengthen national security can be distinguished. In particular, the following should be singled out: maintaining high levels of education coverage while improving its quality; improving the study of priority groups of educational disciplines, primarily natural sciences, social sciences, information technology, as well as foreign languages; updating the forms and content of education; active implementation of media education as a means of increasing the level of preparation for independent life and at the same time countering informational aggression; adjusting the structure of personnel training in order to ensure its compliance with the needs of the national economy; expanding

participation in international scientific and educational programs, first of all, the NATO program "Science for Peace and Security"; development of education throughout life [8, p. 91]; training of workers of production enterprises on the ground with the involvement of experienced workers and scientific and pedagogical workers of higher education institutions; exchange of teaching experience.

In order to improve the quality of education, a number of measures are necessary, which will be divided into separate levels for convenience:

1. At the state level:

- harmonization of the education system (coordination of students' knowledge requirements); increasing the effectiveness of the education system based on changing the goals and objectives of education; its modernization; reorganization of the management system; wide implementation of innovations in the content of the educational process;

- integration of the education system into the European space (creation of joint educational institutions, development of joint educational programs, creation of joint research institutes, coordination of scientific research and use of their results);

- consistent development of the state preschool education system, which provides all children with equal opportunities to receive educational services, regardless of social status, nationality, age, gender, and physiological and psychological characteristics;

- creation of conditions for conducting scientific research in all forms of family education - general education institutions, preschool and extra-school education institutions, in the family - as a more important link of family education;

- raising the status of educators and teachers, improving their financial support; increasing the level of motivation and supporting teacher and educational initiatives;

- development of a financial mechanism for social protection of disabled children and children from low-income families, which provides for the financing of their education in alternative educational institutions.

2. At the regional level:

- creating conditions for the interaction of local authorities, public organizations and parent communities, holding forums and other events for the awareness of citizen-parents, creating an information space for all forms of family education in the region, finding methods to improve the quality of education in the region;

- control over the funds allocated by the state and local budgets for the implementation of the regional educational policy to ensure high-quality preschool and school education;

- development of a package of normative and legal documents regarding the acquisition of general education by homeschoolers;

3. At the level of preschools, schools and extracurricular educational institutions:

- involvement of representatives of various communities, organizations, societies, and private organizations in the development of the content of educational programs and educational plans of the institution, which will ensure the creation of alternative education programs;

- enrichment of preschool education programs with content that builds tolerance in relations with representatives of different nationalities, religious denominations, etc., the spirituality of preschool children, promotes their socialization;

- borrowing forms, methods and means of organizing the pedagogical process;

- enrichment of the educational environment of educational institutions;

- expansion of cooperation between teachers and parents through diversification of forms of work with them; use of the principle of openness in work (children cannot constantly learn "behind closed doors", parents have the right to attend all open lessons; if the institution is private - parents must know what they are paying for);

- increased attention to the development, upbringing and education of gifted children and children with special needs through their inclusive education.

4. At the level of families (parents):

- unification in parent regional or district communities for the purpose of collecting, processing, exchanging information, reviews, textbooks and teaching methods, etc.;

- organization of educational and play space for children according to the principle of school-parks, where the role of teachers would be performed by parents who have the appropriate education (experience, knowledge, etc.);
- creating a creative space for families (for example, conducting master classes, family games, quests and other events in open space);
- introduction of time banks for the purpose of mutual exchange of services;
- active participation in the life of the local community, forums and conferences on education and children's education.

The given set of measures at the state, regional, family, and educational institution levels will help focus clearly on regulatory, economic, technological, and social priorities. And the first steps on the way to improving the quality of education in Ukraine can be the deregulation of education (state level), the creation of a depository of ideas and projects (regional level), and, most importantly, the initiation of active interaction between all participants in the educational process (family level).

According to the classification of the General Agreement on Trade in Educational Services, the following types of educational services are distinguished [9]:

- cross-border export or cross-border trade in educational services implemented within telecommunications that move services across the border (distance learning);
- student mobility, namely individual trips of consumers of educational services, in particular students, abroad for the purpose of obtaining qualifications and diplomas;
- foreign direct investment as a commercial presence means the presence in the state of a foreign provider that provides and distributes educational services;
- cross-border movement of the carrier of educational services involves the relocation of professors and teaching staff to another state for the provision of educational services.

The market of educational services is a sphere of circulation or a system of economic relations regarding the purchase and sale of educational services.

The object of purchase and sale is not education itself as a process of acquiring knowledge, but an educational service that includes a set of material and non-material resources necessary for the learning process.

The subjects of the market of educational services and products are educational institutions, consumers (individuals), customers (the state, enterprises and organizations), intermediaries (employment services, labor exchanges, registration, licensing and accreditation bodies of educational institutions, etc.), as well as public institutions and structures promoting educational services of higher educational institutions on the market.

The regional market of educational services is a system of economic relations regarding the demand and supply of educational services, which has its own organizational structure, performs specific functions, is oriented towards characteristic institutional norms and develops within certain geospatial boundaries.

The market of educational services in the conditions of cross-border cooperation is a system of relations between border territories of neighboring states in market conditions regarding the purchase and sale of educational services.

Support of educational services is one of the main areas of development of cross-border cooperation. Implementation of cross-border cooperation programs in the field of education is ensured by various activities, including:

- exchange of students and teachers within the framework of activities related to twinning and partnership between border schools;
- organization of excursions across the border;
- provision of more information about the languages, history and culture of neighboring countries in the curricula of border schools;
- introduction of bilingual educational programs;
- facilitating access to schools located abroad, in particular through the introduction of preferential tariffs for the use of transport;
- the introduction of cross-border school programs or, if possible, a regular school program, according to which students from two border areas attend school together and receive the same education on both sides of the border with the help of teachers from both schools involved;
- promotion of cross-border academic mobility and cooperation between universities in border regions;

- in the context of higher education, this is the passing of industrial practice at enterprises, organizations, institutions of border regions [10].

In modern society, education and knowledge are becoming a cross-border and transnational phenomenon. The formation of a single world educational space occurs due to the convergence of approaches of different countries to the organization of education, as well as through the recognition of documents on the education of other countries. The joint educational space, on the one hand, contributes to the growth of mobility of students and professors, and on the other hand, academic mobility is a necessary condition for the formation of the joint educational space itself [11].

The result of cross-border cooperation in the field of education is an increase in the quality and competitiveness of educational services, taking into account all European requirements.

The formation and effective implementation of export potential within the cross-border market of educational services is one of the promising directions of the development of the educational sphere, which contributes to the receipt of investments and the development of the economy of the border territories [9, p. 75]. For Ukrainian higher education, the expansion of the export of educational services is beneficial, first of all, from an economic point of view: the training of specialists for foreign countries is becoming one of the most profitable items of income, especially in conditions of weak financing of the education sector. Secondly, from the point of view of improving the quality of education - the desire to attract foreign students prompts Ukrainian universities to form a system of training specialists taking into account the requirements of the world labor market for the quality of education and areas of training specialists.

The development of the educational services market within the framework of cross-border cooperation has the following advantages at the regional level: diversification and growth of financial revenues to the budgets of institutions providing educational services as a result of attracting foreign students, adaptation of educational programs to European requirements, rational use of internal resources, increasing the level of

academic mobility, the quality of educational services as a result of the participation of professors and teaching staff in the international process of knowledge exchange [10].

At the national level, we highlight the following advantages: improving the quality of national education taking into account European-wide requirements for educational programs and procedures, using opportunities to export educational services based on the recognition of educational diplomas, increasing the competitiveness of the educational system, stimulating the development of national labor markets.

The negative factors of the development of the market of educational services in the conditions of cross-border cooperation are the low innovative activity of enterprises and the insufficient level of knowledge-intensive production, which lead to the formation of an ineffective structure of foreign trade, a decrease in the competitiveness of border regions on the domestic and foreign markets, and innovative backwardness from the regions of neighboring countries. The reduction in the number of trained personnel, the absence of research centers lead to the need for high costs in order to attract innovative developments, search for partners for the implementation of technologies and inventions in the spheres of the national economy [12].

The processes of development of the market of educational services within the framework of cross-border cooperation are regulated at two levels:

- national (subjects of regulation are state and regional authorities - legislative, executive, judicial and specialized state and regional authorities - the Ministry of Education, state and regional education management bodies and self-governance in the field of education);
- supranational (subjects of regulation are international organizations and integration associations) [10].

The necessary directions for the development of the educational services market in the context of cross-border cooperation are identified [13].

It is important for the development of the cross-border market of educational services to increase the institutional capacity of civil servants, which is carried out in the context of practical training of government officials with the implementation of

tasks related to reforms in the economy and society, the creation of working groups for political analysis and strategic planning.

The strengthening of the role of civil society in the implementation of educational policy occurs through the introduction of mechanisms for consultation with representatives of the public and independent experts on educational issues, as well as the creation of such an education management system, when part of the state administrative and political functions in education is delegated to nongovernmental organizations and the private sector [14, p. 160].

The next direction in the development of the educational services market is the decentralization and regionalization of education based on the analysis of its complexity, taking into account the regional characteristics and interests of territorial communities during the selection of management methods, implementation of reforms and financial support. State policy in the process of education transformation should take into account the need for local education reform projects and the presence of independent analytical centers.

It is important to provide ways to increase the efficiency of the use of resources of international technical assistance and international experience. International aid and Western experience are very important resources for coordinating the efforts of all participants in the development of the educational services market.

The development of the conceptual foundations of educational policy publicity provides an analysis of the state and prospects for the development of the educational services market, the determination of mechanisms for the implementation of educational policy taking into account the interests of society and citizens, as well as the development of strategies for its implementation.

The effective functioning of the cross-border market of educational services requires the development of education infrastructure and the introduction of new technologies.

The realities of the information society are increasingly becoming part of the social life of Ukraine. As evidenced by new studies, in recent years Ukraine has made a qualitative breakthrough in the use of the latest network information technologies in

all spheres of life. Information and knowledge have really become a powerful economic resource, the mobility of information, financial and labor resources has increased significantly, the level of globalization has increased, significant and quite dynamic changes are taking place both in the structure of the economy and in the structure of the labor market. These processes generate new challenges to the field of education, which must flexibly, dynamically and adequately respond to social transformations by producing new educational products, learning technologies and organizing the educational process. It is generally recognized that education is one of the most important social phenomena and a key to the development of society and the state. That is why there is an undeniable need for state regulation of education.

In the field of higher education, the main goals of state regulation are defined in Art. 3 of the Law of Ukraine "On Higher Education". In particular, this is the promotion of the sustainable development of society, the international integration of Ukraine into the European space, the provision of sustainable socio-economic development of the state, and the improvement of the quality of higher education. The instruments of state regulation of higher education provided for by the legislation of Ukraine can be divided into two blocks:

1) standards of educational activity and higher education; 2) tools for regulating the higher education market (licensing, quotas, state support in the form of targeted state orders, targeted soft loans, tax benefits). The expediency of state regulation at the level of standards does not raise any doubts, which cannot be said about the current tools for regulating the market of educational services. First of all, it is necessary to ensure real equality of operating conditions of higher education institutions of all forms of ownership, if their activities meet the standards.

Particular attention should be paid to the quoting tool. According to the Resolution of the CMU of December 30, 2015 No. 1187 "On Approval of Licensing Conditions for Conducting Educational Activities", quotas are licensed (maximum) training volumes of specialists, which are established for each specialty and each level of higher education. Usually in the economy, quotas are used in foreign economic activities to

limit imports in order to protect the domestic market, or to regulate the monopoly market in order to prevent uncontrolled price increases.

Currently, the domestic market of educational services in the field of higher education is quite competitive and in no way related to imports. Then the question naturally arises - what is the purpose of quotas in the market of educational services? The current legislation does not specify such a goal, but according to officials, the goal is to ensure the quality of educational services. In accordance with the License Terms, the criteria for determining license volumes are quantitative and qualitative indicators of educational areas and scientific and pedagogical personnel. Moreover, when licensing, it is required that the licensee has a teaching area of 2.4 square meters for each student of higher education in accordance with the license volumes for the entire period of study. From a business point of view, this requirement is absurd. It does not make economic sense to hold or rent space that can be fully used only after a few years. In addition, the modern real estate market, as well as the labor market in Ukraine, is quite saturated with offers, which makes it possible to attract the necessary resource without unnecessary difficulties. It should also be noted that the procedures for establishing license volumes, their reduction, increase, and refusal require rather difficult administration both from the side of the licensee and from the side of the licensing body.

From the practice of applying quotas in the market of educational services, it can be concluded that license volumes are mostly set subjectively, lead to unjustified expenditure of resources (in particular, state ones), are a source of corruption and, of course, do not achieve the goal of ensuring the quality of education. A selective review of the international experience of state regulation of the market of educational services in the field of higher education also proves the inexpediency of quotas based on license volumes. As for European or American universities, information on accreditation, ratings, and development strategy is available on their websites, but no information could be found on licenses or license volumes. Obviously, only in Ukraine, in the form of license volumes, the atavism of the command economy was preserved, when higher

education institutions centrally set plans for the recruitment of students for each specialty. But Ukraine switched to a market economy a long time ago!

Based on the above, the following proposals can be formulated: 1) cancel quotas in the field of higher education and allow higher education institutions to independently determine the volume of higher education applicants by majors, forms of education, educational levels in compliance with sanitary, technological and personnel requirements; 2) remove the concept of licensed volume in the field of higher education from regulatory documents. Predicted expected consequences: educational institutions will be able to respond more quickly to the demands of the labor market; 3) saving resources; 4) reduction of sources of corruption.

Summarizing the overview of the educational services market in Ukraine, it should be noted that the competition in this market is quite significant. As for competitiveness, there are reasons to talk about it on a regional scale (at least in certain fields of education), and prerequisites for its formation on a global scale. Among other things, these are innovative and highly qualified teachers and lecturers, combined with the traditions of thorough theoretical education.

However, there are some aspects that require urgent attention: reforms in the financing and management of education. Using the expression "market of educational services", it should be understood that if primary and basic secondary education are mandatory, then higher and postgraduate education are competitive, and in Ukraine there is now a real threat of devaluation of the diploma, turning it into a piece of paper that can be bought and sold .

Currently, Ukraine is building a democratic civil society, while trying to combine the policy of economic reforms with social policy. The main factor of sustainable economic development is the growth of the nation's intellectual potential and scientific and technological innovations. All-round development of education, multiplication of the scientific and intellectual potential of society, creation and strengthening of a competitive environment in the market for the provision of educational services should be the highest national priorities [15, p. 112].

At the current stage of education development in Ukraine, the issue of further implementation of the latest information and communication technologies in education, in particular the comprehensive development of distance learning, is relevant. It should be noted that there are certain achievements in this direction in Ukraine. Educational institutions offer consumers exactly this form of education: laboratories, faculties, and distance learning centers are created.

As you know, in the distance education system, the leading role is assigned to the computer, since it is both a source of presentation of educational material, a center for obtaining the necessary reference information, and serves as a library. Accordingly, educational institutions provide the necessary conditions for the computerization of the educational process, create their own information bases and implement innovative learning technologies based on them.

It was the introduction of new learning technologies that made it possible to increase the volume of available educational services and create an effective system of continuous education. Opportunities have been significantly expanded and the use of didactic material of the new generation has improved: electronic textbooks, virtual learning tools, forums, webinars, seminars and meetings in online mode, distance learning courses and modern systems of control and management of the educational process based on the software environment of distance learning systems, etc. Conferences, seminars, round tables on the introduction of distance education in the educational space of Ukraine, publications on the issue, methodological and training manuals, dissertations can serve as evidence of the development and formation of distance education in Ukraine.

Thus, in recent years, there have been tangible positive changes in the field of distance education in Ukraine: the number of higher educational institutions and, accordingly, the number of students studying in them has increased; the issue of introducing the latest information and communication technologies into education, including into the distance education system. Distance education has acquired the status of one of the forms of higher education. In Ukraine, distance learning is associated with the possibility of reaching everyone who wants to study in this way,

even in remote corners of the country. This is of great importance from a social point of view, because those who wish to study in the distance education system acquire a specialty, retrain and improve their profession without being separated from production. In addition, it stabilizes the population in places, prevents migration to large centers and cities of the country.

It has been established that the introduction of distance learning in Ukraine is hindered by insufficient information regarding the clarification of its necessity and expediency, nonacceptance and fear of new scientific approaches to its organization and content, conservatism and inertia of the pedagogical community; low level of informatization of social processes, including educational; insufficient level of formation of modern telecommunication technologies and networks as dominant elements of the distance education system. In addition, there is a contradiction between the need for accelerated development of the distance education system and inadequate attention from the state, the lack of specialists to ensure the quality of work in the distance education system. We must take into account all these risks, achieving high quality and competitiveness of modern education within the country and on the world market.

The development of cross-border cooperation in the field of education can contribute to the solution of economic and social problems of Ukraine through the output of products of national enterprises to world markets; increasing the competitiveness of Ukrainian citizens on the domestic and global labor markets; transformation of education into a profitable sector that is dynamically developing. The functioning of the market of educational services occupies an important place in the formation of effective personnel potential, scientific and innovative potential of both the regions and Ukraine as a whole, which makes it possible to ensure the support of the national interests of Ukraine in the conditions of cross-border cooperation. The development of the market of educational services is a priority area of state and regional policy, which is able to raise the socio-economic level of development of the region and play an important role in the process of accelerating the European integration of Ukraine.

References

1. Lozovyi, V. S. (n. d.). Ukraine on the international market of educational services in higher education. An Analytical paper. Retrieved from <http://www.niss.gov.ua/articles/1695/> [in Ukrainian].
2. Londar, S. L. (2020). Determining the competitive advantages of higher education in the competing countries of Ukraine in the market of educational services for foreign students. An Analytical paper. Kyiv: SSI "Institute of Educational Analytics".
3. Mudra O. V. Osoblyvosti vzaiemodii rynku osvitnikh posluh ta rynku pratsi. *Ekonomika*. 2012. № 5 (119). S. 35–40.
4. Zahlynska L.V. Ekonomichna osvita v konteksti investytsiinykh protsesivu haluzi. *Naukovi zapysky Rivnenskoho derzhavnogo humanitarnoho universytetu. Zbirnyk naukovykh prats. Vypusk 9 (52)*. 2014.
5. Kukurudza I.I. Rynok posluh vyshchoi shkoly v Ukraini: stan, problemy ta perspektyvy. *Visnyk Cherkaskoho universytetu. Serii Ekonomichni nauky*. № 152. 2009. S. 148 – 163.
6. Ukolova A.A. Dysproportsii rozvytku rynku osvitnikh posluh v Ukraini: prychny ta naslidky. *Visnyk Kharkivskoho natsionalnoho universytetu imeni V.N. Karazina*. № 891. 2010. S. 155 – 159.
7. Baranivskiy V. F. Vyshcha osvita u vyrishenni problem dukhovnoi bezpeky ukrainskoho suspilstva. *Visnyk Kharkivskoho natsionalnoho pedahohichnoho universytetu imeni H. S. Skovorody. Filosofiia*. 2013. Vyp. 41 (1). S. 206–221.
8. Luzik, E. V., & Khomenko, L. O. (2017). Modernizatsiia vyshchoyi osvity Ukrainy v konteksti natsionalnoyi bezpeky. *Visnyk Natsionalnoho aviatsiinoho universytetu. Serii Pedahohika. Psykholohiia (Bulletin of the National Aviation University. Pedagogy series. Psychology)*, 1 (10), 88–92 [in Ukr.].
9. Avsheniuk N. M. Rozvytok transnatsionalnoi vyshchoi osvity v konteksti hlobalizatsii rynkiv osvitnikh posluh: URL:kpi.kharkov.ua/archive/Naukova_periodyka/Tipuss/2011_4/Avsh.pdf

10. Tovkanets H. V. Transkordonne spivrobitnytstvo v osvittii haluzi v umovakh rozvytku Karpatskoho yevrorehionu: materily mizhnar. nauk.-prakt. internet-konf. «Naukovyi potentsial 2013» (25–27 berez. 2013 r.) URL: int-konf.org
11. Akademichna mobilnist yak faktor intehtratsii Ukrainy u svitovyi naukovo-osvittii prostir. Analitychna zapyska. URL [.niss.gov.ua/articles/1421](http://niss.gov.ua/articles/1421)
12. Shliakhy pidvyshchennia innovatsiino-investytsiinoho potentsialu rehionu yak faktora rozvytku transkordonnoho spivrobitnytstva. Analitychna zapyska do Sekretariatu Prezydenta Ukrainy 19.02.10 roku. Natsionalnyi instytut stratehichnykh doslidzhen. Rehionalnyi tsentr u Lvovi URL: niss.lviv.ua
13. Transformatsiia ukrainskoi osvity v konteksti yevropeiskoi intehtratsii. Zvit pro proekt. Mizhnarodnyi tsentr perspektyvnykh doslidzhen, veresen 2000. URL: icps.newagelab.com.ua/pub/files/34/89/transformation_ukr.doc.
14. Bielkin I.V. Vykorystannia innovatsii u navchalnomu protsesi vyshchoi shkoly. Suchasni informatsiini tekhnolohii ta innovatsiini metodyky navchannia u pidhotovtsi fakhivtsiv: metodolohiia, dosvid, problemy : zb. nauk. pr. Vyp. 35 redkol. : I.A. Ziaziun (holova) ta in. K., Vinnytsia: TOV „Vinnytsia”, 2013. S. 158-163.
15. Bielkin I.V. Kouchynh – innovatsiinyi metod navchannia. Suchasni informatsiini tekhnolohii ta innovatsiini metodyky navchannia v pidhotovtsi fakhivtsiv: metodolohiia, teoriia, dosvid, problemy: zb. nauk. pr. Vyp. 47 / redkol. KyivVinnytsia. Planer, 2016. S. 110-114.

5. The problem of formation of knowledge about the state in the history of methodical science

Studying the problem of forming students' knowledge about the state has its own history. Its analysis in the historical and methodological aspect is important because it shows the dynamics of changes in the content of knowledge about the state and the methods of their assimilation in the learning process, which is connected with the appropriate conditions for the existence of school historical and legal education in a specific historical period of the development of society, the development of methodological science and accumulation of teaching experience. Only on the basis of the analysis of the historical and methodological aspect of this problem, modern achievements of methodical science and teaching practice, it is possible to scientifically justify and experimentally verify the effective method of forming knowledge about the state.

Due to historical circumstances, the formation of traditions, the development of national methodical science, and the practice of teaching history and jurisprudence for a long time, before Ukraine gained independence, took place as a component of school education in the Russian Empire and the Soviet Union. Therefore, it is advisable to start the analysis of the historical and methodological aspect of the research problem with a generalization of the state of its solution in the school education system of Russia.

The problem of forming students' knowledge about the state in the school historical and legal educational system of the Russian Empire began to attract the attention of state educational institutions, the scientific community, and teachers already in the 19th century. The peculiarity of the organization of historical and legal knowledge in the school of the Russian Empire was that it depended on the political regime of the country, the personal views of the representatives of the Romanov dynasty who were on the throne, and the development of social and political thought. The basis of the worldview task of studying history and law in all types of educational institutions was the education of "loyalty to God and the Motherland" of citizens. This function of

history was especially clearly manifested during the reign of Nicholas I (1825-1855), during which Count S. Uvarov was the Minister of Education, the "theory of official nationality" was formed, based on three principles: Orthodoxy, autocracy, nationality. According to this theory, the instructions of the ministry, standard educational programs, textbooks, educational and methodical manuals were drawn up. The schoolchildren's activities were reduced to simple memorization of texts, textbooks, information about princes, monarchs, church ministers. The main methods and techniques were mechanistic memorization, singing aloud, memorizing a number of names.

Great attention was paid to the education of law-abiding citizens. The charter of educational institutions (1804) introduced the study of issues of social order, law, and the state into the content of two educational subjects: "Natural Law" and "National Law" in graduation classes. 4 hours a week were allocated for their study, taught by teachers of philosophy, sophisticated sciences and political economy. The charters of gymnasiums and schools (1828) excluded these subjects from the curriculum because the government was afraid of the penetration of the ideas of enlightened philosophers. Later, the Statute (1849) introduced the teaching of jurisprudence starting from the 5th grade. The Ministry of Public Education forbade "teachers to indulge in the theory and history of reasoning." The government believed that this would be a guarantee against penetration of harmful ideas into the minds of students [1, p. 186]. After the abolition of serfdom in 1861, despite the need to study law and the state, the new Statute excluded "Legislation" from the curriculum, ordering the need for after-school discussions on these issues, which would be conducted either by the director of the educational institution or by an appointed teacher [2].

The activation of revolutionary and democratic forces in the 60s and 70s of the 19th century influenced the exclusion of issues of social and state order, domestic legislation. During the period of reaction that followed the assassination of Alexander II, the question of the need to teach the basics of law in school was removed from the state level until 1905.

In the 1905-1906 academic year, the teaching of "Legal Studies" ("Law") was introduced in male gymnasiums in the 7th grade with one lesson per week and continued in the 8th grade with two lessons per week. The introduction of the new subject was caused by: the domestic political situation in Russia, the sharp deterioration of the criminogenic situation in the conditions of the first Russian revolution; the fact that the tsar gave the "Manifesto on Civil Liberties" on October 17, 1905, which can be considered as an attempt to transition Russia from an autocratic form of government to a constitutional one. The course "Legislation" provided: to provide students with the necessary information about current legislation in an accessible and systematic presentation and to present a complete picture of the existing order, thanks to which the student could imagine his relations with the state and the citizen [3, p. 37].

Teachers were recommended to ensure that students learn the main provisions and understand the duties before the state without teaching legal theories and contradictory provisions. The teaching of the new subject was entrusted to practical workers of justice: judges, prosecutors, notaries. History teachers were not entrusted with this subject because they did not have legal training, and also in order to prevent the introduction of unnecessary historicism. Textbooks were created by V. Tomashevich [4], K. Yelnitskyi [5], M. Shutsky [6], which corresponded to the program and instructions of the ministerial note. None of the textbooks testified to the thoughtfulness of the subject tasks and teaching methods, the lack of illustrations and diagrams can be considered a drawback. They contained information on the general theory of the state and law, the foundations of state law, criminal and civil law. In 1911, "Atlas for visual study of jurisprudence and the state system of Russia" was published. In it, with the help of geometric and graphic symbols, various schemes of state institutions of Russia, schemes of laws and their functioning in practice are presented [3, p. 37].

In 1909, A. Holmsten tried to systematize and generalize views on teaching the subject by publishing for the first time in the Russian Empire "Experience in the methodology of legal studies as a subject of teaching in secondary school". He recommended teachers not to include controversial issues and theoretical positions in

the content of the subject [7]. In this manual, the descriptive method is proposed as the main method of teaching "Legislation", which provided an explanation of the law taking into account life's motives and purpose. When explaining the laws and institutions of the state, it is necessary to highlight what the legislator was guided by when establishing them, and what goal he pursued.

The analysis of the history of research on the problem of forming knowledge about the state in law (legal studies) lessons in pre-revolutionary Russia shows that, although the need to study the social and state order and the foundations of law was recognized and recognized, students of all types of educational institutions did not study the course, and there was a lack of professionally capable teachers to teach this subject. If we compare education in pre-revolutionary Russia with the educational process in Europe, we find significant differences. It is noticeable that in European countries the emphasis was on educating a member of civil society endowed with natural and inalienable rights, while in Russia the main task was to educate a person in the spirit of loyalty to the ruler, ready to "obey the requirements of the law." The provision of textbooks and scientific and methodological literature for the "Legal Studies" course was positive.

Formation of students' knowledge about the state took place mainly in history lessons. In the 19th century, much attention was paid to the content of the subject, problems of periodization of the history of statehood, and teaching methods.

In the 30s of the 19th century, the first textbook on the history of Russia for the senior classes of gymnasiums was published by N. Kaidanov. It corresponded to the ideology of the Ministry of Public Education, which was aimed at theoretically substantiating the need to preserve royal power and the progressiveness of absolute monarchy [8]. In the same vein, in the 40s of the 19th century, a textbook of general history by S. Smaragdov was published.

Defeat in the Crimean War, bourgeois reforms of the 60s and 90s of the 19th century caused a new social upsurge, school textbooks and teaching methods are subject to criticism. The strengthening of the liberal-democratic trend in historical science also affected the content and forms of organization of historical knowledge. In

particular, assessments of the forms and types of states have changed in some school textbooks. Some provisions of the theory of official nationality began to be criticized, some shortcomings of the absolute monarchy were exposed, etc. The method of presentation of educational content about the state was changing. During this period, textbooks by D. Ilovaisky were published [9, 10], S. Rozhdestvenskyi [11], I. Bellyarminov [12].

M. Zinoviev singles out three directions in teaching the history of that time, each of which is represented by a group of textbooks. Pragmatic direction - textbooks by D. Ilovaiskyi, evolutionary - textbooks by N. Kareev, P. Vinogradov, sociological - textbooks by R. Vipper, M. Kovalenskyi. Each of these directions expressed the interests of certain social groups - the first - the nobility, whose interests were protected by the policy of the tsarist government, in the second case - the liberal bourgeoisie, in the third - the petty bourgeoisie [13].

Textbooks of a pragmatic direction were characterized by an attempt to preserve and consolidate the foundations of the autocratic-noble system. So, for example, D. Ilovaiskyi's textbook corresponds to the official ideology - the people, Russian and Russian princes are the founders of the Russian state. The rulers are the makers of history, he draws the attention of the students to their merits. The author denies the transfer of any power to the people, calls the boyar Novgorod Republic a boyar oligarchy. The state of "Kyiv Rus" arose as a result of the unification of tribes centered in Kyiv. The reason for the formation of the state is a geographical factor, namely the flat nature of the area. In the textbook, there are questions for consolidation that related to the concept of "state", for example:

1. Where did the village and district system come from and what are the most important consequences?
2. Draw the geographical location of the main lands into which Rus' was divided and indicate the most important cities.
3. When and why did the decline of Kyiv begin?
4. How does the Novgorod system differ from other Russian lands?

5. List the Moscow princes, indicate important chronological data and favorable circumstances for Moscow?

6. Compare the time and activities of Ivan the Terrible and Oleksiy Mykhailovych? [9, p. 63].

D. Ilovaisky gives a successful presentation of individual political institutions of the state.

Textbooks of the evolutionary direction educated young people on the ideas of a constitutional monarchy and a negative attitude towards the revolution. At the end of the 19th and the beginning of the 20th century, textbooks on general history by N. Kareev, S. Platonov, and P. Vinogradov appeared, as well as methodological manuals by N. Kareev and A. Krolyunytskyi. Representatives of this trend, N. Kareev, S. Platonov, and P. Vinogradov, believed that history should not be reduced to a simple study of facts, a description of the lives of prominent statesmen, but to reveal the importance and meaning of their actions, establish cause-and-effect relationships between facts and phenomena and trends revealing the development process of the state and society as a whole. The authors of sociological textbooks spread the idea of the spontaneity of the historical process and reduced the study of history to the consideration of social and state forms.

Changes are taking place not only in substantive approaches to the study of the state, but also in teaching methods. At the beginning of the 20th century, the question of using visualization in the teaching of history in general, and the processes of state formation, in particular, was developed, which contributed to the conscious assimilation, rather than mechanical memorization, of the material by students. For example, N. Pokotylo in his work "Practical guide for a novice history teacher" familiarized young history teachers with existing textbooks on the discipline, their criticism in periodicals, with the aim of choosing the textbook that would meet the current state of historical science, didactic-methodological requirements. N. Pokotylo divided the textbooks into two groups: with a chronological-bibliographic and systematic structure [14]. In the textbooks of the first group, historical events were presented in chronological order, the central place was given to political history, to

which biographies of historical figures and facts of the socio-economic and cultural spheres of society were added. This group included textbooks by D. Ilovaiskyi [9], S. Rozhdestvenskyi [11], K. Yelpatievsgo [15], and O. Yefimenko [16].

In the textbooks with a system plan, to which the methodologist included the educational guides of I. Kataev [17], M. Kovalenskyi [18, 19] the historical material was presented in the following order: 1) political system; 2) social system; 3) culture and everyday life; 4) external relations; 5) change of territory. As a result, many main facts were considered separately without establishing cause-and-effect relationships between historical events, which made it difficult to understand the material.

Textbooks by P. Vinogradov, N. Kareeva, R. Vipper, S. Platonov, have positive aspects: the material is divided into periods, each epoch is characterized by certain features, the development of the state is shown. This promoted conscious learning rather than mechanical memorization. P. Vinogradov, N. Kareev consider the history of mankind as a single process, establish cause-and-effect relationships between facts and determine their meaning, which contributed to the activation of students' mental activity. Disadvantages - overloading with facts, names, dates. For the first time, the author of the textbook pays attention to the systematization, classification of types of states, and the style of teaching the material [20]. He prefers the study of national history. When studying the history of states, the textbook focuses not on the rulers of individual states, their family relationships, but on the development of the history of social order and state organization. N. Kareev believed that it is necessary to study the history of states that play an important role in international relations, in the general development of civilization. This is explained by the need to acquaint students with the nature of power and administration in different eras, with the peculiarities of legislation and judicial procedures with such monuments as: "Russian Truth", "Courts", "Council Constitution", with such institutions as: "Viche", "Boyar Duma", "Land Councils", with information about changes in territory and population. He pays attention to the formation of concepts characterizing the state: "form of government", "monarchy", "republic", "state-representative institutions", "government", "states", "administration", "court", "laws", "property", "taxes", "finances", "land ownership",

"centralization", "self-government", "status of a person in the state". Students must understand these concepts and use the appropriate terms [21, p. 13, 54].

N. Kareev believed that the study of national and general history should be separate, and a connection should be maintained between the courses. When studying general history, it is necessary to pay attention to important phenomena, giving examples of those countries where they were more vividly manifested: feudalism and chivalry in France, the communal movement in Italy, absolutism in France, educated absolutism in Prussia and Austria. Pays attention to the study of the history of the peoples of America, Australia, Africa, Asia, which are under colonial conquest, the study of the history of the Far East (China and Japan), the history of the Slavic states of Serbia, Bulgaria, and Poland. A textbook of general history should not be a simple sum of the stories of individual peoples, but a depiction of the world-historical process [22, p. 126]. The material should be presented by periods, which helps to better understand the interrelationship of events that take place in different places, and thereby better shows world-historical processes [21, p. 30].

N. Kareev assigns an important role to textbooks. In his opinion, textbooks should not be overloaded with factual material, dates, descriptions of biographies, names of battle participants [21, p. 8]. The material should be presented taking into account the age of the students and their general development. As a result of studying history, students should develop the ability to establish cause-and-effect relationships between two facts, compare, write works, work with history books, documents, maps, illustrations.

In his textbook, Platonov tried to present the past of mankind not as a history of individuals and events, but as a complex process of development, he shows not only international political relations, but also characterizes the internal life of peoples, social relations, the state system, etc. In the textbook, the material is presented in a vivid and understandable language, the concepts are characterized in detail, and they are highlighted in a different font for the first time. When explaining individual moments of the state's history, the author tries to divide and group the material, and presents a presentation plan. Despite the fact that the textbook has many advantages, there is little

clarity in it, there are no illustrations, maps, tables, the presence of these elements could contribute to a better assimilation of the material related to the concept of "state" [23, 24]. The weaknesses of education at that time were the teaching of material without taking into account age characteristics.

At the beginning of the 20th century, textbooks written by practicing teachers appeared. K. Ivanov's textbooks are characterized by the author's ability to positively characterize the activities of kings and princes, which met the requirements of the Ministry of Education. The popularity of this textbook at school was facilitated by the fact that it is free from facts, names and chronological dates, the extensive teaching of the main historical facts and the concise teaching of minor ones, the use of legends, catchphrases, fragments of documents, illustrations, vivid and figurative language. K. Ivanov pays great attention to comparisons. He compares the Russian state and its individual aspects over time with Western European countries. When teaching history, he considers it necessary to use the following teaching methods: heuristic conversation, presentation of information by ear, repetition, chronology, control, work with a textbook, with an anthology, historical readings, homework and class written work, drawing up summaries, tables, working with maps, use of illustrations (pictures) [25].

A. Krolyunytskyi, the author of the work "Experience of the methodology of the elementary course of history", believes that the concept of "state" is the main subject of historical exposition. To reveal the concept of "state", you need to learn the following concepts: "tribe", "people", "nation", "supreme power", "judiciary", "executive power", "legislative power", "law", "legislation", "republic", "monarchy", "administration", students should be able to distinguish the signs of concepts [26, p. 194].

In his opinion, the formation of the concept of "state" should be expanded after studying individual chapters. After the chapter on the states of the ancient East, students should be introduced to the Eastern type of state, its main features: personal will and the absence of law, castes and slavery, the connection of peoples and tribes, lack of governance and complete independence, arbitrariness in governance. After studying the chapter on Lycurgus in Sparta and Solon in Athens, you need to determine

the type of ancient republic (the difference between the Spartan system and the system of Athens, greater similarity of Sparta to the East, direct voting in the popular assembly, the concept of "citizen", slavery, fusion, the concept about a republic with a city community, about a federation of communities and hegemony. After studying Roman history, you need to compare the structure of the Roman republic with the structure of the Greek republics and determine the differences between Rome and Athens. After the division of Roman history, show the similarity of this empire with the East in some essential relationships (the division of the population into estates and slavery), but also a difference from it (Greco-Roman education, unification of parts by general legislation, gradual destruction of slavery under the influence of Christianity. After studying the feudal period in Russia and the feudal period in Europe, it is necessary to determine the similarities and differences, from which it will be better to see the signs of the feudal and feudal system, the difference between the fief and the feudal system, the subordination and dependence of the wife from the prince, the distinction and independence of feudal lords from kings, about the relationship of the great the prince and feudal lords, about the relationship between the king and the feudal lords, as the first among equals to the same equals, about the redistribution of land between princes and the closedness and inheritance of feudal possessions, about the relationship between the population and the prince (forever, slavery only from war prisoners and partly for debts), about the consolidation of the population by feudal lords, and finally, about the political impotence and fragmentation of Russia and Europe. After studying the section on new history, students should have a clear concept of autocracy, mainly based on data related to Russia. Uniting around a common head, establishing an autocracy, contributed to the development of Russia's territorial growth [26, p. 220].

When teaching the structure of the state, according to A. Krolyunytskyi, it is necessary to compare historical phenomena, historical persons, and events, which contributes to the understanding and significance of historical facts. When comparing, there is repetition as a result of the application of facts and chronology.

Works from the history course should contribute to the development of knowledge. The author offers the following topics of works:

1. The gradual expansion of the Moscow principality from the first times to Ivan the Terrible.

2. The emergence of monarchies in the 15th century (Russia, France, Turkey).

3. War for national unification in the 19th century (Greece, Serbia, Bulgaria, Italy, Germany).

4. The founding of states and the spread of Christianity among the Slavs in the 8th, 9th and 10th centuries.

5. Comparative characteristics of the life and activities of historical figures (Alexander the Great, Volodymyr Monomachus, Louis IX, Charlemagne and Peter the Great).

6. How was the Russian state founded?

7. How did western Rus' first come under the rule of the princes of Lithuania, and then the king of Poland?

8. Which Muscovy sovereigns fought against the Tatars and Poland?

9. How did Russia expand under Peter the Great? [26, p. 252].

A. Krolyunytskyi considers the teacher's living word to be the main didactic methods in teaching history – storytelling, historical truth in storytelling, working with textbooks, historical and geographical maps, drawing historical maps by students, writing summaries, drawing up tables, reading literary works and anthologies on history, using visualizations, historical excursions, collection of drawings and creation of a historical album.

The issues of teaching history were dealt with by Y. Kulzhynskyi, who identified three sides in history teaching: real (students' acquisition of certain knowledge), formal (development of mental abilities in students) and moral (influence on their souls). The author sees the purpose of teaching history in secondary school not in the laws of past nations and states, not in facts, but in understanding the idea of evolution. Historical knowledge is needed to achieve an understanding of the state and social phenomena of modern life. The scientist believes that the development of each state takes place according to certain stages common to all, that is, knowledge when studying the history of one country is necessary for studying the history of another country. He recommends

using different methods when teaching history: heuristic conversation, presentation of information by ear, repetition, work with textbooks, textbooks, maps, use of historical documents for students' critical assessment of historical events [27, p. 25].

M. Pokrovin, N. Rozhkov, M. Kovalenskyi also paid attention to the formation of methods of independent work and work with primary sources.

V. Zheltov, V. Tokin, authors of the manual "Experience of the methodology of the elementary course of Russian history" dealt with issues of the methodology of teaching history. They pay attention to the formation of knowledge about the state in students. Events related to the development of the state should be presented in a cause-and-effect relationship with each other, which should contribute to the critical attitude of students to historical events [28, p. 35]. The study of the history of the state should also contribute to the development of patriotic feelings, based on the heroic examples of love for the homeland of Joan of Arc, Minin, Pozharsky, and Peter the Great [28, p. 44]. The authors believe that when studying national history, it is necessary to use information from world history. Historical events should be presented using a chronological-progressive method, as well as a biographical method, when the student gets acquainted with the activities of this or that figure, story, conversation. It is also necessary to use visualization, work with a textbook, repetition, which should be every element of the lesson, because over time the material is forgotten, compiling chronological and dynastic tables, reading books of historical content. Much attention is paid to the personality of the teacher. The study of modern history should give clear ideas about state institutions: judicial and administrative [28].

S. Singalevich analyzes methodical manuals on the methodology of history teaching in the work "On the Educational Significance of History in School". He describes the methodological manuals of V. Khvostov, Sh. Langois and Sh. Senibos, L. Kruglikov-Grechany, and N. Pokotyl [29].

S. Langois and S. Señobos, defining the task of teaching history, indicate that it should give students the facts of the past, acquaint them with the phenomena of political and social life, with customs and state institutions, it should help students realize the peculiarities in the life of different peoples, after which the student will

understand modernity. The grouping of facts is of great importance when studying history, a separate group of facts is those related to the activities of state and political institutions, such as the supreme power (composition, procedure), administration, departments (military, judicial, financial), elected power, meeting. Grouping of facts should take place by nature, by time, by place (chronological, geographical and national criteria) [30, p. 188]. Analytical and synthetic techniques, comparisons should be used when forming the concept of "state", "participatory order", "patrimonial system", "feudal system".

L. Kruglikov-Grechany believed that when studying history, it is not necessary to show negative phenomena, one should choose those phenomena and those persons who have positive signs, but events should be shown truthfully, a truthful depiction of historical facts can have educational value [31].

N. Pokotylo believed that arbitrarily throwing out negative facts of the past life from the course of history is unacceptable, that this will lead to the omission of important historical facts and the course of history will lose the necessary coherence and content, will not give an idea of historical perspectives and gradual changes of individual moments of the past life [14, p. 41]. It is unacceptable to impose certain political and national views, it is also unnecessary to develop in students a tendency to approve of their own, national and negative attitude towards others, this can lead to the affirmation of the false opinion that there is nothing remarkable about other peoples and that there is nothing to learn from them. But there is no need to praise everything foreign, each case leads to the assimilation of one-sided views. Only objective teaching, which pays due attention to one's own, national and correctly assesses foreign, can contribute to the objective assimilation of knowledge about the state. There is no need to use history to inculcate in students well-known political or party worldviews. The school should be outside of politics, outside of parties, outside of class and class aspirations. If students have questions about political or party issues, the teacher should explain them historically. For example, a student tries to find out which form of government is better - a monarchy or a republic. The teacher's answer must be historical, he must show that the monarchy corresponds to certain historical and life

conditions. Another republic, that a monarchy or a republic can have different features depending on the way of life and historical development of a given country [14, p. 43].

Zvyagintsev in his work "History in a folk school" pays attention to the study of folk history. He believes that material culture should be characterized first, and then political culture. The material should be presented not by epochs, not by separate episodes, but by groups of historical phenomena: the history of material culture, the development of spiritual culture, the development of forms of coexistence, courts, political and state institutions, which should be considered throughout history from the original position of man to ours days First of all, the history of material culture should be considered, i.e. the history of methods, conditions of facts that satisfy human needs for food, clothing and housing, and only then should facts from the history of spiritual culture, social and state life be presented, comparing them with the facts of Western European history [32, p. 28-29]. The Methodist identifies the reasons for the formation of the state of Kievan Rus: the constant threat of raids by nomadic neighbors required the Slavs to take care of the protection of the territories occupied by them, to recognize the authority of the prince and his wives, to build fortified cities, the need for protection contributed to the formation of the state in the 10th century. [32, p. 36].

As a conclusion, we can say that the authors of pre-revolutionary official educational literature considered the state as a determining force in the development of the historical process. In their opinion, the creators of the state were not the masses, but the rulers - tsars, kings, princes. From a methodological point of view, the textbooks had a number of shortcomings: they were overloaded with chronological dates, names, teaching was conducted in the spirit of a pragmatic presentation. All this led to the mechanical memorization of historical material, and not to the development of students' thinking. The main forms and methods of educational activity were: multiple repetition of the material, memorizing the text of the textbook, reading, retelling of the textbook, answering control questions. Reproductive education was the basis. Although the teaching of history began with grades 1-2 (ages 9-10) and continued until graduation (ages 15-16), the age and psychological characteristics of students were not taken into account when forming knowledge about the state.

Some authors began to use new techniques that contributed to a better assimilation of historical material, historical concepts, the concept of "state". Such techniques include: comparison of political institutions over time and in individual countries, descriptive description of individual state institutions, selection of characteristics, concepts, conclusions, generalizations in the text, logical division of material into groups, use of visualization, historical documents, formation of students' cognitive independence.

In this period, methodical recommendations for teachers appear, which contributed to the use of new techniques in teaching history.

After the revolutionary events of 1917-1922, radical changes took place in the content of history, the local history component, and other knowledge about society, the state, and law. For more than 15 years, this knowledge has been part of the "Social Studies" school course. The problem of forming knowledge about the state has become one of the central ones in pedagogical science. The teachers worked on the content of the concepts: "state", "Soviet state", "socialist fatherland", "Soviet socialist state", "USSR - a multinational state", "dictatorship of the proletariat", "Councils as a state form of the dictatorship of the proletariat", "state bodies", "functions of the Soviet state", "union republic", "nation-state formation", "autonomy", "sovereignty of the Soviet state", "Soviet citizenship", "state system", are looking for a way to educate Soviet patriotism, proletarian internationalism, fidelity to Marxist-Leninist communist ideals, as well as the subordination of the individual to the interests of the collective, society, and state. At first, they used textbooks on Russian history that were created before the revolution.

The program of the seven-year unified labor school from the 1921-1922 academic year introduced the teaching of a social science course [33], which included the study of history [34, p. 9]. In 1923, comprehensive programs were introduced, including social studies. The main topics of this course were "Working activity", "City and village". Historical material played an auxiliary role for comparing the past and the present. This is how the topic devoted to the state system of tsarist Russia and the Soviet state system was presented. The material was supposed to provide knowledge

about the development of society and the state. Social science programs included the study of, in particular, the most important events in the history of Ukraine. In 1924-1929, "A Short History of Ukraine" was published for students [34, p. 9].

The comprehensive program of 1928 provided for the study of the history of various states, the following topics were offered: "Feudal state - the violent organization of the landowner class", "The state of merchant capital - the organization of nobles and merchants", "Louis XIV and absolutism of the 17th century", "The Parliament of England in the 18th century ." [35].

Analysis of the structuring of educational material on history in the 20s of the XX century. shows that it was based on a linear principle, the study of history was distributed in all classes of the school, but there was no sequence and continuity in the coverage of history. The training manuals were overloaded with facts and details.

In the early 1930s, changes were made to the school education system under the influence of the resolutions of the Central Committee of the CPSU(b) "On Primary and Secondary School" dated August 25, 1931 and "On Curriculum and Regime in Primary and Secondary School" dated August 25, 1932 year [36]. The lesson again became the main form of organization of educational work, and the importance of the teacher in the educational process increased significantly. There was a return to the subject structure of programs, history was taught as an independent subject at school. Thus, the formation of a new subject system of teaching and new approaches to learning began.

In the summer of 1933, history programs were published, and then textbooks on the history of the ancient world, the Middle Ages, and modern history compiled in accordance with them appeared [36]. In 1933-1934, textbooks on history were published: N. Nikolskyi on the history of the ancient world, in which material on the history of preschool society, the ancient East and the ancient world was considered; A. Gukovsky and O. Trachtenberg on the history of feudalism. In the last textbook, material from the earliest times on the history of Western European and Russian feudalism was presented in parallel. The presentation of the material was presented not according to the history of specific countries and peoples in chronological order, but

from individual problems. The following problems were revealed: feudal economy and the position of the peasants, the feudal state, the feudal church and its ideology, cities, peasant uprisings [37].

These programs and textbooks were based on the Marxist-Leninist theory of socio-political formations with the appropriate periodization of the historical process. There was no history of the USSR as a separate independent course. The programs were built as follows: first, 2-3 topics from world history, then a topic from the history of the USSR. As a result, students did not get a complete picture of the history of the state. In the textbooks, the material of national history was presented in separate isolated inserts. History textbooks were not accessible to students because they used complex terminology, the material was difficult to teach, there were no questions and tasks for the topics, which made it difficult for students to work independently. Illustrations, maps, tables, documents, and a chronological table in a textbook on the history of the ancient world had a positive influence on the process of learning history.

A decisive turning point, which fundamentally changed the situation in school history education, was the resolution of the RSC of the USSR and the Central Committee of the CPSU(b) "On teaching civic history in schools of the USSR" dated May 15, 1934. [38].

The resolution laid down the main provisions of the integral methodical concept of teaching history at school:

- 1) teaching historical material in chronological order;
 - 2) informing students of specific historical phenomena and events in an accessible form with the characteristics of historical figures;
 - 3) fixing in the memory of students concrete historical material;
 - 4) development and generalization of historical events and phenomena, bringing students to the Marxist-Leninist understanding of history based on this consideration.
- Resolution of the Central Committee of the Communist Party of the Soviet Union (b) "On conducting an elementary course of general history and the history of the USSR in elementary and junior high schools" dated June 9, 1934. for many years determined the structure and content of historical education in junior and

middle grades: in grades 3-4, it was expected to study an elementary course of national history with brief information on general history (120 hours); in grades 5-7 – the history of the ancient world (120 hours) and the Middle Ages (120 hours). In the senior classes of the secondary school, historical education was finally determined by the initial plan and programs of 1940: in the 8th grade, the history of the USSR was studied until the end of the 17th century. (82 hours) and a new story of the first period (79 hours); in the 9th grade - the history of the USSR of the 18th and 19th centuries. (82 hours) and a new story of the second period (79 hours); in the 10th grade - history of the USSR (82 hours) and recent history of foreign countries (50 hours) [38, p. 168].

In accordance with this resolution, the study of all history courses was introduced in Ukraine, and in particular the course of the history of the USSR in grades 8-9, and by order of the Ukrainian SSR NKO dated August 29, 1935 (No. 889), the teaching of the history of the Ukrainian SSR was introduced. In a number of publications, issues of methods of studying the history of the Ukrainian SSR begin to be highlighted [34, p. 10]. However, since a textbook on the history of the Ukrainian SSR was not created, a method of teaching this subject was not developed, the study of the history of the republic at school in the pre-war years was not established.

A characteristic feature of the methodology of history in the 30s of the 20th century. there is a lack of interaction between methodologists and learned historians in the work on school history courses: methodologists did not interfere in the selection of the content of historical material that was included in school textbooks, and historians, working on the creation of textbooks, practically did not take into account the methodological features of teaching history at school.

Creation of stable history textbooks was taken under state control. In accordance with the resolution of the RNA of the USSR and the Central Committee of the CPSU(b) dated March 3, 1936, a competition was announced for the best textbook for 3-4 grades on the elementary course of the history of the USSR with brief information on general history. In 1938, the "Short course of the history of the Communist Party of Ukraine (b)" was published, which became the methodological base and model for school

history. Any deviation from its provisions came under severe criticism, often with administrative findings.

The authors of the new textbooks built them on the principles of Marxism-Leninism and did not pay enough attention to teaching methods, did not take into account psychological and pedagogical, methodological requirements about the availability of the taught material for schoolchildren of the appropriate age.

Issues of the state were studied by the students throughout the history course. During the study of the history of the ancient world, students were introduced to the emergence of specific states, according to the Marxist-Leninist theory of the origin of the state as a result of the division of society into warring classes. When studying the following socio-political formations, students get acquainted with various forms of the state, functions of the state, with the most important state bodies, found out the mechanism of state management, various types of organization of state power. The entire process of this study was carried out on the basis of specific historical material. The state in an exploitative society was seen as an apparatus of violence and oppression of the working classes of the population.

In 1936, a new course called "Constitution of the USSR" was introduced, which was studied until 1962. It provided specific knowledge about the political and administrative system of the USSR, the task of the course was to prepare "Soviet youth for active participation in the construction of communism, in which all citizens without exception will participate in the management of the state." In order to successfully fulfill their duties, every citizen of the USSR, including schoolchildren, had to know the basics of the Soviet state and social system [38].

The structure of school historical education, which developed in the 1930s, existed until 1959. As for its content, corrections were made to it related to the development of historical science and specific tasks that were set before the school at various stages of the life of Soviet society. The first serious changes took place during the Great Patriotic War. At that time, the tasks of military-patriotic education of the younger generation were brought to the fore. Additional subtopics, questions, and historical information were included in the programs, and then in the textbooks, which made it

possible to cover in more detail the heroic past of the peoples of the USSR and other countries.

In the post-war years, the increased ideological and political orientation of history teaching was preserved and even strengthened. The connection between history and modernity was seen above all as a means of strengthening ideological and political education: the teacher had to use the facts of the past to educate Soviet patriotism, understanding the politics of the party and the Soviet state, and fostering conviction in the victory of socialism and communism.

In the 40s and 50s of the XX century, work on improving existing and preparing new curricula, programs and history textbooks was continued. It included the following stages: preparation of options for the curriculum and programs for eleven-year education (1947); preparation of draft programs for junior high and high schools with the aim of giving graduates a relatively complete understanding of the history of the state and foreign countries in the new era (1951); preparation of new curricula and programs, which were developed taking into account the decisions of the 20th Congress of the CPSU (1955); the subsequent improvement of programs and textbooks in accordance with the requirements of the 20th Congress of the CPSU on overcoming the cult of personality, increasing the role of history in the communist education of students, strengthening the connection between teaching and life, the "practice of communist construction" (1956-1958) [38].

In this period, in the works of O. Strazhev, M. Zinoviev, N. Andrievska and V. Bernadskyi highlights the problem of forming knowledge about the state. What was new in the works of these authors was that they first raised the question of the need for special work by the teacher with students on the most important general scientific concepts, the main of which is the state. The main ways of their formation were determined: using textbooks, working with maps, diagrams, tables, dates, notebooks, drawing up tables, etc.

O. Strazhev in his writings, along with other problems, also touches on the problem of teaching the history of the state in secondary school, as the main methods of

teaching, he singles out systematization, as well as revealing the essence of the state through the study of specific government measures and legislation [39].

M. Zinoviev gives examples of techniques for forming basic historical concepts in students based on the study of specific states. [13].

In 1947, a methodological manual by N. Andrievska and V. Bernadsky was published, in which, in the first part, a separate chapter is devoted to the study of the history of the state in a seven-year school. The authors emphasize that students' problems in the process of studying the history of individual states are explained not only by the difficulties of the question, but also by the inability to teach the material correctly and accessible to children, therefore the main role in the learning process is given to the teacher. The teacher tells, shows, explains, reads. And students simply perceive [40, p. 131]. According to the authors, the main methods of forming knowledge about the state are stories, conversations, work with textbooks, documents, and sayings of Marxist classics.

A new period in the development of school historical education begins at the end of the 1950s, when the law "On strengthening the connection between school and life and on the further development of the public education system in the USSR" was adopted (1958) [38, p. 53]. This law made qualitative changes in approaches to school education: the guiding principle of studying the basics of science at school, which determined the content, organization and methods of teaching, was the close connection of education with life, with production, "with the practice of communist construction." In connection with the task of preparing students for life, the attention of methodologists is directed to solving the problems of increasing the activity and independence of students in the learning process. The student begins to be considered as an active participant in the learning process. New teaching methods spread, which contributed to the intensification of the educational process, the introduction of programming elements, problems, and greater use of technical teaching aids. These problems were reflected in the works of V. Kartsev, D. Nikiforov, O. Vagin, and P. Leibengrub. New phenomena in pedagogical theory and practice began to emerge in

the period of the "Khrushchev thaw" in the second half of the 1950s - the beginning of the 1960s.

Methodical manuals on the history of the USSR by M. Vasilieva, A. Kinkulkina, P. Leibengrub [41, p. 322] devoted to the study of the history of the formation and development of the Soviet state; A. Kostenko - the foreign policy of the Soviet state in 1921-1925, the question of the formation of the USSR, the form of the state system of the USSR [42, p. 370].

During the 60s and 80s of the XX century. there were several turning points that influenced, above all, the structure and content of school history education. In 1959, the resolution of the Central Committee of the CPSU and the Council of Ministers of the USSR [38, p. 196] which defined a new order of teaching history at school: episodic stories from the history of the USSR were studied in the 4th grade, an elementary course in the history of the ancient world in the 5th grade, an elementary course in the history of the Middle Ages in the 6th grade, an elementary course in the history of the USSR in the 7th-8th grade with the most important information from the new and recent history of foreign countries, 9-11 grades - a systematic course of the history of the USSR and a systematic course of the new and recent history of foreign countries. With this arrangement of courses, the study of the history of the USSR was built according to the principle of concentricism (grades 7-8 - elementary course, grades 9-11 - systematic course), and the study of the history of foreign countries was based on the linear principle. Such a system did not last long. On May 14, 1965, the Central Committee of the CPSU and the Council of Ministers of the USSR adopted a resolution "On changes in the order of teaching history at school [38, p. 218]. Instead of elementary and systematic courses on the history of the USSR, one course was introduced in grades 7-9, and new and recent history of foreign countries was to be taught in grades 8-10. Thus, the teaching of history began to be built on a linear principle.

The Ukrainian leadership duplicated the resolutions of the Union bodies. On January 4, 1960, the resolution of the Central Committee of the Ukrainian Soviet Socialist Republic and the Council of Ministers of the Ukrainian SSR "On some

changes in the teaching of history in the schools of the Ukrainian USSR" was issued. In accordance with these resolutions, the system of historical education in the schools of the Ukrainian SSR changed. Its features are that in the course of the history of the USSR in grades 7-9, the history of the Ukrainian USSR was also studied as an integral part of it [34, p. 12].

Changes in history education at the end of the 1950s. demanded the creation of new programs and textbooks. To implement the tasks set forth in the aforementioned resolutions, the Ministry of Education of the Ukrainian SSR and scientific institutions comprehensively and step-by-step solved a number of important problems. First of all, the sector of historical methodology and social science of the Research Institute of Pedagogy of the Ukrainian SSR, in accordance with the achievements of Soviet historiography and pedagogical science and taking into account the advanced pedagogical experience of teaching history in other union republics, determined a scientifically based amount of knowledge on the history of the Ukrainian SSR in a single course of national history. The volume envisages a systematic and specific study of the history of workers of all nationalities who inhabit the Ukrainian SSR, in close connection with the history of the entire Soviet Union [43, p. 120-126]. The content of knowledge was published and widely discussed by the pedagogical community of the republic. On the basis of the program on the history of the USSR compiled by the Academy of Pedagogical Sciences of the USSR, and the amount of knowledge on the history of the Ukrainian SSR determined by historians and teachers of the republic, a draft program of a single course of national history for grades 7-10 of the Ukrainian SSR secondary school was created. In it, the material of the history of the republic was about 20 percent of the volume of the entire program. The program was discussed and approved by a special commission for studying the scope of knowledge of history for secondary school and approved by the board of the Ministry of Education of the Ukrainian SSR. After that, it was published [34, p. 13]. The educational material highlighted the history of the peoples of the USSR in a single course, showed the ancient ties of the Ukrainian people with all the peoples of the USSR, Kyivan Rus as the "common cradle" of all Eastern Slavs.

Simultaneously with the development of the scope of knowledge and the program, their improvement, and in accordance with their content and requirements, a textbook on the history of the Ukrainian SSR was created. In 1961, a textbook by V. Dyadychenko and F. Losya for grades VII-VIII [44] and a textbook by F. Losya and F. Spitsky for grades IX-X [45] were published. They survived many editions and played a positive role in introducing the teaching of the history of the Ukrainian SSR in the course of the history of the USSR in schools under Soviet rule.

In connection with the changes since 1965, new programs and textbooks have been created. The new programs included a more detailed study of the Soviet period and the Soviet state. The attention to the theoretical issues of the course, to the assimilation of basic concepts by schoolchildren, as well as the concept of "state", was significantly increased. A positive phenomenon was the inclusion of issues of a local history nature in the content of national history courses as mandatory material.

In the 70s of the XX century, partial structural changes were made to the programs of individual courses: history of the ancient world (grade 6), modern history (grade 8-9), history of the USSR (grade 9-10), taking into account the research of Soviet historians, methodologists, as well as tasks and conditions of study in the named classes.

Modernized programs, different from the previous ones, contained new components. They highlighted basic concepts, a list of abilities and skills for each class, taking into account the stages of their formation; inter-course and inter-subject connections. The programs also define scientifically based requirements for the assessment of students' knowledge, skills, and abilities, taking into account developmental learning. A list of basic educational and visual aids and technical teaching aids, methodical literature recommended to the teacher was added to them.

One of the features of the programs was that due to the reduction of secondary, complex and duplicative material from all history courses, the time for repetition and generalization was increased. Proposed subject of repetitive and generalizing lessons.

In accordance with the new programs, new textbooks were published, the authors of which were V. Sarbey, H. Sergiechko, V. Smolii, V. Spitsky [46, 47].

During the 50-70s of the XX century an important step has been taken in creating a set of auxiliary manuals. A textbook on the history of the Ukrainian SSR was published for the first time, initially in two volumes for teachers [48, 49], and then in two books for teachers and students of grades 7-8 [50] and grades 9-10 [51]. The "Reading Book on the History of the Ukrainian SSR" was published in two editions (in 1960 and 1968), first in three, and then in two parts (1970-1971). A manual was published, which highlighted the method of using local history material in lessons of the history of the USSR [52]. Later, a book was published with selected illustrative material and methodical advice on their use in lessons of the history of the Ukrainian SSR [53]. The process of creating a complex of manuals and creative development of their structure and content played an important role in the formation of the system of studying the history of the Ukrainian SSR in the course of the history of the USSR. After all, for the development of each manual, it was necessary to solve the problems of selecting educational material, historical concepts, phenomena, events, and facts.

At the same time, the systematization of the selected material took place and a certain logical structure of the basics of knowledge on the history of the Ukrainian SSR in the program on the history of the USSR was created. There is clarification of the content of the history of the Ukrainian SSR, selection of the system of leading ideas, concepts and regularities and the sequence of their disclosure, establishing inter-course and inter-subject connections. Methods of solving complex methodological problems of teaching history as a whole, forming integral knowledge of the history of the Ukrainian SSR were determined. There were also certain requirements for the formation of knowledge, abilities and skills in students of grades 7-10 when studying the history of their homeland. During this period, special methodical manuals for teachers revealed the specifics of learning and learning specific material, including about the state, from individual school history courses.

The methodology of teaching the history of the ancient world and the Middle Ages in the 5th-6th grades was revealed in the manual published in 1970 under the editorship of F. Korovkin and N. Zaporozhets. The manual examines the purpose and regularities of teaching the history of the ancient world and the Middle Ages, the content of these

courses, shows the possibilities of interdisciplinary connections, analyzes the textbooks, and a special section is devoted to the methodology of developing students' thinking and the formation of their abilities and skills in the process of learning history. The authors reveal the problem of formation of the concept of "state", show specific methods of this work. A lot of attention is paid to the independent work of students, examples of its organization are given. F. Korovkin draws attention to the difficulty of forming the concept of "state", which is exacerbated, firstly, by the fact that the scientific definition of the state is not accessible to 5th grade students, and secondly, by the fact that they understand the well-known word "state" as "country", "territory" [54, p. 107].

A kind of continuation of the guide discussed above is the "Methodical Guide to the History of the Ancient World" published in 1977 by H. Goder. At the beginning of the book, the author examines the problems of the history of the ancient world in the school course, pays attention to the formation of students' knowledge about the origin and essence of the ancient state, shows the method of forming knowledge about the state, defines the signs of the state, the patterns of the emergence of the state in the countries of the ancient East, the city-states of Greece and Rome, examines the forms and functions of states (internal - related to the need to protect and strengthen the existing order, organization of irrigation works, and external - expanding the territory), defines and explains the concepts of "monarchy", "eastern despotism", "republic", "democratic republic", "aristocratic republic" compares with the help of a table social power in the tribe and state power in ancient Egypt, the state system of ancient Egypt and Athens [55, p. 34-44]. When forming concepts, it was suggested to use different types of explanation, independent work of students, work with a map, chronology, blackboard, transparencies, transparencies, etc. A positive aspect of the manual is the description of the content and methods of working with film slides in the lessons of the history of the ancient world (10 film slides are described).

An example of a methodical manual of a new type, in which the thematic and lesson planning of the educational material was combined with the definition and solution of general problems of the method, is the book by E. Agibalova and H. Donsky

"Methodology of Teaching the History of the Middle Ages". In the manual, the authors offered several options for methodical development of the lesson, designed for different levels of students. The manual described systematic work on the formation of students' knowledge and skills, gave examples of setting problem-cognitive tasks, creating a problem situation, tasks of a research nature, and creative works. The teacher was offered a wide choice among various methodical options. Methodists paid attention to the formation of students' knowledge about the state, on the material of the history of individual states, the teacher had to show the changes in various forms of the state system, the peculiarities of the form of the feudal state, and determine the types of the feudal state [56].

The method of teaching new history is shown in A. Zavadye's manual. It was compiled according to A. Yefimov's textbook "New History. Part 1" and contained methodological developments of all lessons of the course. The manual shows the ways and methods of studying new material, conducting current, summarizing and final repetition. Without duplicating the textbook, the manual provides the teacher with historical information that helps him to explain certain difficult questions of the course or to specify his presentation, to give the lessons more interest and emotion, recommendations are given on the formation of knowledge about the state when studying various topics of the course [57].

In 1984, the reform of secondary comprehensive schools began. Historical education, reflecting the results of the research work of Soviet methodologists, had to fulfill the following tasks: in order to form integral knowledge about the development of human civilization, create a single course of general history interconnected with the course of the history of the USSR [58, p. 68]; clarify the list and volume of material, eliminate the overload of programs and textbooks, more clearly explain the main concepts and leading ideas considered in history courses, reflect new achievements of historical science in them; to determine for each class the optimal amount of abilities and skills that are mandatory for students to master, to improve the forms, methods, and means of learning, to actively involve students in working on books and other

sources of knowledge, to help them develop independent thinking, to show creative activity [58 , p. 45].

In the 60-80s of the XX century great attention was paid to the development of issues of the formation and development of the Soviet state. An example is the work of G. Klokova [59], where the planning of individual lessons was described in detail, and the development of seminar classes was given. She paid attention not only to the content of the material, but also to the techniques of its study. Great attention was paid to various methodological tools (logical tasks, tables, work with documents), which contributed to a better and conscious assimilation of the material. E. Izrailevych [60] gives recommendations for conducting seminar classes, about various methods of working with documents, periodicals; names abilities and skills that can and should be formed in students. In the works of L. Bakhmutova, at the theoretical and applied levels, the problem of the formation of the concept of the "Soviet state" is highlighted, methodical techniques for identifying the features of the state by examining the structural elements of the concept, the characteristics of their interrelationship and interdependence in the solution of state functions are shown. At the same time, the state was studied in close relationship with law. Much attention was paid to the implementation of retrospective and prospective intra-course connections as a means of understanding the concept of "state", the trends of its development were revealed. The material about the state studied in the course of history was used not only as an illustration for the teacher's explanation, but was the basis for the formation of new concepts, for example, the formation of the concept of "political system", "political regime". The role of the state as the main element of the political system is emphasized, the forms of state government (republic, monarchy), as well as the structural elements of state power are mentioned. Tasks for students' independent work were also developed, designed not only for a reproductive, but also a productive, including creative level of mastering basic concepts, such methodical techniques as working with sources, documents, drawing up tables and diagrams were shown [61]. In the manual for evening school teachers, edited by M. Povolotska, the history of the Soviet state during the years 1917-1964 was considered [62].

In the 1962-1963 school year, new school courses "Social Studies" and "Fundamentals of the Soviet State and Law" were introduced. Also, the issues of knowledge formation about the Soviet state were considered in methodological manuals on social science and "foundations of the Soviet state and law", about the origin and essence of the state, historical types and forms of states, political system, state system of the USSR, organs of the Soviet state.

In 1980, the "Methodical manual for the course "Fundamentals of State and Law" edited by P. Gureev and G. Davydov was published. This manual was designed for teachers, prepared in accordance with the program and textbook approved by the Ministry of Education of the USSR and the Ministry of Justice of the USSR. The authors recommend using knowledge from the history of the ancient world, the history of the Middle Ages, and the history of the USSR when forming knowledge about the state. Students know such types of states as slave and feudal. They know the forms of these states - monarchy and republic (Athens, Rome - republic, Golan, Novgorod boyar republics, eastern despotic monarchies: Egypt, Babylon, China; Absolute monarchies in France, England, Russia) [63, p. 11]. An important role in the formation of knowledge about the state was played by the studied topics: Political system of society; State and personality in the USSR; The national-state structure of the USSR; State authorities in the USSR; State administration bodies in the USSR. When studying these topics, it is recommended to work with documents, textbooks, tables, interdisciplinary connections, and perform creative tasks for better assimilation of knowledge [63, p. 11].

The manual for teachers edited by L. Bakhmutova, G. Davydov, and I. Lerner, which was published in 1984, differs from the previous methodical literature, in which lesson plans were provided for the fact that it revealed the theoretical problems of the teaching methodology "Fundamentals of the Soviet State and Law": interdisciplinary connections; use of visualization and technical means; independent work of students; repetition; checking and evaluating students' mastery of the material; formation of legal skills and concepts [64]. Much attention was paid to the formation of knowledge about the state, the methods of better assimilation were determined: a rational combination

of visual-figurative and oral-logical methods; establishing the connection of the concept with other previously learned concepts; application of concepts in solving educational tasks; posing problem situations; classification of concepts; solving creative tasks, generalizing concepts using inter-subject and intra-subject connections. It was noted that the legal characteristics of the concept of "state" can be successfully used in the study of topics from the history of the USSR and social sciences [64, p. 62-64]. It was rightly pointed out that the establishment of interdisciplinary connections with history contributes to better assimilation of new material, ideas about separate functions of the state, the form of the state system [64, p. 95]. In the methodical manual, written by the author's team under the leadership of N. Nekrasov [65], the discussed issues are related to the stages of the development of the Soviet state, and the peculiarities of the development of the state apparatus are defined. In the methodological manual edited by A. Kinkulkin, V. Mazurenko, S. Shcheprova considered both general issues of teaching social studies and methods of teaching individual topics. The book contains theoretical material, the authors offer techniques for working with documents, textbooks and other literature, options for lesson planning, some tasks for independent work of students are formulated, plans for seminar classes are given, it is recommended to use historical knowledge, the concepts of "state system", "state authorities" are considered and state administration of the USSR and the Union Republics" [66].

The book, edited by G. Druzhkova, summarizes the experience of social science teaching methods, highlights methodological problems and course tasks. The authors indicate what knowledge students from the history course can rely on when studying the issues of the state, how to approach the formation of certain concepts and laws, what types of visualization can be used when studying the issues of the political organization of society [67].

Methodical manual by G. Davydov, D. Karaev highlights the issues of the social and state system of the USSR, the organization and activity of state authorities and state administration, the basic rights and duties of Soviet citizens [68].

In the manual by V. Mazurenko and S. Shcheprov, the main attention is paid to the development of the Soviet state, the activities of the Soviet state apparatus, the authors also recommend relying on knowledge of the history of the USSR, questions for the seminar, topics of independent reports are suggested [69].

It should be noted that in almost all methodical manuals, the list of active forms was supplemented with laboratory and practical classes, final interviews. The teacher was suggested to combine active forms of educational work with forms of extracurricular work.

The analysis of methodical literature makes it possible to draw a conclusion about the development in these years of the methodology of studying state issues in history and social science courses. The development of individual lessons is presented, the use of methodological techniques and tools is shown. However, in the methodical manuals, not enough attention was paid to the reasoned disclosure of the content of concepts by students, the selection of their essential features, consideration of concepts and theoretical provisions in their relationship and interdependence.

During the 60-80s of the XX century in connection with changes in the purpose of education, the content of historical education changed, which was reflected in the development of new programs, the creation of new ones, and the improvement of certain old textbooks. The programs began to include sections dedicated to the formation of concepts, abilities and skills, which contributed to the organization of the teacher's work on the development of the student. In the textbooks, not only the content has changed, but also the methodical apparatus. He strengthened cognitive activity, independence of students, focused on their age characteristics. Textbooks increasingly begin to influence the practical development of history teaching methods. They began to act as a tool for education, upbringing and development of schoolchildren. A clear system of knowledge about the state was formed, which corresponded to the Marxist-Leninist teaching on the development of society.

The problems of the formation of knowledge about the state in the Soviet period were reflected both in dissertation studies on the methodology of teaching the history course, and on the problems of teaching the school course on the Constitution of the

USSR and social studies. At the end of the 1940s, dissertations by V. Proshlyakova and I. Kondratiev were written devoted to the formation of the concept of "state" in the course of the history of the USSR. The works of I. Donets and Z. Rogushina are devoted to the question of the formation of knowledge about the early feudal state - Kyivan Rus. At the beginning of the 50s of the 20th century, Yu. Mazurenko's dissertation was defended, in which the methodology of studying the topic "The State System of the USSR" was considered, and Ye. Vinogradov's dissertation, which showed the methodology of forming initial knowledge about the state in the lessons of the ancient world. The work of L. Bakhmutova is devoted to the formation of knowledge about the Soviet socialist state in the courses of history of the USSR and social studies. Dissertations of P. Hora were written on the methodology of formation of historical concepts in the early 70s of the XX century. - L. Semenyuk. Peculiarities of teaching the Constitution of the USSR are considered in the work of N. Nekrasov.

Conclusions. In connection with the socio-political restructuring of the mid-1980s, historians, lawyers and methodologists faced the task of finding new approaches to the goal of teaching history and jurisprudence, determining ways to overcome negative phenomena in historical and legal science and school history teaching. This seriously affected school historical and legal education, stopping for a certain time the study of teaching methods and bringing to the fore the issue of the content of historical and legal education, in particular, the issue of providing students with knowledge about the state.

References

1. Ystoryia pedahohyky. S XVII v. do seredyny X v.: uchebnoe posobye dlia pedahohycheskykh unyversytetov / Pod red. A. Y. Pyskunova. M.: Sfera, 1977. Ch. 2. 304 s.
2. Bohuslavskiy M. V. Dorevoliutsyonnaia hymnazyia: sodержanye y orhanyzatsyia obucheniya. M.: Tsentr «Pedahohycheskyi poysk», 2000. 160 s.
3. Koliada I. A. Vykladannia prava v dorevoliutsiinii shkoli. Pravo Ukrainy. 1994. № 3-4. S. 37.
4. Tomashevych V. A. Uchebnyk zakonovedeniya dlia hymnazyi y realnykh uchylyshch. SPb.: Sytyn, 1907. 130 s.

5. Elnytskyi K. Uchebnyk zakonovedeniia dlia srednykh uchebnykh zavedenyi. SPb, 1907. 143 s.
6. Shchutskyi M. M. Uchebnyk zakonovedeniia dlia kadetskykh korpusov. SPb., 1911. 154 s.
7. Holmsten A. Kh. Opyt metodyky zakonovedeniia, kak predmeta prepodavaniia v srednei shkole. Spb.: Tipohrafiia Yu. N. Erlykh, 1909. 108 s.
8. Kaidanov Y. Nachertanye ystoryy hosudarstva Rossyiskoho. SPb., 1834.
9. Ylovaiskyi D. Rukovodstvo po vseobshchei ystoryy. Srednyi kurs. M., 1902. 486 s.
10. Ylovaiskyi D. Kratkye ocherky russkoi ystoryy, kurs starsheho vozrosta. SPb. 1912. 373 s.
11. Rozhdestvenskyi S.V. Otechestvennaia ystoryia v sviazy s vseobshcheiu(sredneiu y novoiu) Kurs srednykh uchebnykh zavedenyi. SPb, 1873. 450 s.
12. Belliarmynov Y. Y. Rukovodstvo k russkoi ystoryy s popolneniiami yz vseobshchei. SPb., 1874. 123 s.
13. Zynovev M. A. Ocherky metodyky prepodavaniia ystoryy / Pod red. S. D. Skazkyna. M., 1955. 184 s.
14. Pokotylo N. K. Praktycheskoe rukovodstvo dlia nachynaiushcheho prepodavatel'ia ystoryy. SPb., 1912. 457 s.
15. Elpatevskyi K. V. Uchebnyk Russkoi ystoryy s prylozhenyem rodoslovnoi y khronolohycheskoi tablyts y ukazatel'ia lychnykh ymen. SPb, 1903. 486 s.
16. Efymenko A. Ya. Uchebnyk russkoi ystoryy. Dlia starshykh klassov sredne- uchebnykh zavedenyi. SPb.: Yzdatel'stvo Brokhauza y Efrona, 1909. 445 s.
17. Kataev Y.M. Uchebnyk russkoi ystoryy dlia srednykh uchebnykh zavedenyi. Spb, 1907. 108 s.
18. Kovalenskyi M. Russkaia ystoryia. Dlia srednei shkoly y dlia samoobrazovaniia. SPb., 1913. 360 s.
19. Kovalenskyi M. Elementarnyi uchebnyk russkoi ystoryy dlia nachalnykh uchylyshch. M.-Ph.: Yzd. T-va V.V. Dumanov, nasledsn. br. Salaevykh, 1916. 212 s.

20. Kareev N. Uchebnaia knyha novoi ystoryy s ystorycheskymy kartamy. SPb.: Typohrafiia Y. N. Skorokhodova, 1900. 338 s.
21. Kareev N. Zametky o prepodavanny ystoryy v srednei shkole. SPb.: Typohrafiia Y. N. Skorokhodova, 1900. 78 s.
22. Kareev N. O shkolnom prepodavanny ystoryy. Petrohrad: Typohrafiia M. M. Stasiulevycha, 1917. 220 s.
23. Platonov S. F. Sokrashchennyi kurs russkoi ystoryy dlia srednei shkoly. Petrohrad: Yzd. Ya. Bashmakova y K., 1917. 126 s.
24. Platonov S. F. Uchebnyk russkoi ystoryy dlia srednei shkoly: kurs systematycheskyi v dvukh chastiakh. SPb.: Yzd. Ya. Bashmakova, 1914. 493 s.
25. Yvanov K. A. Uchebnyk russkoi ystoryy (systematycheskyi kurs dlia starshykh klassov srednykh uchebnykh zavedenyi). SPb: Peter. uchebnyi mahazyn, 1915. 202 s.
26. Kroliunytskyi A. Opyt metodyky elementarnoho kursa ystoryy. SPb.: Yzdatel, 1899. 435 s.
27. Kulzhynskyi Ya. Opyt metodyky systematycheskoho kursa ystoryy. SPb., 1914. 179 s.
28. Zheltov V., Tokyn V. Opyt metodyky elementarnoho kursa russkoi ystoryy. M.: Yzd. kn. mahazyna M. D. Naumova, 1913. 172 s.
29. Synhalevych S. P. Stranytsa yz metodyky ystoryy (Kak vesty uroky v UIII klasse zhenskykh hymnazyi). S prylozhenyem prohammy po metodyke prepodavanyia ystoryy. Kazan: Yzd. kn. mah. M. A. Holubeva, 1915. 27 s.
30. Lanhlua Sh., Senobos Sh. Vvedenye v yzuchenye ystoryy; [perevod s frants. A. Serebriakovoi]. SPb.: Yzd. O.N. Popovoi, 1899. 275 s.
31. Kruhlykov-Hrechanyi L. P. Metodyka ystoryy. K. Yzd. avtora, 1916. 122 s.
32. Zviahyntsev E. A. Ystoryia v narodnoi shkole. M.: Nar. uchytel, 1913. 64 s.
33. Prohammy semyletnei edynoi trudovoi shkoly. M.: Hosyzdat. 1921.
34. Lysenko M. M. Metodyka vykladannia istorii Ukrainskoi RSR. K.: Rad. shk., 1985. 271 s.
35. Prohammy y metodycheskye zapysy edynoi trudovoi shkoly. M.: Hosyzdat. 1928. Vypusk 3.

36. Prohrammy srednei shkoly (horodskoi y selskoi) (5-8 hoda obuchenyia). M.: Uchpedhyz. 1933. Vypusk 3.
37. Huz A. M. Metodyka vykladannia pravoznavstva v shkoli: navchalno-metodychnyi posibnyk. K.: KNT, 2006. 180 s.
38. Narodnoe obrazovanye v SSSR. Obshcheobrazovatelnaia shkola: sbornyk dokumentov. 1917-1973 hh. / sostavytely: A. A. Abakumov, N. P. Kuzyn, F. Y. Puzyrev, L. F. Lytvynov. M.: Prosveshchenye. 1974. 550 s.
39. Strazhev A. Y. Metodyka prepodavanyia ystoryy: [posobye dlia uchyteliei]. M.: Prosveshchenye, 1964. 286 s.
40. Bernadskyi V. N., Donskoi H. M. Metodyka prepodavanyia ystoryy v semyletnei shkole. M.: Uchpedhyz, 1947. 216 s.
41. Vasyleva M. S., Kynkulkyn A. T., Leibenburh P. S. Yzuchenye ystoryy SRSR v 10 klasse. M.: Yzdatelstvo APN RSFSR, 1957. - Ch.1. «Rossyia v peryod ymperyalyzma». 381 s.
42. Kostenko A. Ya. Yzuchenye temy «Vostanovlenye narodnoho khoziaistva. Ukreplenye Sovetskoho mnohonatsyonalnoho hosudarstva v 10 klasse. M.: Yzd-vo APN RSFSR, 1959.
43. Obsiah znan z istorii Ukrainskoi RSR v yedynomu kursi istorii SRSR i URSR u VII-X klasakh serednoi shkoly. Ukrainskyi istorychnyi zhurnal. 1966. № 2. S. 120-126.
44. Diadychenko V., Los F. Istoriia Ukrainskoi RSR: pidruch. dlia VII-VIII kl. K., 1961. 160 s.
45. Los F., Spyskyi V. Istoriia Ukrainskoi RSR: Posibnyk. dlia 9-10 kl. K., 1961. 190 s.
46. Sarbei V. H., Serhiienko H. Ya., Smolii V. A. Istoriia Ukrainskoi RSR: navch.posib. dlia 8-9 kl. K.: Rad. shk., 1983. 158 s.
47. Sarbei V.H., Spyskyi V. Ye. Istoriia Ukrainskoi RSR: Probnyi pidruchykh dlia 9-10 kl. K.: Rad. shk., 1985. 177 s.
48. Khrestomatiiia z istorii Ukrainskoi RSR / za red. I. O. Hurzhiia. K.: Rad. shk., 1959. T1. 747 s.

49. Khrestomatiia z istorii Ukrainskoi RSR / za red. F. Ye. Losia. K.: Rad. shk., 1961. T2. 642 s.
50. Khrestomatiia z istorii Ukrainskoi RSR dlia 7-8 kl. / za red. I. O. Hurzhiiia. K.: Rad. shk., 1970. 176 s.
51. Khrestomatiia z istorii Ukrainskoi RSR dlia 9-10 kl. / upor.: V. Ye. Spyskyi i H. I. Surhai. K.: Rad. shk., 1971. 200 s.
52. Lysenko M. M. Metodyka vykladannia kraieznavchoho materialu na urokakh istorii SRSR. K.: Rad. shk., 1961. 202 s.
53. Fedorenko P. S. Iliustratyvni materialy z istorii Ukrainskoi RSR. K.: Rad. shk., 1974. 100 s.
54. Metodyka obuchenya ystoryy drevneho myra y srednykh vekov v 5-6 klassakh: posobyie dlia uchyteliei ; pod red. F. Korovkyna ta N. Zaporozhets. M.: Prosveshchenye, 1970. 400 s.
55. Hoder H. Y. Metodycheskoe posobyie po ystoryy drevneho myra (5 kl.): [posobyie dlia uchyteliei]. M.: Prosveshchenye, 1977. 352 s.
56. Ahybalova E. V., Donskoi H. M. Metodycheskoe posobyie po ystoryy srednykh vekov: [posobyie dlia uchyteliei]. M.: Prosveshchenye, 1978. 335 s.
57. Zavade A .S. Metodycheskoe posobyie po novoi ystoryy. (8 kl.): [posobyie dlia uchyteliei]. M.: Prosveshchenye, 1978. 303 s.
58. O reforme obshcheobrazovatelnoi y profesyonalnoi shkoly: sb. dokumentov y materyalov. M.: Prosveshchenye, 1984. 112 s.
59. Klokova H. V. Yzuchenye sotsyalystycheskykh revoliutsyi v kursakh ystoryy: posobyie dlia uchyteliei. M.: Prosveshchenye, 1980. 176 s.
60. Yzralovych E. A. Yzuchenye voprosov sotsyalystycheskoho y kommunystycheskoho stroytelstva v kurse ystoryy SSSR (10 klas): [posobyie dlia uchyteliei]. M.: Prosveshchenye, 1979. 128 s.
61. Bakhmutova L. S. Yzuchenye stanovleniya y razvytyia Sovetskoho hosudarstva na urokakh ystoryy y obshchestvovedeniya: [kn. dlia uchyteliei. Yz opyta raboty]. M.: Prosveshchenye, 1984. 144 s.

62. Yzuchenye ystoryy SSSR v starshykh klassakh vechernei (smennoi) shkoly; pod red. M. Yu. Povolotskoi. M.: Prosveshchenye, 1965. 542 s.
63. Metodycheskoe posobyе po kursu «Osnovy Sovetskoho hosudarstva y prava»: posobyе dlia uchytel'ei; pod red. P. P. Hureeva, H. P. Davydova. M.: Prosveshchenye, 1980. 320 s.
64. Metodyka prepodavanyia posobyе Osnov Sovetskoho hosudarstva y prava: posobyе dlia uchytel'ei. / H. P. Davydov, Y. Ya. Lerner, L. S. Bakhmutova y dr. M.: Prosveshchenye, 1984. 160 s.
65. Obshchestvovedenye. Posobyе dlia uchytel'ei. / Ruk. avt. kol-va N. V. Nekrasov. M.: Uchpedhyz, 1963. 232 s.
66. Yzuchenye obshchestvovedenya v srednei shkole / A. T. Kynkulkyna, V. Y. Mazurenko, S. V. Shcheprova. M.: Prosveshchenye, 1965. 230 s.
67. Yzuchenye obshchestvovedenya v srednei shkole: [posobyе dlia uchytel'ei] / Pod red. A. V. Druzhkovoii. M.: Prosveshchenye, 1983. 304 s.
68. Davydov H. P., Karev D. S. Yzuchenye voprosov hosudarstva y prava v kurse «Obshchestvovedenya». Metodycheskoe posobyе dlia uchytel'ei. M.: Prosveshchenye, 1972. 174 s.
69. Mazurenko V. Y., Shcheprov S. V. Prepodavanye obshchestvovyydenya v srednei shkole. M.: Prosveshchenye, 1971.

6. Formation of the institute of inheritance in Ukraine and peculiarities of realization of inheritance rights under martial law

Abstract

The problems of exercising inheritance rights under martial law are outlined. Controversial aspects of legal regulation of relevant legal relations are considered.

The introduction of martial law in Ukraine undoubtedly affected all spheres of social relations, including inheritance. In this period, questions that previously had only theoretical importance become urgent. In particular, the war and the temporary occupation of certain territories of Ukraine by the enemy have a significant impact on individuals exercising their rights in the field of inheritance law. It is, first of all, about significant obstacles in the realization of the right to receive inheritance. Because of this, the state must effectively and timely respond to such challenges in order to protect the rights and interests of subjects, as well as ensure the stability of property turnover. There is no doubt that war is a significant destabilizing factor in the dynamics of property relations. Therefore, the task of legal doctrine in this extremely difficult period for the state is to develop effective mechanisms for subjects to exercise their inheritance rights for their further regulatory implementation.

6.1 Concept of inheritance in civil law

Inheritance is an institution of law, which was and is relevant from the point of view of its research, development and improvement, as it concerns the personal interests of a person. Many works of famous Soviet and Ukrainian scientists are devoted to the study of inheritance. This interest of science in inheritance issues is natural, because in the course of his life, a person mostly accumulates a certain amount of material goods and values, with which he wants to satisfy not only his needs, but also the needs of his relatives and friends. It is the norms of inheritance that are designed to regulate the transfer of the rights and obligations due to a person in the event of his death. In addition, especially in our time, inheritance has become relevant

not only for individuals, but also for legal entities, as it significantly affects the formation and composition of their higher bodies, their activities.

The importance of researching legal issues of inheritance by law is due to the growing importance of the right to private property of citizens and the order of its inheritance in the conditions of a market economy, the need to develop a legal mechanism that could properly protect the rights and interests of citizens. The importance of inheritance also lies in the fact that each member of society is guaranteed that the fate of his property will be determined by him personally: it will either pass to his closest people, or will become the property of the entire society at his will. Also, the possibility of determining the fate of property and transferring it to inheritance is one of the most important guarantees of the stability of private property relations.

In connection with the development of market relations in Ukraine, inheritance has become relevant not only for individuals, but also for legal entities, as it significantly affects their activities, the formation and composition of their higher bodies, especially this applies to issues of inheritance of shares, shares in the statutory fund, in particular, agricultural formations. Inheritance law is an integral part of the civil law of Ukraine.

Inheritance is the transfer of rights and obligations (inheritance) from a natural person (testator). There are two parties to an inheritance: the testator and the heir. Inheritors can be not only natural persons: citizens of Ukraine, as well as stateless persons and foreigners. Legal entities cannot be legatees. Heirs can be both physical and legal entities, the state, territorial communities [1, p. 270].

Inheritance occurs as a result of certain legal facts, namely: the death of a natural person or his declaration as deceased in accordance with the procedure established by law. Only under these circumstances do the heirs have the right to accept the inheritance.

After accepting the inheritance, the heir becomes a participant in the same legal relations, the subject of which the testator was previously, i.e. the subject is replaced in the legal relations of which the testator was a participant.

The rights and obligations of the testator pass to the heirs as a single whole, that is, universal legal succession takes place.

However, in practice there is also a singular legal succession, in which only certain rights (or obligations) pass to the heirs. In particular, this happens in the event that the testator made a will, according to which the heir is obliged to transfer a part of the house for use to a certain person - this person will be the singulator and successor [2, p. 201]. The inheritance includes all rights and obligations that belonged to the testator at the time the inheritance was opened and did not cease as a result of his death, with the exception of those that cannot be inherited at all.

The heir cannot partially accept the inheritance or partially renounce it, or one cannot accept some rights and renounce others.

Among the property rights that pass to the heirs as part of the inheritance, first of all, the right of ownership of various property should be mentioned, for example, a house, apartment, land plot, car, securities, other things that are the object of the property rights of citizens. However, arbitrarily built buildings and structures are not included in the inheritance property, since the testator (developer) does not have the right to own these objects [3, p. 367].

Inherited property also includes property rights, in particular rights to other people's things - easements, emphyteusis, superficies. Land easements are inseparable from the land plot and are therefore the object of inheritance.

At the same time, personal servitudes regarding the right of residence of the testator in a certain house, which is owned by another person, are not part of the inheritance.

According to Art. 413 of the Civil Code superficies is the right to use someone else's land plot for development, which is inherited.

The object of inheritance is also some rights in the field of intellectual property, in particular:

- copyright, that is, the right to publish and distribute works of science, literature, art and receiving a reward;
- the right to receive a diploma of a deceased author of a discovery, an author's certificate or a patent for an invention, a certificate for an innovative proposal, a certificate or a patent for an industrial design, the right to receive remuneration for the use of intellectual property objects;

- the right to an invention, an industrial design, which is based on a patent.

However, some rights and obligations of a person are not part of the inheritance, in particular those that are inextricably linked to the person of the testator:

- personal non-property rights;
- the right to participate in societies and the right to membership in citizens' associations, unless otherwise established by law or their constituent documents;
- the right to compensation for damage caused by mutilation or other health damage;
- rights to alimony, pension, assistance or other payments established by law, since they provided the means of subsistence only for the testator and cease with his death;
- rights and obligations of a person as a creditor or debtor [4].

As for obligations, the obligation to compensate for property and moral damage passes to the heirs, which, according to the court's decision, must be compensated by the testator during his lifetime. Inheritance can only take place under certain conditions. Thus, the legal successor is a natural or legal person who, as a result of facts determined by law, is recognized as an heir. An heir is a person who, in the event of the death of a person, acquires the right to receive his property.

The subjective right to inheritance arises in the heir regardless of his will. However, the realization of this potential right depends only on his manifestation of will [5, p. 1023].

Inheritance in Ukraine is carried out by law and by will. Inheritance by law takes place regardless of the will of the testator and is possible when the testator did not make a will or when his will is legally invalid.

Heirs both by will and by law can be natural persons who are alive at the time of the opening of the inheritance, as well as persons who were conceived during the life of the testator and born alive after the opening of the inheritance. Citizens of Ukraine, foreigners, and stateless persons should be classified as natural person heirs.

Both individuals and legal entities and other participants in civil relations have the right to inherit under a will. They include: the state of Ukraine, territorial communities, foreign states and other subjects of public law [6, p. 78].

The death of inheritance can be conditionally attributed to the institution of inheritance. According to Art. 1277 of the Civil Code, the death of inheritance occurs in the event of:

- absence of heirs by will and by law;
- removal of heirs from the right to inheritance;
- their rejection of inheritance;
- refusal to accept it [4].

Only the court recognizes the inheritance as dead upon the application of the relevant local self-government body at the place of opening of the inheritance. An application for recognition of inheritance as dead is submitted after one year has passed since the inheritance was opened.

That is, the legislator gives sufficient time to the heirs of the deceased, if they did not have time to submit an application for acceptance of inheritance or missed the deadline for its acceptance, to exercise their rights to inheritance.

On the basis of a court decision, after the expiration of one year from the day of the testator's death, the inheritance is recognized as dead and becomes the property of the territorial community at the place of opening of the inheritance.

But property that the testator bequeathed to the state or territorial community is not defunct [7, p. 9].

The territorial community, which became the owner of the deceased property, is obliged to satisfy the demands of the testator's creditors, declared in accordance with the current legislation. According to Part 4 of Art. 1231 of the Civil Code, property and moral damage caused by the testator shall be compensated within the limits of the value of the movable or immovable property received as an inheritance [4].

If an inventory of the inheritance was made, but the testator has no heirs or they did not accept the inheritance or were removed from the inheritance, then in this case the inheritance is protected until it is recognized as deceased. All costs related to the protection of hereditary property are borne by the local self-government body. So, for example, if during the description of the inherited property, its guardian was appointed or there is a person with whom the contract for the management of the inherited

property was concluded, and if these persons demand payment for the performance of the duties assigned to them, the local body is obliged to satisfy their demands municipality.

Inheritance law issues remain in the center of attention of society and the state, legislators and researchers, every citizen, as inheritance issues affect everyone's interests to one degree or another.

6.2 Normative - legal basis of inheritance in Ukraine

A special place in the system of civil legislation is occupied by the Civil Code of Ukraine as a sectoral codified legislative act, designed, in principle, to regulate all social relations that are part of the subject of civil law and act as the basis for the development of all current civil legislation. The norms regulating the conditions and order of inheritance are contained in the Civil Code of Ukraine, which entered into force on January 1, 2004, the norms of which significantly affected the central institution of civil law - property rights and, accordingly, the institution of inheritance. Norms of the book of the sixth Central Committee of Ukraine, which is divided into 7 chapters: Chapter 84. General provisions on inheritance Chapter 85. Inheritance by will; Chapter 86. Inheritance by law; Chapter 87. Exercise of the right to inheritance; Chapter 88. Execution of a will; Chapter 89. Registration of the right to inheritance; Chapter 90. Inheritance contract [4].

Among the main laws, the Constitution of Ukraine of June 26, 1996 has the highest legal force. The Constitution of Ukraine provides for the right of citizens to own private property. Inheritance law provides the family of the deceased with the opportunity to preserve and use his property. Inheritance law enables every citizen to dispose of his property in the event of death, specifying its fate in a will. Therefore, it is directly aimed at protecting the interests of citizens. At the same time, inheritance law protects the interests of the deceased's family members in every possible way (especially minors and disabled family members) [8].

Legal guarantees for the exercise of inheritance rights are provided for by the norms governing inheritance, which are set forth in the Civil Code of Ukraine, the Law of Ukraine "On Notaries", the Family Code of Ukraine, and other laws and by-laws.

The Law of Ukraine "On Notary" dated September 2, 1993. It consists of 4 sections, 17 chapters and 103 articles. This law establishes the procedure for legal regulation of the activity of notary bodies and the procedure for their performance of notarial acts [9].

The norms governing the conditions and order of inheritance are contained in the Civil Code of Ukraine (Chapter VII, Articles 524-564). We find separate norms of inheritance law in other sections of the Civil Code of Ukraine (for example, Article 494), as well as in regulatory acts that regulate the activities of state notary offices. The law contains general provisions that regulate the organization of activities of notary bodies, powers to perform notarial acts, certification of agreements, application of the legislation of foreign countries to international agreements [4].

The Law "On Copyright and Related Rights" as amended on July 11, 2001. which consists of 6 sections. The Law "On Copyright and Related Rights" contains a general rule that property rights of authors and other persons who have exclusive copyright are inherited, and personal (non-property) rights are not part of it [10].

Resolution of the Plenum of the Supreme Court of Ukraine "On judicial practice in cases of inheritance" dated May 30, 2008 No. 7 contains guiding clarifications regarding the practice of applying certain norms of inheritance law [11].

The Land Code of Ukraine, adopted on October 25, 2001, regulates land relations in the state. The Code defines the powers of authorities and local self-government bodies regarding the disposal of land plots belonging to them, the purpose of land use, the right to own land, the right to use land, the limitation of land rights, the acquisition and realization of land rights, the sale of land plots or rights to them on the basis of civil law contracts, etc. [12].

The Family Code of Ukraine was adopted on February 10, 2002. The Code defines the rights and obligations of spouses, including the right to personal private property of the wife and husband, regulates the right to joint ownership of spouses, the rights

and obligations of spouses regarding maintenance, the procedure for concluding and certifying a marriage certificate. contract, rights of parents and children to property, adoption, custody and care of children [13].

Methodical recommendations for the performance of notarial actions related to taking measures to protect inherited property, issuing certificates of the right to inheritance and certificates of ownership of a share in joint property of the spouses, approved by the decision of the Scientific Expert Council on Notarial Affairs under the Ministry of Justice of Ukraine dated 29 January 2009, as well as other by-laws.

6.3 Historical stages of inheritance development

The history of the formation of inheritance law spans many centuries, and inheritance law itself is characterized by certain features at each historical stage of its development, which gradually changed, were supplemented, disappeared or were preserved and reached our days. Thanks to significant changes and features that accompanied the institution of inheritance, both the range of heirs and the range of objects of legal succession expanded. That is why the explanation of certain inheritance legal relations should be sought in the material relations that existed at each social and historical stage of the development of Ukrainian society and contributed to the development of the institution of real estate inheritance [14, p. 378].

Issues related to the stages of formation of the institution of inheritance of immovable property in Ukraine were considered by such scientists as S. G. Blagovisny, O. A. Zaitsev, S. G. Trifonov, as well as E. O. Kharitonov, in whose writings the historical periods of the development of inheritance law of Ukraine are covered. But it should be noted that scientific works directly devoted to the comparative analysis of the norms of inheritance law at different social stages of its development have not been published recently. Therefore, the question of analyzing the constituent elements of hereditary legal succession, which have survived and are currently used in our legislation, as well as those that have already disappeared, in their connection with socio-economic transformations, is still relevant. It should be noted that the current inheritance law of Ukraine owes its traditions to Roman law, within which the concept

and content of inheritance law was defined for the first time, the idea of the universal nature of inheritance was formulated, and the procedure of inheritance according to by law and will. According to the norms of Roman law, the inheritance of immovable property is a type of legal relationship in which the primary owner of immovable property (the testator) participates and which, in turn, is not directly related to the owner, the content of these relationships has objective character, that is, they do not cease with the death of a natural person, as they can be used by other persons (heirs) without changing their essence. Such a transfer of posthumous legal relations (rights and obligations regarding immovable property) of a deceased person to another is the highest internal necessity, the essence of which is that a person appears and disappears, and legal relations as an objective force, as a right to demand something, as a duty to satisfy the demands of others, and, in the end, as a vital necessity to remain and "survive" their master. It is this idea that Roman law interprets in the following way: "Life is continuous and requires the replacement of the dead by the living, one generation by another" [15, p. 3].

Analyzing the institution of inheritance law in ancient Rome, it is appropriate to note that it was not only strictly national in nature, since its norms applied only to Roman citizens, but also natural and naturally arose from the social order. As a result, the order of inheritance was determined by the very fact of kinship, and the property passed after the death of a citizen to those who were closest to him in the order of patriarchal kinship [16, p. 29]. In addition, in Roman law at all stages of its development there was a division of people into free and slaves, due to which it acquired a class character [17, p. 35]. Being the right of a slave-owning state, it reflected and ensured the interests of the slave owner (homeowner) first of all, and was aimed at strengthening and developing slave-owning private property. "It leaves to the heir the right that the deceased possessed during his lifetime, namely the right to appropriate the products of someone else's labor with the help of his property" [16, p. 30]. Thus, classism gave rise to the institution of restrictions on the inheritance of real estate, as a result of which only certain persons had the right to bequeath or inherit real estate: Roman citizens and free people. As we can see, in our time, the universal legal

succession regarding the rights and obligations of the testator has been preserved and has an imperative character, therefore the person who inherits rights to immovable property also receives a number of obligations regarding its maintenance, which also applies to restrictions on sub object composition, then in the modern inheritance law of Ukraine they apply only to foreign citizens who inherited a plot of land [18, p. 198].

In the history of the development of the institution of inheritance of immovable property, the period of formation of the Russian-Ukrainian inheritance law (XV-XVI centuries), when most of the Ukrainian lands were part of the Grand Duchy of Lithuania, played an important role in the state life of which land relations played a significant role. As in other states of the Middle Ages, land was an attribute of power, therefore, legislation on land ownership was well developed. A specific feature of the

land law of the Lithuanian-Russian state was that land ownership was not the prerogative of magnates and nobility. As stated by M. Yasynskyi, before the Union of Lublin, together with the nobility, the burghers and all free people could own land, enjoying the same rights as the nobility and performing the same obligations related to land ownership. However, the largest land holdings in the state were still concentrated in the hands of the magnate-noble elite. There were ancestral, hired, earned and purchased lands; according to the legislation of that time, the legal regime of these lands was established on the basis of the method of acquiring such land into ownership and was almost the same, but there were some differences in the order of bequeathing ancestral, earned and purchased land of magnates and nobility. The specified noble land property was considered inviolable, therefore it was not subject to alienation. The legal status of various land holdings was also fixed depending on the subjects of land ownership, so that royal, grand ducal, magnate, noble and church lands were distinguished [19, p. 192].

In addition, land ownership could be conditional, temporary and related to military service. Each land holding had to correspond to what was written about it in the owner's deed. This was closely monitored by the government of the Grand Duchy of Lithuania. Thus, during the agrarian reform of Sigismund - Augustus, a widespread verification of land ownership rights was carried out, if it turned out that the owner of the land did

not have the proper documents for the right to own it, then this land was written off "to the owner". However, the fact that during the period from the beginning of the agrarian reform to the adoption of the First Lithuanian Statute (1529) there was a sufficiently large number of landowners whose right to own land was based only on the antiquity of acquisition was quite obvious. That is why the Statute of 1529 defined the limitation period of 10 years, thereby guaranteeing the nobility the inviolability of possessions, the term of open undisputed possession of which exceeded this period, and the invalidity of any subsequent lawsuits against these possessions [20, p. 89].

During this period, girls who got married without the consent of their father and mother or married foreigners at all lost their right to inherit their father's land (in such cases, the property of the disinherited young woman passed "to her relatives").

As we can see, during the period of operation of the Russian-Lithuanian inheritance law on Ukrainian lands, types of legal regime of land plots were introduced, which are based on the following criteria: depending on the grounds for acquiring ownership of the land plot, depending on the subject of the ownership right and on the term of land ownership. These same grounds, with only some changes and additions, are included in the modern legal regime of the land. Summarizing the review of the mentioned period, it should be noted that at this time, the institution of inheritance law was generally developing in relation to the land plot, which could already freely pass into the inheritance, but with certain restrictions and conditions regarding the types of land and subject composition. There were also additional obligations, the role of which in our time is played by taxes and land payments [16, p.18].

The functioning of the institution of inheritance of immovable property in Ukraine after the entry of most of the Ukrainian lands into the Russian Empire remained for a long time based on the traditions of previous centuries and is summarized in the collection "Laws by which the Little Russian people are judged" [19, p. 14].

During the reign of Peter I, the traditional inheritance law of the Moscow kingdom underwent significant changes related to sole inheritance. For a long time, the majority was preserved - a system of inheritance, when immovable property passed indivisible to the eldest in the family or to the eldest of the sons of the deceased. This transfer of

the inheritance to the only son was established by the decree of 1714. Majority estates were removed from civil circulation, as they could not be bequeathed, donated, sold or divided between descendants. This decree significantly limited the circulation of land - it prohibited the pledge of land, the right to alienate land through sale, except for "need", i.e. under extraordinary circumstances. Thus, inheritance continued to be the main basis for the transfer and acquisition of land ownership. However, this decree put an end to the inheritance of real estate by will, which was already quite common, so this act was opposed by society and was canceled in 1737 [16, p. 32].

Later, the main source of pre-revolutionary inheritance law was the "Code of Laws of the Russian Empire", published in 1832-1833. Russian pre-revolutionary inheritance law did not consider inherited immovable property as a single whole, but divided it into two independent inheritance masses: parental property, which passed only to the heirs according to the law, that common property for which there was a general order of inheritance.

Immovable property was distributed among the testator's children in equal parts, as for illegitimate children, they could not inherit at all. In addition, the inheritance law of this period also did not recognize parents and other relatives in the ascending line as heirs, instead, parents received the right of lifetime ownership of the immovable property of their deceased children, but only if the testator himself had no children of his own. The one of the spouses who remained alive was not included in the circle of heirs, but only received the right to the part defined by law [19, p. 16].

At this time, the norms that were formulated back in the period of Roman inheritance law and related to restrictions for subjects in the field of inheritance of real estate continue to apply. In particular, women's right to inherited property was limited - during inheritance, daughters received only a quarter of their father's property, the rest was distributed among sons. Mother's property was inherited equally by sons and daughters. This is due to the fact that only the father was the owner of real estate or a plot of land, the mother owned only certain movable objects, and the right to land could be obtained only as the legal successor of her minor children [21, p. 192].

There continued to be certain restrictions on the inheritance of land based on nationality. Adopted on December 9, 1804 and revised on April 13, 1835. The "Regulations on Jews" established the legal status of Jewish farmers and their legal title to land: they were allowed to engage in agriculture on state-owned and land purchased from landowners within the "limits of settlement." It was believed that in terms of privileges, Jewish farmers were equated with foreign colonists, that is, legal capacity was limited to the location of the land plot, and not hereditary legal capacity [19, p. 18].

Also, in 1825, foreign nationals were prohibited from acquiring real estate by any means, that is, there was a ban on acquiring the right to own real estate, which is why there were restrictions derived from this ban for foreigners, which did not at all relate to the essence of the right of inheritance of foreign nationals persons. The foreign heir was not deprived of the right to inherit, he only undertook to sell the inherited real estate within a three-year period to a Russian subject, which should be recognized as a limitation of the right of ownership, and not as a deprivation of the foreigner's right to inherit. Analyzing the historical sources of inheritance law, one cannot but note that this rule, which has its continuation in the modern inheritance law of Ukraine, cannot be perceived as a deprivation of inheritance rights for foreign persons. At the same time, in some areas of tsarist Russia (in the Caucasus, in Asia), the inheritance of immovable property by foreigners was categorically not allowed [22, p. 58].

The modern inheritance law of our country not only refers the above-mentioned persons to one line of heirs (inheritance by law), but also gives them the same rights and opportunities to be heirs under a will. In addition, the current Family and Civil Codes of Ukraine equalize the inheritance rights of all children of the testator, even those not yet born. The only restrictions established by the national legislation of Ukraine in the field of inheritance of real estate concern foreigners who inherited a plot of land.

A great role in the history of the development of domestic inheritance law belongs to the period when Ukraine was a member of the Soviet Union, because in a socialist society the main object of inheritance was the right of personal property of citizens.

Thus, the property that belonged to a person under the right of private ownership had a consumer purpose and was not a means of exploiting someone else's labor, as it happened in the inheritance law of Ancient Rome, but was one of the ways to satisfy the material needs of citizens. Establishing the possibility of the transfer of such property through inheritance to close relatives, dependents and to persons who were specified by the person in the will, the Soviet law of inheritance thereby aroused great interest among citizens in the results of their work and contributed to the strengthening of private property.

The emergence and development of Soviet inheritance law at the initial stage is associated with the liquidation of the old capitalist system of inheritance, which was in effect in 1917 in pre-revolutionary Russia and did not correspond to the declared new communist social relations, in connection with which it was completely canceled by the decree of the Central Committee of the Central Committee of April 27, 1918 "On cancellation of inheritance" [23, p. 46]. Instead, it was noted here that "in the future, until the issuance of the decree that will regulate the sphere of universal social security, persons who do not have a subsistence minimum, disabled relatives in the direct descending and ascending line, full and half-born brothers and sisters, as well as one spouses receive maintenance from the property of the deceased, which remained after his death." It was also provided that when the value of the property of the deceased does not exceed 10,000 gold rubles, and the property consists of a manor house, household furnishings, economic means of production for cultivating the garden or means used in the village, then it passes into direct management and disposal one of the spouses and relatives. Such a transition to "direct management and disposal" in judicial practice was considered as a transition in the order of inheritance [20, p. 268].

The formation of the National Institute of Land Inheritance in the Ukrainian People's Republic in 1918 was connected with the special legal regime of the land plot, which at that time, unlike houses, could only be used by citizens. Thus, on January 18, 1918, the Ukrainian Central Rada approved the so-called "Land Law", according to which citizens received land only for use, that is, for conducting "general economic, "private labor use" of land and "for housing and building". But the note to Art. 13 of

the specified regulatory act was of great importance, as it provided for the transfer of the right to use land to inheritance.

Later, the right to inherit private property of citizens received its constitutional confirmation. Protection of the right of inheritance has become one of the constitutional principles: "The right of inheritance of private property of citizens is protected by law." This provision laid the legal basis for the further development of Ukrainian inheritance law. In addition, the institution of inheritance law allowed every Soviet citizen to freely, but within the limits established by law, dispose of his property in the event of death.

According to Art. 102 of the Civil Code of the Ukrainian SSR (1963 p.), the right to a residential building was recognized as the most important object of private property law. Thus, each citizen could have one residential building with the right of private ownership, the living area of which should not exceed 60 square meters. If the living spaces exceeded the specified sizes, their transfer by inheritance was prohibited in accordance with the provisions of the Decree of the Supreme Soviet of the USSR dated August 26, 1948 [15, p. 5]. In Soviet times, the right of the owner of the building, which belonged to him as a private property, was separated from the right to the land, which belonged exclusively to the state. Therefore, de facto there was a provision according to which the land divided the legal fate of the property located on it, but de jure it was never and could not be the property of citizens. The land plot and the immovable property located on it had a different legal regime, due to which the person who privately owned the residential building was not the owner of the land plot under it.

Summing up, we note that during the functioning of the Soviet inheritance law, land as an object of inheritance was excluded from market circulation, but it continued to be in civil circulation in the form of building plots. That is why, despite the ban on the land plot being owned by citizens, it continued to be the object of civil law agreements and inheritance until the changes and additions to the Land Code of Ukraine were made by Law No. 2196-XI of March 13, 1992, by which the ownership of citizens the land was guaranteed [12].

As evidenced by the analysis of the historical development of inheritance legislation and civilist thought, inheritance law has always occupied one of the dominant places in the civil law system. The presence of a wide range of historical sources on the outlined issues indicates that our predecessors paid a lot of attention to the issue of determining the fate of immovable property after death, the solution of which they considered vital for themselves. This is directly related to the fact that at each stage of its development, inheritance law was enriched with new and important at certain stages components, elements of hereditary legal succession, the research and analysis of which formed the basis and became the basis for future scientific research, concepts and development in the field of inheritance law. Thanks to rich historical experience in the field of inheritance law, the establishment and further development of the institute of real estate inheritance in Ukraine took place.

6.4 Implementation of inheritance rights under martial law

Despite the introduction of martial law in Ukraine, in order to acquire the right to inheritance, a person must accept it in the manner specified by legislation. From the moment the inheritance is opened, the heirs only acquire the right to accept the inheritance or refuse to accept it. And only after accepting the inheritance, the person becomes the universal legal successor of the rights and obligations of the deceased. As G. F. Shershenevich pointed out at the time, a person who has the right to inherit cannot be considered the subject of the relationship in which the testator was from the moment the inheritance was opened. She still has neither the right of ownership, nor the right of claim, nor the right of lien, nor any other of those rights that belonged to the testator. In order to become the subject of rights and obligations, the heir must accept the inheritance [24, p. 405]. It is not by chance that the legal doctrine focused on the double meaning of the term "heir": the heir called to inherit is a possible legal successor of the testator, and the heir who accepted the inheritance is a valid legal successor of the testator [25, p. 191]. However, changes were made in part of the period of exercise of the investigated right. Thus, according to Clause 3 of the Resolution of the Cabinet of Ministers of Ukraine "Some Issues of Notary Publicity in the Conditions of Martial

Law" No. 164 dated 28.02.2022, the time limit for accepting inheritance or refusing to accept it is suspended for the duration of martial law, but no more than for four months. The certificate of the right to inheritance is issued to the heirs after the expiration of the term for accepting the inheritance. Since the beginning of the military aggression, a number of normative legal acts have been adopted, which define the specifics of the exercise of inheritance rights. This is, in particular, the resolution of the Cabinet of Ministers of Ukraine "Some issues of notary public service under martial law" dated 28.02.2022 No. 164, the order of the Ministry of Justice of Ukraine "On approval of changes to some regulatory legal acts in the field of notary public service" dated 11.03.2022 No. 1118/5. The analysis of these acts allows us to formulate the key aspects of the exercise of inheritance rights under martial law.

1. The terms for acceptance of inheritance and refusal to accept it have been changed.

Clause 3 of the Resolution of the Cabinet of Ministers of Ukraine "Some Notary Issues in the Conditions of Martial Law" dated February 28, 2022 No. 164 establishes that the time limit for accepting inheritance or refusing to accept it is suspended for the duration of martial law, but no more than Four months. The certificate of the right to inheritance is issued to the heirs after the expiration of the term for accepting the inheritance.

Moreover, in the original version of the specified resolution of the Cabinet of Ministers of Ukraine, there was no provision at all regarding the terms of acceptance of inheritance or refusal to accept it. Later, namely on 06.03.2022, changes were made to the resolution, according to which the time limit for accepting the inheritance is suspended during the martial law. And only on June 24, 2022, paragraph 3 of the resolution was presented in its current version.

Separate attention should be paid to the effect in time of clause 3 of the resolution of the Cabinet of Ministers of Ukraine "Some issues of notary in conditions of martial law" in the edition of 03.06.2022. Considering the date of its entry into force, it applies only to the inheritance that opened from 06.03. 2022. That is, in the period from the beginning of military aggression until the entry into force of the analyzed norm, the

terms for accepting inheritance and refusing to accept it, provided for in the Central Committee of Ukraine, apply. And this leads to a situation of legal uncertainty in inheritance relations.

The same state of legal uncertainty and instability is created by the latest version of paragraph 3 of the resolution, which entered into force on June 29, 2022, and established that the period for accepting inheritance or refusing to accept it is suspended for the duration of martial law, but for no more than four months. That is, the four-month period should be calculated from June 29, 2022, and this contradicts the content of the outlined norm. In addition, the question of calculating the term for accepting the inheritance or refusing to accept it, if the inheritance was opened from 03/06/2022 to 06/28/2022, remains unclear, taking into account the provisions of Art. 58 of the Constitution of Ukraine, according to which laws and other regulatory acts do not have retroactive effect in time, except when they mitigate or cancel the responsibility of a person.

Regarding the inheritance, which was opened from 06/29/2022, it can be assumed that the term for its acceptance (refusal of acceptance) has been extended by four months and is ten months from the date of the person's death. However, the analyzed rule is stated inconsistently and does not clearly fix the procedure for calculating the terms.

The establishment by the Cabinet of Ministers of Ukraine's resolution "Some notary issues under martial law" of other terms for acceptance of inheritance and refusal to accept it significantly changes the corresponding procedure provided for in Book 6 of the Civil Code of Ukraine. At the same time, in Part 4 of Art. 4 of the Civil Code of Ukraine contains a special clause according to which if the resolution of the Cabinet of Ministers of Ukraine contradicts the provisions of this Code or another law, the corresponding provisions of this Code or another law shall be applied. The fact that, as the name implies, the Cabinet of Ministers of Ukraine has extended its resolution only to the field of notary is also worth noting. And this, in turn, calls into question its application by courts during the consideration of cases in disputes arising from inheritance legal relations.

2. Simplified procedure for starting an inheritance case.

The order of the Ministry of Justice of Ukraine "On approval of changes to certain normative legal acts in the field of notary" dated 11.03.2022 No. 1118/5 (entered into force on 19.03.2022) determines that in conditions of martial law or a state of emergency, an inheritance case is initiated by the application of the applicant by any notary of Ukraine, regardless of the place of opening of inheritance. In the absence of access to the Inheritance Register, the notary shall open an inheritance case without using this register and check the existence of an established inheritance case, inheritance contract, will within five working days from the day such access is restored. At the same time, notaries are prohibited from issuing a certificate of the right to inheritance in an inheritance case initiated without using the Inheritance Register before its registration in the Inheritance Register.

In the Information Letter of the Notary Chamber of Ukraine "Regarding the proceedings on inheritance cases instituted outside the place of opening of inheritance under martial law" dated August 29, 2022 (posted on the website of the Notarial Chamber of Ukraine) it is explained that in the case of inheritance instituted outside the place of opening of the inheritance, the notary who opened it, is deprived of the opportunity to issue the certificate of the right to inheritance to the heir. Inheritance proceedings instituted under conditions of war or state of emergency outside the place of opening of the inheritance shall be transferred to the notary at the place of opening of the inheritance in accordance with paragraphs 2.7 clause 2 of chapter 10 of section II of the Procedure for performance of notarial acts by notaries of Ukraine and section IV of the Rules of notarial record keeping. At the same time, it does not matter whether the deadline for issuing the certificate of the right to inheritance, established by Art. 1298 of the Civil Code of Ukraine, whether this period is still running.

3. The list of persons entitled to certify wills has been expanded.

In particular, the wills of servicemen of the Armed Forces, other military formations formed in accordance with the laws, as well as employees of law enforcement (special) bodies, civil defense bodies, who are involved in the implementation of measures to ensure national security and defense, repulse and deter

armed aggression of a foreign state, can be certified by the commander (chief) of these formations (bodies) or another person authorized by such a commander (chief) with subsequent sending of these wills through the General Staff of the Armed Forces, the Ministry of Defense, the relevant law enforcement (special) or other body to the Ministry of Justice or its territorial body to ensure their registration by notaries in the Inheritance Register. The head of the camp (institution where the precinct was established) for prisoners of war can certify the will of the prisoner of war.

Such an innovation seems controversial in view of the exhaustive list of officials and officials (Articles 1251, 1252 of the Civil Code of Ukraine) empowered to certify wills. Expanding the circle of such persons is possible only by making changes to the Central Committee of Ukraine. Moreover, even in the Procedure for certification of wills and powers of attorney, which are equivalent to notarized ones, approved by Resolution No. 419 of the Cabinet of Ministers of Ukraine dated 15.06.1994 (as amended by Resolution No. 940 dated 07.06.2006), the relevant changes regarding the certification of wills by the commander are not taken into account (chief) of formations (bodies) or another person authorized by such a commander (chief). Attention should be paid to the vagueness of the provision that gives the right to certify a will to "another person authorized by the commander (chief)". It is not clear how such an authority would be exercised, and the probate of wills by these persons would no doubt lead to numerous litigations.

The Law of Ukraine "On Amendments to the Tax Code of Ukraine and Other Legislative Acts of Ukraine Regarding the Validity of Rules for the Period of Martial Law" dated March 15, 2022 amended the Final and Transitional Provisions of the Central Committee regarding the release of the borrower from liability for default (non-performance, partial performance) of obligations, as well as extension of the statute of limitations. Because of this, it seems illogical that changes to Book 6 of the CC "Inheritance Law" are actually made by a resolution of the Cabinet of Ministers of Ukraine and an order of the Ministry of Justice of Ukraine. In our opinion, this approach will lead to difficulties in the practice of application of inheritance legislation.

Issues related to the determination of the place of opening of inheritance in the conditions of martial law require additional legal regulation. Yes, according to the general rule, the place of inheritance opening is the testator's last place of residence. If the place of residence of the testator is unknown, the place of opening of the inheritance is the location of the immovable property or its main part, and in the absence of immovable property - the location of the main part of the movable property.

According to Part 3 of Art. 1221 of the Civil Code of Ukraine, in special cases, the place of opening of inheritance is established by law. In particular, in accordance with Art. 11-1 of the Law of Ukraine "On Ensuring the Rights and Freedoms of Citizens and the Legal Regime in the Temporarily Occupied Territory of Ukraine" dated 15.04.2014 No. 1207-VII in the event that the last place of residence of the testator is the temporarily occupied territory, the place of opening of the inheritance is the place of submission the first statement, which testifies to the declaration of will regarding the inherited property, heirs, executors of the will, persons interested in the protection of the inherited property, or the demands of creditors.

The effect of this Law of Ukraine extends to the temporarily occupied territories of Ukraine - part of the territory of Ukraine, within which the armed formations of the Russian Federation and the occupation administration of the Russian Federation have established and exercise actual control or within which the armed formations of the Russian Federation have established and exercise general control with the aim of establishing the occupation administration of the Russian Federation (Article 1).

Therefore, the Law does not apply to the territory of hostilities, as well as settlements in which notaries do not exercise their powers due to military aggression. And this makes it impossible to apply Art. 11-1 if the testator's last place of residence (location of immovable property or its main part) is precisely such territories. This problem can be solved only at the legislative level by making appropriate changes to Art. 1221 of the Civil Code of Ukraine or to the Law of Ukraine "On the Legal Regime of Martial Law" dated May 12, 2015 No. 389-VIII.

Conclusion

The introduction of martial law in Ukraine had a significant impact on the heirs' exercise of the right to inherit. In particular, the Cabinet of Ministers of Ukraine Resolution No. 164 of February 28, 2022, "Some Issues of Notary Public Service under Martial Law", changed the deadline for accepting inheritance by extending it. However, such an approach seems controversial, given the prescription of part 4 of Art. 4 of the Civil Code and the scope of this resolution. Because of this, improvement of the procedure for individuals to exercise their rights in the field of inheritance law is possible only by making appropriate changes to the Central Committee. In addition, the order of the Ministry of Justice of Ukraine simplified the procedure for starting an inheritance case - in conditions of war or a state of emergency, it is started at the request of the applicant by any notary of Ukraine, regardless of the place of opening of the inheritance. The term for acceptance of inheritance is calculated in accordance with the procedure specified in Art. 1270 of the Civil Code, taking into account the special nature of the outlined norm in relation to Art. 253 of the Civil Code, as well as the specifics of inheritance legal relations and the importance of the time of the opening of inheritance for their dynamics. Therefore, the day of the testator's death (declaration of his death) will be considered the first day of the term for accepting the inheritance. Issues related to the determination of the place of opening of inheritance in the conditions of martial law require additional legal regulation. For this purpose, it is advisable to make changes to Art. 1221 of the Civil Code or to the Law of Ukraine "On the Legal Regime of Martial Law" regarding the spread during the martial law of a special procedure for determining the place of opening of inheritance based on the principle of submitting the first application to any notary of Ukraine.

References

1. Biuleten zakonodavstva i yurydychnoi praktyky Ukrainy. Spadkuvannia za zakonodavstvom Ukrainy. Komentar. Sudova praktyka. K: Yurinkom Inter, 2008. № 4. 336 s.
2. Zaika Yu. O. Spadkove pravo Ukrainy: navch.posib. K. Istyna, 2006. 216 s.

3. Maidanyk R. A. Tsyvilne pravo: Zahalna chastyna. / T. I. Vstup u tsyvilne pravo. Pidruchnyk. K., 2012, 472 s.
4. Tsyvilnyi kodeks Ukrainy vid 16.01.2003 № 435-IV // Baza danykh «Zakonodavstvo Ukrainy» / Verkhovna Rada Ukrainy. URL: <https://zakon.rada.gov.ua/go/435-15> (data zvernennia: 28.02.2023)
5. Dzery O. V. Tsyvilne pravo Ukrainy. Osoblyva chastyna. K.: Yurinkom Inter, 2010. 1076 s.
6. Mezhdunarodnoe chastnoe pravo: uchebnyk / Pod red. H. K. Dmytryevoi. M., 2001. 656 s.
7. Dolynska M. S. Spadkuvannia v Ukraini. Dovidnyk notariusu. 2007. № 5. S. 3-96.
8. Konstytutsiia Ukrainy vid 28.06.1996 № 254k/96-VR // Baza danykh «Zakonodavstvo Ukrainy» / Verkhovna Rada Ukrainy. URL: <https://zakon.rada.gov.ua/go/254%D0%BA/96-%D0%B2%D1%80> (data zvernennia: 04.02.2023)
9. Pro notariat : Zakon Ukrainy vid 02.09.1993 № 3425-XII // Baza danykh «Zakonodavstvo Ukrainy» / Verkhovna Rada Ukrainy. URL: <https://zakon.rada.gov.ua/go/3425-12> (data zvernennia: 04.02.2023)
10. Pro avtorske pravo i sumizhni prava : Zakon Ukrainy vid 23.12.1993 № 3792-XII // Baza danykh «Zakonodavstvo Ukrainy» / Verkhovna Rada Ukrainy. URL: <https://zakon.rada.gov.ua/go/3792-12> (data zvernennia: 04.02.2023)
11. Pro sudovu praktyku u spravakh pro spadkuvannia : Postanova Verkhovnoho sudu Ukrainy vid 30.05.2008 № 7 // Baza danykh «Zakonodavstvo Ukrainy» / Verkhovna Rada Ukrainy. URL: <https://zakon.rada.gov.ua/go/v0007700-08> (data zvernennia: 04.02.2023)
12. Zemelnyi kodeks vid 25.10.2001 № 2768-III // Baza danykh «Zakonodavstvo Ukrainy» / Verkhovna Rada Ukrainy. URL: <https://zakon.rada.gov.ua/go/2768-14> (data zvernennia: 04.02.2023)
13. Simeinyi kodeks Ukrainy vid 10.01.2002 № 2947-III // Baza danykh «Zakonodavstvo Ukrainy» / Verkhovna Rada Ukrainy. URL:

<https://zakon.rada.gov.ua/go/2947-14> (data zvernennia: 04.02.2023)

14. Fursa S. Ya. Spadkove pravo. Teoriia i praktyka. Navch. posibnyk. K.: Atika, 2002. 496 s.
15. Bychkivskiyi O.O. Sekretni zapovity za zakonodavstvom Ukrainy ta inozemnykh derzhav. Zaporizkoho Visnyk natsionalnoho universytetu. URL: <http://www.stattionline.org.ua/index.ph-p/pravo/76/12066-sekretnizapoviti-za-konodavstvom-ukra%D1%97ni-ta-inoze-mn-ixderzhav.html>
16. Zaika Yu. O. Spadkove pravo v Ukraini: stanovlennia i rozvytok. K., 2007. 288 s.
17. Ihnatenko V. Pravova kharakterystyka vidnosyn, shcho vynykaiut iz zapovidalnoho vidkazu i zapovidalnoho pokladennia. Pidprijemnytstvo, gospodarstvo i pravo. 2003. № 8. S. 31-35.
18. Zhylinkova I. V. Aktualni pytannia spadkovoho prava Ukrainy: materialy do seminaru. Kh.: Ksinon, 2009. 336 s.
19. Spadkuvannia za zakonodavstvom Ukrainy. Komentar. Sudova praktyka: (zb.normat.aktiv). K.:Iurinkom inter, 2009. 352 s.
20. Fursa S. Ya. Nastilna knyha notariusa: Simeini vidnosyny v notarialnomu protsesi. K.: Vydavnychi Dim.«In Yure».2003. 352 s.
21. Derzhava i pravo: Zbirnyk naukovykh prats. Yurydychni i politychni nauky. Vypusk 49. K.: In-t derzhavy i prava im.. V. M. Koretskoho NAN Ukrainy, 2010. 752 s.
22. Romovska Z. V. Ukrainske tsyvilne pravo. Zahalna chastyna: Akademichnyi kurs: Pidruchnyk. - 2- he vyd., dopov. K.: Alerta: KNT; TsUL, 2009. 594 s.
23. Rakul O.V. Spadkove pravo Ukrainy ta yevropeiskykh krain: deiaki osnovni vidminnosti. URL: <http://www.spilnota.org.ua/ru/article/id-1204/>.
24. Shershenevych H. F. Uchebnyk ruskoho hrazhdanskoho prava. T. 2. Moskva : Statut, 2005. 462 s.
25. Antymonov B. S., Hrave K. A. Sovetskoe nasledstvennoe pravo. Moskva : Hosiuryzdat, 1955. 264 s.

7. Current issues of restoration of the work of military courts in the post-war period

Abstract

The history of the formation of military courts in Ukraine is studied. The main reasons that contributed to the liquidation of military courts have been revealed. The basic principles of the organization of the work of military courts in Ukraine have been determined. Peculiarities and problematic issues of the administration of justice during the period of martial law have been studied, and the reasons for the need to resume the work of military courts have been determined. Ways to resolve controversial issues regarding the resumption of military courts in Ukraine are proposed.

The relevance of the chosen topic is determined by its novelty, the presence of different, diametrically opposite, scientific points of view, views on the need to restore the work of military courts in Ukraine. On the one hand, before the start of military operations in the State, in the east of Ukraine, there was an illusion about the needlessness of military training of citizens, the armed forces, military justice, and military courts. The conduct of an anti-terrorist operation in the East of Ukraine, the subsequent invasion of the territory of the State by the enemy on February 24, 2022, made us reconsider the need for such institutions. One of the determining factors of the effective operation of the Armed Forces of Ukraine is the well-established structure of military justice, which currently includes the military prosecutor's office, which provides procedural guidance during the investigation of military criminal offenses and supports prosecution in court. But such a construction in itself cannot be considered sufficiently effective during the establishment, pre-trial investigation and maintenance of accusations in the court in the field of military criminal offenses, since the only logical consequence, provided for by the Criminal Procedure Code of Ukraine, after the specified actions is the transfer of the case to court, which will carry out a quick, fair and impartial consideration of the specified cases. At the same time, the court must have a relevant specialty, sufficient competence to make correct and well-founded decisions. So, in fact, military courts can be considered an important and necessary

component of the formation of military justice in Ukraine in the post-war period. The absence of such a component of military justice will lead to the instability of the entire structure, the possibility of its gradual destruction. Thus, V. I. Shishkin notes that military justice is only one of the directions of military justice, but the most important of them in terms of consequences, since the consequence of activity is the highest form of decisions made by the state authorities - a court decision [1, p. 107]. Scientific studies of military courts are represented in works L. N. Husieva, A. S. Koblikova, D. F. Ohnieva, V. V. Serdiuka, O. S. Tkachuka, I. Ya. Foinytskoho, V. P. Shevchenko, V. I. Shyshkina, and a number of other scientists. The problematic issues of the organization of the work of courts in the field of military justice were also investigated in numerous works devoted to the judicial system, justice and the status of judges, in particular, regarding the implementation of the principle of specialization of the judicial system and the institution of special jurisdiction [2, p. 2]. This work is dedicated to the consideration of these issues:

1. The history of the formation of military courts in Ukraine, the determination of the main reasons for the liquidation of military courts in Ukraine
2. The work of Ukrainian courts under martial law. Justification of the need to restore the work of military courts
3. International experience of leading countries in the field of military justice
4. Controversial issues regarding the resumption of military courts in Ukraine. Implementation and directions of development of military courts in Ukraine in the post-war period

7.1 The history of the formation of military courts in Ukraine, the determination of the main reasons for the liquidation of military courts in Ukraine

Analyzing the history of the formation of the Ukrainian court and distinguishing it from Kievan Rus or Zaporizhzhya Sich in order to isolate the historical roots of the modern structure of the domestic judicial system is quite difficult. The Ukrainian state existed as an independent state for too short a period of time. In different periods, the territory of modern Ukraine was part of Kyivan Rus, under the Tatar-Mongol yoke,

under the power of the Lithuanian and Polish states, as part of the Russian Empire, which was also reflected in the country's judicial system. And later, the revolution of 1917 had such a drastic impact on the state system of all the countries that became part of the Soviet Union that the historical traditions in the development of judicial power and the judicial system were completely interrupted, and the age-old achievements of reforming the judicial system were simply rejected and declared harmful.

Regarding the creation of military courts, it can be said that the beginning of the existence of military courts can be considered the times of Zaporizhzhya Sich. So, the judicial system of Zaporizhzhya Sich. Its basis was the general administrative organization, because even in Sich the administrative power was not separated from the judicial power. The courts of kurin atamans and palanquin colonels belonged to the lower judicial bodies in Sich, and the courts of the military judge, kosho ataman and the Sich council belonged to the higher ones. The military judge conducted the executions on his own. His sentences were appealed to the kosh ataman or sich council. In the absence of the bailiff, he represented him in court cases as well. The chieftain of Kosh was considered the supreme judge, whose judgments were final. But in peacetime, his sentences could be appealed to the Sichov Council. He had the right to sentence to death and pardon the condemned. All the Cossacks present in Sich participated in the court of the Sich council. Apparently, only more important matters were brought before the council.

Period in the history of Ukraine - XIX - beginning of XX centuries. - is characterized by the absence of Ukrainian national statehood. Ukrainian lands were part of both the Russian and Austrian empires, and the legal systems on these lands were those of the respective empires. Military courts in these empires existed and belonged to special courts.

The next period of the formation of military courts in Ukraine can be considered the period of revival of Ukrainian statehood (March 1917 - April 1918). Thus, emergency military courts in the Ukrainian People's Republic were established in areas declared under martial law or under siege, as well as in the theater of military operations in accordance with the law of January 26, 1919 approved by the Directory

of the Ukrainian People's Republic. Since, on the basis of the law of January 24, 1919, throughout martial law was declared on the territory of the Ukrainian People's Republic, civil justice was relegated to the background, and the previously existing military field courts were abolished, regardless of the time of their creation. Sentences handed down by emergency military courts under a simplified procedure were not subject to appeal and were immediately executed. However, persons sentenced to death had the right within six hours after the announcement of the sentence to appeal to the "Supreme Power", i.e. the Directorate of the Ukrainian People's Republic, "and in the active army - to the Chief Otaman" with a request for a pardon or a lightening of the sentence. The composition of the extraordinary military court was not permanent. It was created by the authority of the regiment commander or military chiefs with equal or greater rights, as well as provincial or city commandants. They appointed the personnel of the military emergency court, which included: the chairman (drill staff chief), 4 members (chiefs and sub-chiefs), a prosecutor, a defense attorney and a secretary. All military and civilian persons were subject to the jurisdiction of the extraordinary military court for criminal acts referred to it under the law of the Ukrainian People's Republic. Since during the days of the UNR Directory, the old legislation was not revised, but only some of its articles were edited, the laws of the former Russian Empire and the Provisional Government continued to be in force on the territory of the UNR, and extraordinary military courts tried according to the military penal statute of the "Collection of War Crimes" of 1869. Thus, they were institutions of "rapid response" to specific circumstances under the legislation of the transitional period. Among the most famous cases that they had to consider were the cases of Colonel P. Bolbochan, sentenced to death on June 10, 1919, Atamans Palienko, Svyatnenko, Bidenko, Semesenko, and Colonel Yatsenko [4].

In the days of the Hetmanship, the judicial system of which was divided into two periods: the Cossack courts (1648 — 1760-63) and the so-called statutory courts (1763 — 83), the so-called central courts were defined. The central courts include the General Military Court, the General Military Office and the Hetman's court. The General Military Court existed at the hetman's residence. At first, it was the highest court of the

region, and later it was possible to appeal from it to the General Military Chancellery. The general judge and others sat in this court. members of the general foreman and noble society. It acted as a court of first instance in the cases of the general sergeant, colonels, Bunchuk comrades and hetman "protectionists" and as an appellate institution for the verdicts of lower courts. The Court of the General Military Chancellery arose only in the 18th century. under Russian pressure The General Military Chancellery had appellate powers, unnecessarily increasing the already considerable number of appeals. The hetman's court relied on the power of the hetman as the supreme judge of the state. His competence was theoretically unlimited. The hetman could take every case into his own consideration, either in the first instance or after the verdict of the lower courts. His sentence was final [3].

Until the end of 1922, Ukraine was considered an independent republic, from August 4, 1920, the "Guidelines on Criminal Law of the RSFSR" issued on December 12, 1919 in the RSFSR were introduced on its territory. After that, it became customary to put into force on the territory of Ukraine the acts of the RSFSR, and then of the USSR, which regulated responsibility for war crimes. According to the Regulation on Military Tribunals and Military Prosecutor's Office dated August 20, 1926, cases of war crimes and some other crimes committed by military personnel began to be considered by military tribunals, which were established at military districts, fronts, armies, fleets, corps, divisions. The general management of their activities was carried out by the Supreme Court of the USSR. The military collegium of the Supreme Court of the USSR finally became the cassation instance for military tribunals. Each military tribunal had a military prosecutor and his assistant [5, p. 286].

According to Art. 58 of the Law on the Judiciary, military tribunals had jurisdiction over cases of war crimes, as well as some other crimes, which were considered by military tribunals for the execution of special laws. Yes, significant changes in Art. 8 The provisions on military tribunals and the military prosecutor's office of 1926 were introduced by the Decree of the Presidium of the Supreme Court of the USSR of December 13, 1940 "On changing the jurisdiction of military tribunals."

During the existence of the Ukrainian Soviet Socialist Republic, military courts (military tribunals) and the military prosecutor's office functioned, which were endowed with broad powers and formed an integral part of the overall system.

The system of military justice bodies has been operating in Ukraine for almost 20 years since independence. Until 2010, military courts in Ukraine were fully part of the unified system of courts of general jurisdiction.

Before liquidation in 2010, military courts were part of the system of courts of general jurisdiction. According to the legislation, they belonged to the general courts and administered justice in the Armed Forces and other military formations formed in accordance with the law. Military courts were considered to be: military courts of garrisons, military courts of regions, and the Court of Appeal of the Naval Forces. In addition, the Military Judicial Chamber and the Military Judicial Collegium operated as members of the Cassation and Supreme Courts, respectively. At the time of the liquidation of the military courts, their competence was assigned exclusively to the consideration of criminal cases and cases of corruption administrative offenses. Moreover, military courts of garrisons as courts of first instance were subject to criminal cases of persons with military ranks up to and including lieutenant colonel, captain of the 2nd rank, except for those cases that were subject to military courts of a higher level. The military courts of the regions and the Naval Forces as courts of first instance tried cases involving the crimes of persons with the military rank of colonel, captain of the 1st rank and above, cases of crimes of persons holding the position of regimental commander, ship commander of the 1st rank and above, and persons equal to them in official position, as well as cases of all crimes for which, in peacetime, the law provides for the possibility of imposing punishment in the form of life imprisonment.

In addition to the categories of cases listed above, previously military courts were also responsible for all crimes committed by servicemen of the Armed Forces of Ukraine, border troops, SBU and other military formations, as well as conscripts during their military training, and all cases of espionage. As well as some other categories of cases, including cases related to the protection of the rights and freedoms of military

personnel. As for the legal status of the judge of the military court, at the time of the liquidation of these courts, his difference from the legal status of other officers of Themis was that the former was in military service in the Armed Forces and had an officer's rank [8].

As a result of the implementation of the provisions of the Law and the concept during 2010–2012, the Decree of the President of Ukraine dated September 14, 2010 "On the liquidation of military appellate and military local courts" adopted a decision, in particular, regarding the liquidation of military courts as an economically burdensome and impractical institution of state power in the conditions of a minor criminogenic situation in Armed Forces of Ukraine and other military formations formed in accordance with current legislation [9].

The Law of Ukraine "On the Judiciary and the Status of Judges" stipulates that cases that were previously considered by military courts of garrisons should be considered by courts of general jurisdiction of the first instance, and cases that were referred to the competence of appellate military courts, according to the new Law, were to be considered by general appellate courts jurisdiction.

All of this has collectively led to the destruction of military infrastructure, education and a number of related institutions in recent decades. In this context, the liquidation of military courts was seen by many politicians and scientists as a natural step in building a peaceful democratic state.

As it was mentioned, there are diametrically opposite points of view regarding the necessity of military courts in Ukraine.

Thus, the criticism of military courts can be summarized in the following provisions: the existence of military courts is not explained by the principles of specialization and territoriality defined in the Constitution of Ukraine; military courts are an alternative to emergency and special courts; in the world, there is a tendency to reduce the sphere of activity of military justice; the functioning of these courts contradicts the requirements of Art. 6 of the Convention on the Protection of Human Rights and Fundamental Freedoms and the practice of the European Court of Human Rights; judges who have officer ranks are subordinate to the military command; such

proceedings do not correspond to the democratic principles of justice; the jurisdiction of this court violates the rights of a person to "his" judge; cases considered by military courts do not have any special features, etc.

These criticisms contain "legal beacons" that point to the dangers associated with the operation of military courts that must be avoided.

Many valid opinions were also expressed in defense of military courts in Ukraine. When considering cases assigned to the competence of military courts, general procedural rules and norms are applied, which excludes any discrimination of trial participants in all types of proceedings, or special proceedings, and complies with the Constitution of Ukraine and international standards of justice. The existing specialization of military courts is due, first of all, to the specifics of the material legislation on the basis of which these cases are considered, and which determines the specifics of the special legal status of military personnel and persons equated to them (*ratione personae, ratione materiae*) [7].

Therefore, military courts existed almost throughout the period of the establishment of Ukrainian statehood, starting with the times of Zaporizhia Sich. Indeed, with each decade, the composition of such courts, their functions, and powers changed. Instead, such courts continued their existence, which was conditioned by historical necessity, the constant struggle of our State for its independence. It remained unchanged that justice was carried out by military specialists, people who were familiar with the situations in the military sphere, not by hearsay, but by their own experience. After the end of the Great Patriotic War (1941-1945), and Ukraine, as an independent and independent state since 1991, began to rebuild a peaceful life. The existence of the system of military courts did not meet European standards, as it violated the principle of the unity of the status of judges, and required additional costs of the State. There were no attempts to improve the specified system, to bring it into compliance with such standards, to optimize the costs of maintaining such a system in the form of relevant laws. This was the main reason for the liquidation of the system of military courts in Ukraine.

7.2 Work of courts of Ukraine under martial law. Justification of the need to restore the work of military courts

The imposition of martial law does not affect the judicial process. In particular, in accordance with Art. 26 of the Law of Ukraine "On the Legal Regime of Martial Law", justice in the territory where martial law has been imposed is carried out only by courts. Courts established in accordance with the Constitution of Ukraine operate on this territory. Abbreviation or acceleration of any forms of judicial proceedings is prohibited. In case of impossibility to administer justice by the courts operating in the territory where martial law has been imposed, the laws of Ukraine may change the territorial jurisdiction of court cases considered in these courts, or the location of the courts may be changed in accordance with the procedure established by law. Creation of extraordinary and special courts is not allowed [10].

Currently, Ukraine is under martial law. The jurisdiction of former military courts was transferred to courts of general jurisdiction. Procedural supervision of compliance with the law during the pre-trial investigation, maintenance of the state accusation in court is carried out by the military prosecutor's office, as the only body of military justice in the country at the present time. The process of resuming the work of military prosecutors is interesting. Thus, the version of the Law of Ukraine "On the Prosecutor's Office" dated November 29, 1993 included military prosecutors' offices in the system of prosecutor's offices. Their jurisdiction differed by the subject of the act and included crimes committed by representatives of the defense sector. In 2012, the system of the military prosecutor's office was liquidated, instead, the direction of the work of bodies in the military and defense spheres was singled out. The armed conflict on the territory of Ukraine, which has been ongoing since 2014, has once again returned the issue of the activities of military prosecutors to the agenda. A new structure of the prosecutor's office was introduced. In the conditions of an armed conflict, violations of the laws and customs of war were assigned to their jurisdiction. In 2019, the military prosecutor's office was abolished again. However, the issue became relevant again with the full-scale invasion of the territory of Ukraine on February 24, 2022. On April 1, 2022, the Verkhovna Rada of Ukraine adopted the Law of Ukraine

"On Amendments to Certain Legislative Acts on Improving the Activities of Prosecutor's Offices in the Conditions of Armed Aggression against Ukraine." (draft law 7058), introduced by People's Deputy of Ukraine Vladlen Neklyudov and others. The bill was developed with the aim of ensuring the execution of the powers of prosecutors, defined by the Constitution and Laws of Ukraine, in the conditions of armed aggression of the Russian Federation, a special period, martial law. The task of the draft law is to determine the procedure for staffing specialized prosecutor's offices with military personnel, their secondment to the prosecutor's office, material and technical support and social protection. According to the authors of the initiative, the restoration of the military prosecutor's office will significantly increase the efficiency and effectiveness of the prosecutor's office.

Regarding the organization of the work of courts of general jurisdiction in wartime, a number of decisions of a recommendatory nature were adopted:

Decision of the Council of Judges of Ukraine No. 9 dated February 24, 2022. It was decided: to draw the attention of all courts of Ukraine to the fact that even in conditions of war or a state of emergency, the work of the courts cannot be suspended, that is, the constitutional right of a person to judicial protection cannot be limited; to recommend meetings of judges, heads of courts, judges of courts of Ukraine in the event of a threat to the life, health and safety of court visitors, court staff, judges to promptly make a decision on the temporary suspension of judicial proceedings by a certain court until the circumstances that led to the termination of cases are eliminated; in order to ensure the stable functioning of the judiciary in Ukraine, to appeal to the subjects of the legislative initiative with a proposal to urgently introduce a draft law and adopt a law to provide that in the event that the Supreme Council of Justice is incompetent due to the lack of a sufficient number of its members, determined Article 131 of the Constitution of Ukraine, its powers, determined by this and other laws, with the exception of the powers provided for by the Constitution of Ukraine, are temporarily exercised by the Council of Judges of Ukraine and others.;

Decision No. 10 dated March 14, 2022. Specific recommendations for the organization of the work of courts and judges in martial law conditions were

determined. In particular, the concept of "remote work of the court" was mentioned and it was decided to recommend the management of the courts to find out the real reasons why judges leave their places of residence; in the event that the court did not pass a decision on the temporary suspension of court work (temporary suspension of the administration of justice) or a decision on remote work, - to grant such judges paid or unpaid leave at their request with a simultaneous recommendation to arrive at the place of work as soon as possible; when making a decision on granting vacations, take into account the actual circumstances (presence/absence of hostilities in a specific settlement), the real possibility/necessity of the judge's return/arrival to the workplace, the possibility of remote work; remote work of a judge is possible only on the condition that he stays within the borders of Ukraine;

Decision of the Council of Judges of Ukraine No. 11 dated 25.03.2022 recommended that the Courts of Ukraine, the State Judicial Administration of Ukraine, and other institutions of the justice system temporarily postpone until the end of the martial law in Ukraine the provision of answers to all requests for public information received since the beginning of the introduction of martial law state in Ukraine - February 24, 2022. In the case of receiving requests to provide any public information about the activities of courts and institutions of the justice system, a copy of the request should be immediately sent to the Security Service of Ukraine for a thorough check of the persons collecting such information and the purpose pursued by them;

Decision No. 26 dated 05.08.2022 decided to provide the courts with recommendations, in order to increase the level of use of electronic judicial tools during the administration of justice in conditions of difficult financial provision of the courts to recommend to the courts, in particular,

- in cases where the lawyer, notary public, private executor, arbitration administrator, judicial expert, state body, local self-government body, economic entity of the state or communal sectors of the economy, participating in the case, does not have an official email address in the Unified Judicial Information - the telecommunications system – to require the registration of such an official email address for further sending of procedural documents by the court in electronic form;

- summonses and notices, exchange of procedural documents with participants in court proceedings should be carried out primarily by e-mail and/or using the mobile phones indicated by the participants in court proceedings (including using messengers that allow you to receive information about the delivery of the relevant notice, procedural document, and get information about their reading);

- summonses and notices, exchange of procedural documents with participants in court proceedings using traditional postal communication means should be carried out only in case of impossibility of communication by e-mail and/or using mobile phones specified by participants in court proceedings (including using messengers, which allow you to receive information about the delivery of the corresponding message, procedural document, and receive information about their reading);

- in the event that the court does not have the opportunity to print out the documents received by the court in electronic form due to their considerable volume, appeal to the participants in the court proceedings with the proposal to additionally submit the relevant documents to the court in paper form;

- consider the possibility of posting on official websites information about mobile phones, through which participants in court proceedings will be able to communicate with the court (or the judge's office) using messengers that allow to receive information about the delivery of the relevant message, procedural document, and to receive information about their reading;

- to consider the possibility of creating and placing on the official websites of the court alternative postal addresses (registered on secure domain names), through which the participants of court proceedings will be able to communicate with the court (or the judge's office) in case of impossibility of using the official e-mail address of the court;

Decision No. 31 dated 06.10.2022 approved the draft amendments to the provisions on the ASDS, in particular, it was determined that the meeting of judges of the relevant court has the right to determine the specifics of the implementation of the automated distribution of court cases under certain circumstances: in cases of blackout of the court's power grid, failure of equipment or computer programs or the occurrence

of other circumstances that make it impossible for the automated system to function for more than five working days, in accordance with the requirements of sub-clause 2.3.55 of clause 2.3 of this Regulation; which, according to the legislation, are subject to registration and/or review on non-working days; which were subject to transfer to the presiding judge (rapporteur judge) previously determined in the court case in the absence of such a judge, if this would lead to the impossibility of considering these cases and materials within a reasonable time (subclause 2.3.47 of clause 2.3 of this Regulation);

On January 18, 2023, the Council of Judges of Ukraine issued recommendation No. 9rs-33/23-vyh, according to which, in connection with the fact that, according to forecasts, the situation with the energy supply of courts will continue to be critical, to the heads of court apparatuses:

- to record every case of disconnection of the court's power supply by acts in an arbitrary form;

- in case of lack of power supply 1 hour before the start of the working day, it is recommended to make a decision on the introduction of a remote mode of operation of the court.

- in case of interruption of power supply during working hours for more than 2 hours, postpone the meeting on matters that are not urgent;

- in the case of a lack of power supply, as an exception, the application for the extension of the term of detention shall be considered with the recording of the course of the court session by any available means or a written protocol, and the abbreviated court decision shall be made by hand in one copy.

The provisions of the Criminal Procedural Code have been repeatedly amended, certain provisions on pre-trial investigation in martial law conditions have been improved (Articles 331 and 615 of the Criminal Procedural Code of Ukraine), the relevant sections of the Criminal Code of Ukraine, the Code of Ukraine "On Administrative Offenses" have been supplemented, new categories of crimes and administrative offenses in the military sphere were defined, the punishments became tougher.

The Law of Ukraine "On Amendments to Clause 3-1 of Chapter XII "Final and Transitional Provisions" of the Law of Ukraine "On the Judiciary and the Status of Judges" regarding the territorial jurisdiction of local courts on the territory of Ukraine before the adoption of the law on changes to the system of local courts on the territory of Ukraine in connection with the formation (liquidation) of districts, appropriate changes were made. However, other laws that would clearly define the work of courts of general jurisdiction during the period of martial law were not adopted.

Without dwelling on the main problems of the administration of justice by courts of general jurisdiction, which include ensuring the safety of court employees and visitors, making changes to procedural codes, etc., one cannot fail to pay attention to the fact that in such realities, among the consideration of all other, no less important cases, a review of military criminal offenses is also conducted.

The armed conflict in the East, the full-scale war in Ukraine became the factors that caused a significant increase in the number of military offenses and crimes in 2014-2023.

The result of the implementation of the relevant provisions of the above-mentioned legal acts was a rapid increase in the number of administrative offenses and crimes among servicemen and a decline in the legal awareness of servicemen. One of the factors that influenced this growth was the growing trend of the inability of courts of general jurisdiction to effectively consider cases against military personnel for committing war crimes.

The reasons for this inability are the lack of proper and sufficient experience and knowledge of judges of general jurisdiction in the field of organization, management and functioning of the Armed Forces of Ukraine.

A significant part of the judges did not serve in the ranks of the Armed Forces, the vast majority of judges did not participate in hostilities. The low level of knowledge and experience of judges in the military field prevents a full, professional and objective assessment of the circumstances when considering cases related to military service.

The problem is determined by the fact that the military sphere of management and discipline has its own structure and principles, different from the sphere of

management in ordinary civilian life. In addition, in the conditions of hostilities, the circumstances of the case must be evaluated taking into account the situation at the scene of the incident.

Under such circumstances, the evaluation of the circumstances and arguments of the parties in the process cannot be carried out by the court based on the principles of civilian life, since the specified principles differ significantly from the principles of military management, discipline, etc.

Therefore, in order to objectively evaluate the circumstances that constitute the subject of evidence in the relevant case being considered by the court, judges must take into account the peculiarities of military administration, the basic principles of military discipline, the principles of conducting hostilities, and evaluate the specified circumstances taking into account the principle of proportionality and proportionality.

However, due to the lack of professional knowledge in the field of military administration, military discipline, as well as military legal foundations, excessive workload with the consideration of another category of cases (taking into account the significant shortage of judicial staff in almost all courts of Ukraine), judges of general jurisdiction are unable to ensure an effective and quick review affairs.

Indeed, it can be said that it will be sufficient to hold professional courses, seminars with judges of general jurisdiction, regarding the consideration of proceedings on military criminal offenses, which have been actively conducted since February 24, 2022, but to gain some experience in considering this category of cases, which will significantly increase the speed their review takes a long time, given that, as noted earlier, courts of general jurisdiction consider a wide range of other disputes. There is no such time at the moment. Even gaining some experience in considering the specified category of criminal proceedings will not be able to affect the workload of the judge of the general court, which has always been and will be significant.

Instead, cases related to the commission of military criminal offenses require special treatment, a more thorough investigation of the evidence, and a faster judicial response, since the efficiency and quality of their consideration directly affects the defense capability and authority of our State. All of the above in aggregate leads to the

question of resuming the work of military courts in Ukraine, which would function both in peacetime and in wartime.

7.3 International experience of leading countries in the field of military justice

I want to point out right away that a single, so to speak, universal model of military justice has not been developed in the world. When determining the structure, organizational forms, functions and priorities of military courts, each country takes into account its own historical experience, economic opportunities, legal practice, social and interstate relations, the state of the armed forces and other factors.

It should be taken into account that the military court is an integral part of the system of protection of the rights and legitimate interests of military personnel in many developed countries of the world and Europe. Military courts operate successfully in almost 40 developed countries of the world that have their own armed forces, including countries such as the USA, Great Britain, Switzerland, Sweden, Belgium, Israel, Spain, Canada, and Poland. France at one time abolished military courts, but later this decision was recognized as erroneous, and the system of military courts was restored.

Tkachuk O. S. in his studies [11,12] noted that three main approaches to the issue of the mechanism of justice implementation in the armed forces were formed in the world. This allows us to distinguish three groups of countries according to their attitude to the specified problem. The first group is made up of countries where the activity of military courts in considering criminal cases is limited to the wartime period (Austria, Germany, Portugal). In peacetime, they can be formed only with troops abroad. The second group of countries has a so-called mixed jurisdiction in peacetime. In them, specialized military structures (chambers, departments, councils, offices) function on a permanent basis at the general courts. The third approach has countries in which military courts act as independent authorities in peacetime and in peacetime and in wartime. The vast majority of such countries. Many of them have developed democratic institutions, such as the United Kingdom, the United States, and Canada.

This group includes China, Latin American countries, and almost all former Soviet republics.

Military justice systems in common law countries are based on the exclusive jurisdiction of military courts over offenses committed by military personnel (sometimes their jurisdiction also extends to certain categories of civilians).

In a large number of continental European countries, military offenses fall under the jurisdiction of civilian courts. For example, there are no permanent military courts in Germany. Administrative (disciplinary) tribunals deal with offenses committed during military service, while civilian courts concentrate on crimes.

In many military justice systems, legislation creates civilian appellate courts and sometimes relies on a civilian supreme court as the highest appellate authority. For example, in Canada, the civilian Supreme Court is the highest court after the Military Court of Appeal. In Hungary, military judges of the Supreme Court operate at the first and appellate levels. One of the chambers of the Supreme Court of Poland specializes in military crimes. According to Clause 1 of Art. 183 of the Constitution of Poland: "The Supreme Court supervises the decisions of general and military courts"

Thus, it can be stated that, quantitatively, among the countries of the European Union, there is an absolute priority in realizing the need for the existence of military courts; the legitimization of their activities has been confirmed by both the European Court of Human Rights and the Standing Committee of the Council of Europe. However, it should be stated that existing military courts in the countries of the European Union function on different principles, have different characteristics in terms of composition, powers, etc. Therefore, they can be classified on the basis of certain criteria, the basic model features can be singled out, the possibility of adapting certain models (or their elements) in Ukraine can be predicted, taking into account both peacetime and the conditions of declaring martial law or a special period.

As for determining the status of military judges, as a rule, their composition is formed mainly from military personnel. Yes, in Poland, only professional military personnel can be military judges. A military lawyer must have the rank of officer. A judge who is not a professional lawyer (judge) and representatives of military personnel

must have a military rank not lower than the rank of the accused. In Greece, the composition of the military-field, naval and air-military courts is formed from the employees of the legal service of the armed forces, who are subject to the relevant guarantees of independence. An important factor in determining the status of a military court in European countries is that in many of them, in peacetime and wartime, military courts function differently, based on different norms and, as a result, have different scope of powers. Thus, according to the Constitution of Poland, a simplified judicial procedure may be established during wartime [14].

7.4 Controversial issues regarding the resumption of military courts in Ukraine. Implementation and directions of development of military courts in Ukraine in the post-war period

The question of resuming the work of military courts as part of the judicial reform was widely discussed at the level of the state leadership.

Several draft laws were registered in the Verkhovna Rada of Ukraine. Analyzing the project "On Amendments to the Law of Ukraine "On the Judiciary and the Status of Judges" (Regarding the Restoration of the General Jurisdiction of Military Courts in the System)" (No. 1896), I note that, proposing to restore these courts, the legislator defines them as courts that operate in system of courts of general jurisdiction and specialize in considering cases in the Armed Forces and other military formations formed in accordance with the law. The legislator does not clearly define the range of cases, that is, the competence of military courts, limiting himself to "cases in the Armed Forces and other military formations formed in accordance with the law." Undoubtedly, such an approach not only excessively expands the powers of the military court, but also makes it an improper court, since without clearly establishing the range of cases in respect of which the court is authorized to administer justice, it automatically becomes one that does not act on the basis of the law, and therefore does not is a "court established by law". Therefore, the proposed project in some parts does not meet European standards and needs thorough revision.

In the draft "On Amendments to Certain Legislative Acts of Ukraine (Regarding the Formation of Military Courts and Certain Organizational Matters)" (No. 2557), as well as in the first initiative, the legislator is of the opinion that these courts should be included in the system of courts of general jurisdiction. Outlining the category of cases that should be subordinated to military courts, the legislator proposes to transfer to them for consideration not only criminal cases regarding crimes committed by military personnel, but also cases of administrative offenses and administrative cases with such a subject composition. In addition, the legislator proposes not only to be guided by the subject criterion when determining the subdepartment of cases, but also to fully delegate cases of espionage, sabotage and terrorist acts to these institutions. However, such a decision would be at least controversial, since the subjects of such crimes can also be civilians, and therefore, their conviction by members of the military court would mean a violation of the Johannesburg principles.

In a detailed analysis of the subdepartment of cases, attention is drawn separately to the provisions of Art. 3 projects. According to it, "military courts of garrisons are responsible for cases of crimes committed by certain categories of persons defined by the legislation of Ukraine." This provision cannot be considered to be in line with European standards in the field of human rights protection, since it, as in the case of the previous draft, will unnecessarily expand the scope of cases under the jurisdiction of military courts. The legislator, as in the previous project, proposes to fix the status of a judge of a military court on the model of the status of a judge of the liquidated military courts. In general, project No. 2557 is more perfect and balanced compared to the previous one, although it has minor shortcomings [17].

Also, two more draft laws have been introduced recently: No. 8392 dated 05/22/2018 "On Amendments to the Law of Ukraine "On the Judiciary and the Status of Judges" in relation to military courts" [15] and an alternative draft law - No. 8392-1 [16] dated 01.06.2018 "On Amendments to the Law of Ukraine "On the Judiciary and the Status of Judges" Regarding the Establishment of Military Courts", the subjects of which are submitted by People's Deputies of Ukraine. However, draft law No. 8392 dated 05/22/2018 and 06/01/2018 was withdrawn on 08/29/2019.

The President of Ukraine also outlined the prospect of submitting in 2017-2018 a draft law on amendments to the Law of Ukraine "On the Judiciary and the Status of Judges" with the aim of restoring the institution of military courts in the judiciary of Ukraine. However, as of now, the Head of State has not implemented the right of legislative initiative on the issues of restoration (or creation) of military courts.

Taking into account the historical experience of our country, namely the existence of military courts in the historical past, at the same time, the duration of such a period in itself confirmed the effectiveness and necessity of such a judicial system at that time, and taking into account the needs of today, when the military invasion of the territory of Ukraine highlighted all the shortcomings of its functioning of the judicial system, the practice of considering military criminal offenses, it is possible to assert with confidence the necessity of reforming the judicial system, in particular, in terms of restoring the work of military courts.

Instead, when solving this issue, it is necessary to take into account both the historical experience of Ukraine and the positive experience of the international countries of the world, taking into account the needs and economic condition of the State today.

First of all, it is necessary to determine whether there is a need to restore the work of military courts in Ukraine on a permanent or temporary basis.

There are different views on this matter. Yes, there are proposals for the organization of a dual system of military courts - peacetime and wartime. For peacetime, it is proposed to restore the system that existed before 2010 - the military organization of the state has significantly increased in number and, most likely, will remain so even after the war. Therefore, civil courts, even "very professional" ones, simply will not be able to ensure its existence. It is proposed to include criminal, administrative and civil cases, as well as cases of administrative offenses in the Armed Forces and other military formations, within their competence.

For a situation of war, in particular, a hybrid one, it is proposed to adopt a separate law that would temporarily remove military courts from the system of general jurisdiction and define them as specialized. By the way, in most European countries

military courts belong to special ones. The main purpose of this law is to create a flexible system of adaptation of military justice to the level of threats to the security of the wartime state. Such a law, in particular, may include the creation of a temporary appointment institute, the dismissal and transfer of military judges according to a simplified procedure, the ability to quickly adapt the network of military courts depending on the change in the deployment of military formations [13].

Instead, there is another opinion that also deserves respect. Historically, Ukraine belongs to the countries with special military justice, which operates on a permanent basis.

Common law countries are increasingly moving in the direction of establishing a system of permanent military courts. Some of the main drivers of this trend are the belief that it improves the flexibility of the military justice system and that it is compatible with international human rights standards.

Therefore, taking into account the organization of the work of the judicial system in Ukraine, the workload of courts of general jurisdiction, the complexity and the need for the most prompt resolution of proceedings (both criminal and administrative) in the field of military offenses, it can be considered more effective to create military courts on a permanent basis.

When solving the issue of the need to restore the work of military courts, it is necessary to examine their disadvantages and advantages in comparison with the activities of civilian courts (courts of general jurisdiction).

Yes, military courts have the following advantages:

- experience Military judges have experience in military criminal law and service procedures. They well understand the specifics of military life and culture, are familiar with the requirements of statutes, internal military documentation;
- efficiency. Accelerated procedures for consideration of criminal, administrative offenses and disciplinary violations;
- efficiency. Optimum conditions are created under which the goal of military widows' activities is achieved, certain standards of activity are achieved;
- unity and stability of judicial practice of military courts;

- proximity of military courts to troops.

On the other hand, the topic of the shortcomings of military courts cannot be ignored.

Disadvantages of military court include:

- possible encroachment on non-independence. As military personnel, military judges may be subject to vertical command. Therefore, they can follow the opinion of the commander who is responsible for a certain case (leveled, taking into account the established principle of independence of judges)

- a lengthy legislative process for the restoration of the activities of military courts, the need to adopt new laws and introduce changes to existing legislative acts (levelled by the rapid adoption of the necessary legislative acts)

- additional budget expenses.

The advantages of the activity of civilian courts in relation to military offenses:

- civilian judges are not subordinate to the military hierarchy. Therefore, the incentives to comply with the decision of military representatives may be weaker;

- absence of additional budget expenditures for the activity of courts in the specified area (excluding additional, long-term training of judges).

Disadvantages of the activity of civil courts (general jurisdiction) in the field of consideration of criminal offenses:

- experience Civilian judges may not have special knowledge of military matters and sufficient experience in the application of military criminal law;

- efficiency. Courts of general jurisdiction have a significant workload, consider a wide range of other disputes, as a result of which they cannot always promptly consider military proceedings;

- efficiency. The lack of sufficient experience and the ability to promptly consider proceedings related to violations in the military sphere collectively leads to a decrease in the effectiveness of consideration of this category of cases.

From the above, it can be concluded that one of the possible justifications for turning to military courts is to ensure effective access to justice. However, this assumes

that the military justice system meets the basic requirements of judicial independence and a fair trial.

One of the main problems of military justice is finding ways to increase the independence of military courts. When analyzing the effectiveness and reforming the military justice system, international standards on this issue should be taken into account. The UN Human Rights Committee notes that the requirement for independence refers to: "...Procedures and qualifications for the appointment of judges, as well as guarantees for ensuring their powers, the conditions governing the extension, transfer, suspension and termination of their functions, and the effective independence of the judiciary power from political interference by the executive or legislative bodies."

Many countries are modifying their military justice systems to include civilian elements in order to ensure a higher degree of judicial independence. For example, more and more cases of military personnel are considered by prosecutors instead of military investigators. The independence of military judges can be strengthened in various ways. One of these ways is to increase the number of replacements of military personnel by civilians. However, this does not mean that separate systems of military justice cannot, in principle, satisfy the requirements of judicial independence. In some Eastern and Central European countries, the safeguards that apply to civilian judges are equally applicable to military justice systems (eg Bulgaria, Romania and Poland).

If the military justice system is truly independent and meets all the requirements of impartiality, it can be seen as an important tool to combat impunity in military institutions. Such systems have increased public trust and contribute to strengthening the combat capability of the armed forces.

Therefore, first of all, it is necessary to establish a selection procedure for the position of military court judge, which would initiate and ensure the independence of his activity. It is also necessary to determine the quantitative composition of judges of the military court by examining the number of proceedings in the military sphere that were considered after the liquidation of the military court, taking into account the territory, the population, the level of trust in the court, the quality of procedural

legislation, the development of the network of courts in the territory and many other factors. Determine the source of financing military courts, in order to ensure their independence. Legislate the specified issues.

In addition to the question of whether the military court will be appropriate in terms of human rights protection standards, it is also important to clearly define what competence it will have. This issue at the international level is currently not resolved. There is no universal international treaty to which Ukraine would be a party and which would delineate the border, crossing which the military court would go beyond its scope of competence. However, the International Center Against Censorship, in collaboration with the Center for Applied Legal Research at the University of the Witwatersrand in Johannesburg, has developed a set of human rights standards that must be followed when determining the scope of cases that fall within the jurisdiction of military courts.

Thus, according to the 22nd principle of the Johannesburg standards "National security, freedom of expression and access to information", a criminal charge of committing a crime against national security must be tried (at the choice of the accused) by a jury, if such a body exists, or by truly independent judges. Consideration of the cases of persons accused of crimes against national security by judges whose independence is not guaranteed is perceived as a violation of the right to a trial by an independent court. Under no circumstances may a civilian be tried by a military court or tribunal for committing such a crime. Having analyzed this provision in detail, it can be concluded that military courts can potentially go beyond their competence in the event that, in addition to the subject criterion, substantive subordination is also applied to determine the sub-department of the cases that will be referred to them for consideration.

Also, it should be noted that, in addition to the norms of substantive and procedural law, when considering cases involving military personnel, the resolution of the case is impossible without the application of the norms set forth in military statutes and normative legal acts of military law, which in some cases are not publicly available and have the status of a document with limited access, which also complicates the

process of full and comprehensive consideration of the case on its merits. It should be noted that war crimes are largely cases related to military secrecy. Documents marked with secrecy have limited access, and cannot simply be submitted to the court at the request of the court in the general procedure for presenting and examining evidence. Therefore, it is necessary to give military judges access to state secrets by providing the courts with a specially equipped room for storing such evidence.

As for procedural changes, there is generally no need to make any changes to the procedure for consideration of military offenses. But it is necessary to take into account that it is usually problematic for military personnel to appear in court, given the peculiarities of military discipline, and, in particular, because in a combat situation, leaving combat positions poses a serious risk. At the same time, most of the witnesses in these categories of cases are military personnel. Therefore, summoning these persons to a court session becomes problematic. In such a case, the practice of conducting court hearings in the mode of video conferences will be positive, including with the provision of the opportunity to conduct such video conferences using own means for conducting them, as well as, at the discretion of the court, to use the practice of visiting court hearings and consideration of cases in the locations of military units in the presence of military personnel.

Among the necessary mechanisms is the introduction of a simplified procedure for consideration of criminal proceedings in military courts during wartime. That is, reducing the term of procedural actions, limiting the number of instances reviewing the decisions of military courts to two, with the simultaneous limitation of the maximum possible punishment that can be imposed by a military court to 10 years of imprisonment, as well as the mandatory review of decisions made in such order after the end of the war by higher courts [17].

This will guarantee a faster and more objective consideration of the case.

Conclusions

The idea of creating a military court arose in the historical past of our country. During all this time, the activities of such military courts changed and improved, taking

into account the needs of society and the state of the country in various periods of its development.

The policy of the state from the moment Ukraine gained independence until 2012 was mostly aimed at optimizing spending on the defense sector, which led to both significant reductions in the number of the Armed Forces of Ukraine and the liquidation of certain institutions of the military sphere.

Implementing this policy, the Law of Ukraine "On the Judiciary and the Status of Judges", adopted on July 7, 2010 No. 2453-VI decided to liquidate military courts and transfer their functions to courts of general jurisdiction. The reasons for this were doubts about ensuring the independence of the activities of military judges, compliance with the recommendations of the Council of Europe, optimization of costs for ensuring the judiciary.

The Law of Ukraine "On the Judiciary and the Status of Judges" stipulates that cases that were previously considered by military courts of garrisons should be considered by courts of general jurisdiction of the first instance, and cases that were referred to the competence of appellate military courts, according to the new Law, were to be considered by general appellate courts jurisdiction.

Instead, after 2014, since the start of a full-scale war in Ukraine, significant gaps in the organization of the judiciary, including the restoration of military courts, were highlighted.

Thus, in the course of the conducted work, it was established that the advantages of the activity of military courts are efficiency, speed and efficiency of consideration of cases by military courts; unity and stability of judicial practice of military courts; proximity of military courts to troops. The shortcomings of military courts can be leveled by establishing certain factors at the legislative level.

The statement regarding the inexpediency of the existence of military courts in Ukraine in view of international experience is not unambiguous and cannot be taken as a basis in the state on the territory of which hostilities are taking place.

If we examine the judicial systems of the countries of Europe and the world in more detail, we can conclude that the institute of military justice has been introduced and is successfully functioning professionally in many countries of the world.

Currently, military courts operate in almost 40 developed countries of the world, including Europe, which have their own Armed Forces.

Reconstruction of the system of military courts in the interest of ensuring the defense capability of the state is a necessary step in the conditions of military aggression regarding our State. The legislative regulation of the organization and activities of military courts is preceded by the creation of a theoretical model, the development of specific recommendations that would allow later to avoid practical mistakes.

References

1. Shyshkin V. Viiskovi sudy cherez pryzmu pravovoi derzhavy. Pravo Ukrainy. 2004. № 4. P. 107-110.

2. Overchuk S. V. Viiskovi sudy – neobkhidna skladova viiskovoi yustytzii v Ukraini. Chasopys Natsionalnoho universytetu «Ostrozka akademiia». Seriia «Pravo». 2015. № 1(11) URL: <http://lj.oa.edu.ua/articles /2015/n1/15osvyvu.pdf>.

3. Entsyklopediia ukrainoznavstva. Zahalna chastyna (EU-I). Miunkhen, Niu-Iork, 1949. T. 2. P. 665-670.

4. Vronska T.V. Nadzvychaini viiskovi sudy v Ukrainskii narodnii respublitsi. Entsyklopediia istorii Ukrainy: T. 7: Mi-O. Redkol.: V. A. Smolii (holova) ta in. NAN Ukrainy. Instytut istorii Ukrainy. K. V-vo "Naukova dumka". 2010. 728 p.

URL: http://www.history.org.ua/?termin=Nadzvyhajni_vijskovi (date of application: 05.02.2023).

5. Muzychenko P. P. Istoriia derzhavy i prava Ukrainy. Navch. posibnyk. K.: Znannia. 2001. 429 p.

6. Ukaz Prezydenta Ukrainy vid 10.05.2006 «Pro kontseptsiiu vdoskonalennia sudivnytstva dlia utverdzhenia spravedlyvoho sudu v Ukraini vidpovidno do yevropeiskykh standartiv».

URL: <https://zakon.rada.gov.ua/laws/show/361/2006#Text> (date of application: 05.02.2023)

7. Yatsyna V. Viiskovi sudy: buty chy ne buty? Yurydychnyi visnyk Ukrainy. 2004. № 21. P. 8-9.

8. Zakon Ukrainy «Pro sudoustrii i status suddiv» vid 07.07.2010 № 2453-VI
URL: <https://zakon.rada.gov.ua/laws/show/2453-17#Text> (date of application: 05.02.2023).

9. Postanova Verkhovnoi Rady Ukrainy vid 11.10.1991 «Pro Kontseptsiiu oborony ta budivnytstva Zbroinykh Syl Ukrainy». Vidomosti Verkhovnoi Rady Ukrainy (VVR), 1991, № 51, ст. 729.

URL : zakon.rada.gov.ua/laws/show/1659-12%20 (date of application: 05.02.2023)

10. Zakon Ukrainy «Pro pravovyi rezhym voiennoho stanu» vid 12.05.2015
URL: <https://zakon.rada.gov.ua/laws/show/389-19#Text> (date of application: 05.02.2023)

11. Tkachuk O. Mizhnarodnyi dosvid realizatsii sudovoi vlady u zbroinykh sylakh. Pravo Ukrainy. 2006. № 10. P. 108-109.

12. Tkachuk O. Viiskovi sudy Ukrainy yak skladova chastyna sudiv zahalnoi yurysdyktsii. Pravo Ukrainy. 2006. № 4. P.117-119

13. Dehtiar R.O., V.V. Pakhomov Viiskovi sudy. Chynnyky rozvytku yurydychnykh nauk u XXI stolitti: materialy Mizhnarodnoi naukovo-praktychnoi konferentsii. Dnipro, 4-5 lystopada 2016 r. Dnipro: HO «Pravovyi svit», 2016. P. 173-176.

14. Horetskyi Oleh «Horetskyi i Partnery, YuF» keruiuchy partner, advokat, k.yu.n, mediator Mizhnarodni standarty viiskovykh sudiv. Dosvid Yevropy URL: https://jur-gazeta.com/publications/sferi-praktiki/viyskove_pravo/mizhnarodni-standarti-viyskovih-sudiv-dosvid-evropi.html (date of application: 05.02.2023).

15. Proekt Zakonu pro vnesennia zmin do Zakonu Ukrainy «Pro sudoustrii i status suddiv» № 8392 vid 22.05.2018. Ofitsiinyi sait Verkhovnoi Rady Ukrainy.

URL : http://w1.c1.rada.gov.ua/pls/zweb2/webproc4_1?pf3511=64070

(date of application: 05.02.2023).

16. Proekt Zakonu pro vnesennia zmin do Zakonu Ukrainy «Pro sudoustrii i status suddiv» № 8392-1 vid 01.06.2018. Ofitsiinyi sait Verkhovnoi Rady Ukrainy URL : http://w1.c1.rada.gov.ua/pls/zweb2/webproc4_1?pf3511=64138 (date of application: 05.02.2023).

17. Sydorov Yevhen, suddia Shevchenkivskoho raionnoho sudu m.Kyieva. kolyshnii zastupnyk holovy Viiskovoho mistsevoho sudu Khmelnytskoho harnizonu. "Zakon i biznes". URL : <https://radako.com.ua/news/shchodo-neobhidnosti-povernennya-viyskovih-sudiv> (date of application: 05.02.2023).

8. Renaissance forms of determinism in the context of the becoming of classical scientific nomology

Introduction

In domestic methodology, the formation of a categorical level of nomology awareness was of fundamental importance, and for the sake of completeness of the study, it was considered at two levels at once, giving rise to two main meanings (levels, aspects) of this problem – philosophical and natural science [1]. If the first, referring to the times of the ancient Greek «logos» and the ancient Chinese «tao», depicted the formation of a category as a process of concretizing the intuition of «universal connection» and generalizing socio-political connotations, then the second, referring to the XVII century, represented the category as the result of the organization of the accumulated empirical experience in a certain way of material and production activity. Meanwhile, the resulting time gap should be filled, on the one hand, with details of the study of the nomenclature of determinism, in which some categories of nomology overcome the status of preliminary «forms of conditioning» and «aspects of the relationship of interaction», and on the other hand, with lively etymological developments [2; 3].

In this case, the secondary complication of the problem of the formation of a scientific law will require a combination of relevant methodological approaches and the introduction of additional historical and terminological milestones. In this regard, the Renaissance deserves close attention, filled with the greatest number of forms and aspects of the application of the «law», which experienced simultaneous synthesis and reduction in the course of subsequent formalization into science. In the edition familiar to us, the classical scientific description, which involves the systematization of phenomena to the degree of mathematical regularity, is both a consequence and a hidden premise of the *atomistic* worldview: it phenomenally coincides both the structural elements of quantified matter, which transferred their functions of movement to the laws of mechanics, and the structural elements of an anti-traditionalist society, which transferred their functions of production to the laws of political economy. At the

same time, the philosophical and methodological reflection of scientific revolutions demonstrates that it would be naive to believe the quantification of matter and the establishment of substantial laws of nature as a simple result of scientific and industrial practice: connoisseurs of the Renaissance subordinate them to cardinal changes in life, worldview and self-awareness of a man who went along the path of scholasticism to the value gap of the Renaissance.

Indeed, although the «gospel» function of mediating between the absolute (*ante rem*) and man (*post rem*) began to be assigned to created nature (*in re*) already in the time of Thomas Aquinas, judging by the leading teachings on the eve of the era of scientific determinism, nature as such did little to feed the leading anthropocentric interests of scientists. Once associated with the *human* fall into sin, it possessed laws of a clearly lower derivative order, illustrating the oppressive feeling that «we live without a clear goal, as if in a gloomy blindness, we move not along a well-defined path, but along an accidental road offered to us <...>» [4, p. 49]. The opposite impression from the mechanized nature morte will arise only through strong physical-deterministic implications of the Hellenic-Roman *ethical* teachings, reclaimed by the kinship of individualization and negative equality of man in the context of the new socio-political absolutism.

On the other hand, the external motives of scientific programs usually do not manifest themselves directly, but rather modify or promote selection in a series of previous academic values. The revision of ancient *individualism* took place in the conditions of Christian moralizing ontology, when behind its phenomena a symbol of the divine was guessed, helping the «judgments of the soul» to transcend the accidents of intra-worldly goals (*actus occasionalis*). Therefore, humanistic thought had to change the traditional image of individualism (*κοσμοπολιτής*), highlighting it with a metaphor for the healing of the whole through its parts (*uomo universalis*). Thus, Epicurean atomism, Stoic naturalism and Neoplatonic esotericism entered into ethical resonance with the vertical methodological reorganization of the «idols» of traditional craft practice, which contributed to the mitigation of the Augustinian «original sin» of

individual creations (*casus*), extending to them a general idea of the created world as aesthetic phenomenon (*occasio*).

After Dante's metaphor of the descent from the depths of hell through the heavenly spheres to the heights of paradise, human piety and knowledge of God receive the humanistic purpose of intensively penetrating the hierarchy of existence. At the same time, art primarily appears as a means of finding the «first formal causes» of divine creativity (*natura naturans*), embodied in the created natural order (*natura naturata*). The aesthetic and practical reproduction of the laws of art obtained in this way for Renaissance artists and inventors becomes the best evidence of involvement in the same original Idea, which scholastics sought to reach through endless interpretations of the written word, and mystics – through self-knowledge. Thus, imitating the highest creative ability serves the simultaneous understanding of man and nature.

Thus, ideas of nomology arising in the course of the implementation of the transcendental Plan ceases to bear the stamp of the duality of the ontology of the «Earthly City» and the «City of God», opening up new perspectives for mutual projections of the divine, human and natural possibilities of free choice (*contingentia*). At this crossroads, the creative project of the Renaissance is established, where humanism gives the ideal of the identity of the macrocosm (*major mundus*) and microcosm (*minor mundus*) an active dimension and reaches the structural identification of the hierarchical levels of the created world on the basis of the universalization of the ancient idea of natural law [5, p. 49]. In natural philosophy, both hypostases of the cosmos acquire a harmonious whole thanks to a mixture of horizontal and vertical material, language-symbolic and psychological connections. By physicalizing them into uniform forces of heat, cold, light, magnetism, etc., B. Telesio and his followers balance medieval creationism by restoring ancient substantiality in nature, making it a sensuous hypostasis of the highest truth. Other ways of immanentizing divine laws in the pantheistic motifs of Spinozism, German idealism, romanticism, American transcendentalism, and «deep» ecosophy will form the basis for honoring and imitating natural harmony in the process and results of human activity.

The methodological reconstruction of the centrifugal processes of this project according to the content areas and historical stages of Renaissance thought involves the «smoothing» of the dialectics of Renaissance determinism in the context of the humanization of the late scholastic («Gothic») picture of the world and the establishment of the significance of the sacred miracle, secular freedom and ontological chance for the formation of scientific nomology.

8.1 Humanistic premises of the Renaissance natural philosophy: mantic, astrology, magic

The moral promise of the intrinsic value of creations and the attainment of the harmony of the whole in their relations contained a contradiction between active humanism and the speculative doctrines of the Renaissance, in which the creative goals of replenishing nature, overcoming the accidental fate and achieving the public good were mediated by the problem of independent «*cultivation of virtue*» (transcensum) by the individual. Despite the German alternative of «theosophical naturalism», when the Creator and his creations *directly* coincide in the fertile idea [6., p. 54], in Italy, the most convincing guarantee of the «expressive» transcensum of knowledge seemed to be the «world connection» (συμπνοια πάντα) of the systematizer of Stoicism Posidonius.

Revived by G. Pico della Mirandola and other «naturalists» mainly in the eclectic version of Cicero and Laertius as a priori «astrological conformity», this world connection, on the one hand, was the ultimate school expression of medieval symbolism and allegorism, and on the other hand, it is more corresponded to the specific Renaissance *problem* of human freedom as a self-determining combination of the imperfect elements of earthly action and the perfect guidelines for spiritual existence. Under the conditions of Christian dualism, this material-sensory attraction of things, symbolically likened by belonging to one universal (archetype), forming a system of mutual support and balancing by the forces of all universals, opened up an attractive opportunity to foreshadow the action of fate (μαντική) and, in general, potentially pierce the hierarchy of being.

For all the speculative nature of its «sympathy» (*sympathia*), in which material, linguistic and psychological properties and connections merge, the world connection of the «Stoic Aristotle» softens and mediates the personal risk of establishing a connection – that is like the relation of «children» to «parents», content to symbol, spiritual to bodily, history to scripture – between the available influencing unit of the sublunar world and the inaccessible influencing unit of the supralunar world. «The whole world becomes the field of all-encompassing symbolization and is covered with stone colors of symbols <...> as soon as symbolization passed from a purely religious sphere into an exclusively moral one, we already see its hopeless degeneration <...> in fact, this is already a symbolization reversed; when it is not the lower that points to the higher, but the higher is the symbol of the lower» [7, p. 207, 209].

Supported by translations of such newly authoritative manuscripts as *Almagest*, *Qabbalah* and *Corpus hermeticum*, this connection, according to the associations of that time, became the «gray of philosophers», into which the anti-scholastic «mercury of philosophers» crystallized – the less material world Soul of Neoplatonism, which served as a guarantee of mimetic mysticism [8]. Before the development of the famous artistic and «Pythagorean» means of the Renaissance, in the arsenal of its implementation, one can see, first of all, the textual method of creationism with its contradictory casuistry of natural patterns of things (*prima natura*) and symbols of their creation (*signatura rerum*). «Symbolism, viewed from the point of view of causal thinking, is a kind of mental short circuit. Thought seeks a connection between two things not along the hidden coils of their causal interdependence – she discovers this connection in a sudden leap, and not as a connection between cause and effect, but as a sense and purpose. The belief in the existence of such a connection can arise as soon as two things reveal the same essential common property, which correlates with some universal values» [7, p. 204].

On the other hand, the «myth of the Renaissance», which promised to certify the value preferences of these analogies by the continuity of the restored tradition [9, p. 357-365], put forward a cathartic method of reception of ancient languages and dispositional-mantic anticipation of the «second nature». In fluctuations between these

methods, the moral transcensum turns into a «chameleon» *ability* to measure the substantial levels of the macrocosm in the life stages of the microcosm, which gives a *human* «connection and similarity with all parts of the world» and embraces the worlds of the valley and the mountains in their endless convergence without sacral sanction.

The power of love, for example, in which from the fifteenth century. the universal creative principle and natural human feeling begin to coincide, he unites the hierarchy of cosmic forms (*copula mundi*), thus ascending from flawed creations to the ideas of the divine mind and the content of his own nature. In the Neoplatonic tradition, they rely here on the representation of the ideas of the divine mind in the world Soul – the «seed logoi» (*rationes seminales*), since they combine the irrational grace and the rational harmony of its *beauty*. Love compels the sublimation of the lower bodily forms to the perfection of this beauty, «like the reflections of the luminary to the very luminary» – in nature, based on a simple thirst for pleasure, and in art also for the manipulation of «seed meanings» that concentrate the highest blessings (*coelestia vendicat*). Since under normal conditions the function of their distribution in copies of bodily forms is entrusted to the celestial spheres and stars, thus active resources of evasion from astrological determinism are opened up to a human [10, p. 357–382, 402–417].

Non-demonic *magic* that specializes in such a «marriage of the lower to the powers of the higher», in the words of the «naturalists», deserves to be called both natural and divine: due to the fact that she peers intently and puts on public display the secret wonders of nature, «she herself, as it were, is their creator» [11, p. 262]. As if in continuation of the thesis of Nicholas Krebs of Cusa about the coincidence of opposites, this common denominator with the Creator is achievable only if a person focuses on the *symbols* of creation, since by their nature they express the unity of the earthly and the heavenly, linking them with rational rules [12]. In the face of declining clerical guarantees of social life, the educated mind will find such rationality in *the regularity of the movement of the heavens* – refined to mathematical proportions, like Cusan, or astrological, like most.

The indicated «creativity» here still resembles the implementation of the scholastic program in the ontology of Cusan – reproduction of the world panorama (*pax philosophica*), contributing to the identification of hidden, hidden or forgotten truths. But its mathematical component is modernized by Pico della Mirandola so much that in the preserved linguistic parallelism of the two worlds one can see the inductive Averroist-Padua preference for the sublunar world. «That heaven is the common cause of terrestrial events is also recognized by Pico. But all individual phenomena must be explained by their proximate causes» [13, p. 341].

At the very least, the physical causality of the *observed* elements of heat and light compares favorably with him in that it connects the «proximate» atomic causes of things and the «first» causes of the forces that *bind* them, while the hidden qualities of the astrological pneuma seem too creationist – as self-sufficient symbols of the «first causes» (*propriis principiis*). «The determinism inherent in judicial astrology, which seeks to make the inner life dependent not only on bodily changes, but through the body – and on the arrangement of the heavenly bodies, inspired by pagan ideas about the divine will, replaces the beauty and divine harmony of causes with a chain of random and imaginary correspondences. Pico does not exclude and could not exclude the physical connection of the whole, but he denies that the stars can have a position that has a direct effect – and therefore a privileged position <...>» [14, p. 141].

At the most general cosmogonic level, the new scheme of determinism figuratively looks like the introduction of Venus (chaotic matter full of mixed and imperfect forms) into Mars (the image of the highest incorporeal principle), which should provide the world with a teleological reason (*lex divina*). The latter, unlike the «closest» (random atomistic) «knows about the purpose of the whole», but unlike the «first» (necessary astrological) is capable of miracles with the help of natural forces. A human who is involved in both principles, according to Pico della Mirandola, is capable of both resuming the birth of the world in magic and profaning it in astrology [15, p. 91–99].

However, in addition to hermetic rhetoric, the works of the astrological cycle also reveal a re-actualization of the ideas of early Christian humanism about the self-determination of a person. In particular, in the coming natural philosophy,

reminiscences of the «microcosmic» anthropology of Methodius of Olympus and Gregory of Nazianzus acquire methodological significance. Being the support and instrument of the Creator in his world-ordering efforts, man from the height of universal world harmony (archeus) is able to literally «heal» random *deviations* of the fallen nature, produced by the immediate material causes of things, into the perfect *possibilities* of this matter [16].

If we consider the worlds as *books* of Nature and Holy Scripture, then the condition for the creative magic of their mutual translation will be the Stoicist reduction of the verifying inclusiveness of the world order (Ordo) and the polyphony of the meanings of any of the things to the polarity of moral and aesthetic *possibilities* in nature and (or) translations in language, one of which (positive) will be the counterpart of the transcendent, accessible only to the elect. At the same time, the *humanization* of the Areopagitic ladder of being carried out by Cusan, which made *each* of the steps both an adequate private manifestation of the extraordinary One, and a «poetically significant» (Petrarch) form of human knowledge, promises the same virtue to the ordinary profane, but in an extensive aesthetic expression. From here comes not only the Renaissance fundamentalism of Neoplatonism, which reached its apogee in the universal aesthetic objectivity of I. Kant, but also the fideistic need for the scientific *spectrum* of studia humanitatis, replenished by «ancient insights» [17, p. 43].

In some cases, like the mechanics of Archimedes, the physics of Lucretius, or the geography of Strabo, they serve as an ideal to emulate speculative esoteric practices; in other (the stories of George of Trebizond and the moral philosophy of N. Machiavelli) – as the starting empirical point from which the concepts of «collegium sciences» will develop. But in general, the spiritualistic monism of magic presents this Krebsian diversity already in the purely *epistemological* aspect of an enthusiast piercing the cosmos, when the aesthetic measure of the transition from part to whole is realized in the continuous movement of his mind from the finite substantial foundations (corporeal) to the Infinite (spiritual). Being included in the ascent of the «spiritual circle of being» (circuitus spiritualis), he is inclined to overcome any limits – in habitation,

possession or enjoyment, until he guarantees himself an infinite foundation in the impersonal law of this movement («ideal form», «supreme good») [18].

8.2 Naturphilosophical foundations of Renaissance (in)determinism

Thus, by virtue of its middle position and «figurative likeness», the Renaissance man played the role of a transmission link (*vinculum mundi*) of a more general process of unification. Its hermetic reason was the discovery of the «Emerald Tablet», which postulates the miracle of «one-single»: «and this is how all beings came from one through the mediation of one: all beings appeared from this one being through likening» [19, p. 24].

By the time of «A free inquiry into the vulgarly received notion of Nature» by R. Boyle, this perception of things will be forged into the status of «an essential modification of the Cosmic Mechanism». But first it is realized in the neo-Platonism of Cusanus: there, structural relations and driving functions were transferred to the Absolute Subject (*Mens-mensura*), and then returned to Nature along the substantial ladder— already as a modifier of infinized properties («infinity», «emptiness», «inertia») [20, p.100].

This Subject was curtailing, according to A.V. Akhutin, the created world of Augustine and Aquinas, the world of substantial (immeasurable, qualitative steps of the One) forms, but unfolds another world, the world of homogeneous measurability, possible measures. In it, the qualitative *certainty* of the expedient movement of substantial forms find a common denominator of the infinite extensive spatial characteristics of the *Mens-mensura* (the prototype of the Newtonian sensorium), thereby becoming physical *quantities* subject to the *equations* of motion. «Any thing can be represented as a modification of another thing, each thing is comprehensively connected and correlated with others, determined not by its internal nature, but, roughly speaking, by a random combination of circumstances in which a single nature, which constitutes the essence of each individual thing, was determined in such a way. The thing is this, because the only one happened to come true» [21, p. 48].

Although Krebs' subordination of cognition to the subjective function of measurement (*mensura*) already presupposes the relativization of the Aristotelian «place» and «movement», the cosmological resonance of the emanation «resolution» of movement already produces in natural-philosophical treatises, where the cycle of world unity is formed by the communication of *one and the same* spirit in the form «creative nature» (*natura naturans*) and «created» (*natura naturata*). First, this is an outwardly formal expression of the divine potential in relative reality – random arrangements of atomistic «matter», and then overcoming its accidental nature – «matter» in its highest sense, rising above all dichotomies.

Then the qualitative certainty of a thing in begins to be interpreted as «*potency*» – a measure of its ability to perceive divine forces, despite the fact that this universal ability is given and varies quantitatively. ««...» It is necessary to recognize in nature two kinds of substances: one is form, and the other is matter; for there must necessarily be a most substantial reality, in which the active potency of everything is contained, and also a highest potency and substratum, in which the passive potency of everything is contained: in the first there is the possibility of doing, in the second there is the possibility of being done» [22, p. 85].

In J. Bruno, the physical expression of this relationship is realized in the form of a revived atomism – «discontinuous bodies in a continuous space» [23, p. 202]. However, unlike ancient atomism, its space is not empty, but the place of divine shaping, and the driving abilities of the material atom are not alienated, but are identical to the abilities of the pantheistic Universe as an absolute minimum and maximum on the basis of identity in the world Soul of the mind and the active cause. Otherwise, the observed «reasonable order» must be communicated to a random inanimate arrangement of atoms by an anthropomorphic transcendental Will, which contradicts the natural *constancy*, on the laws of which magical practice is based. «Bruno renounces ancient atomistics: random collisions and groupings of atoms do not suit him. He searches for an integral order in nature and in these searches he comes to the infinite nature as a whole – the *motionless* nature» [24, p. 130].

It is important to note that this integral order, having received the Copernican vector of infinitesimality and equalizing the status of internal and external causes, did not immediately experience the classical geometrization of things into properties and quantities [25]. Before its self-constituting law can become fully discursive, it will require the use of an entire arsenal of cognitive faculties. From these fittings, the «*natural*» aspects of the realization of divine potency will grow along with the moral and philosophical ones («soul motive», «natural law», «moral law» and «political power») [26]. For example, the physical principle of self-preservation (inertia) is initiated by P. Gassendi as part of the program of alienation in favor of the Creator of purely individual forces of atoms as *identical* to external ones, but too piecemeal and requiring complex meditative procedures (hypotheses).

Instead, a general abstract grammar will be proposed, in which the «intense» convergence of the divine and human minds is established on the basis of the consistent identification of mental operations with a figure (G. Galileo), mathematical actions (R. Descartes), and a moment of movement (G. W. Leibniz). In particular, the Galilean «figurativeness», assigning to matter also a quantitative aesthetic relational measure of existence, reduces the Aristotelian nomenclature of «moving causes» to combinations of «displacement» (κίνησις), in order to then raise them to their own idea of «laws of motion» (leges motus). To complete the process of infinitization, the qualitative originality («diverse definition») of the *being* will be rendered into a humanitarian epiphenomenon («secondary qualities»), depriving it of the ability to improve both in the Platonic external and in the Aristotelian internal plans. Coming out of the department of the divine Intention and the world Soul, it became identical to itself in the mathematical («ontic») dimension [27].

Splitting Aristotelianism into conservative metaphysics and instrumental physics, the self-confidence of the «dual truth» placed physics under the supervision of Pythagorean mathematics and forced to perceive the infinized properties of natural entities as functions of human activity, and the human himself as a surrogate legislator of the sublunar world: by the measure of his knowledge, he potentially compares with nature, and by the magical ability to release the hidden wonders of nature, he actually

surpasses it. This superiority is carried out at first according to the closed logic of a ritual-sign relationship to nature, behind which stands an inert social practice, associatively-syncretically combining the legalized with the random, as far as they serve to reproduce the tradition [28]. At the same time, the collective experience of magical symbols and transformations is already opposed by the individual esoteric significance of their goals and the creative nature of the method.

In the course of its implementation, the Renaissance man paved the way for pantheism and, having overcome the spiritual and qualitative hierarchy of the peripatetic-scholastic world order, naturalized the World Soul and Fortune into single laws penetrating material nature. After the scholastic ranking of categories, the Renaissance-humanistic idea of artificial reproduction of the spiritual essence of divine creation, materialized or sensationalized in nature, contributed to the removal of the opposition of accidental and contingent accidents, a derivative of the Aristotelian distinction between primary and secondary entities.

However, the development of socio-political absolutism will reveal the reverse side of the universalization of labor and the individual himself: along with the liberation from the system of communal obligations, the Renaissance man comes to the *equation* of value («sympathetic») alternatives, not suspecting that he himself will soon become an object of arbitrary choice. In the «natural fear» then revealed, he delegates his goals and possibilities to the «clockwork» of Leviathan, involuntarily revealing his anti-individualistic forerunner in the neoplatonic One [29].

As soon as the predecessors of I. Newton «turned off» the immanent driving causes of bodies, the «chaos» of the creative spirit began to be disciplined into practical «natural laws» of world necessity [30, p. 265-267]. In order to fully understand the methodological possibilities of representing a new ontology, in the vicissitudes of the humanization of the ancient medieval picture of the world, one should discern a more general process of its aestheticization, reflected in the philosophical reflections of the art of the Renaissance.

8.3 The formation of the creative project of the Renaissance: from personal manner to a universal method

It has already become customary to elevate the universal method of classical European science to theological sources, since they justify the ideal-archetypal lens, and with it mathematical determinism, and the experimental enterprise of scientific knowledge [31]. At the same time, the rational use of this lens in the form of Galilean «idealizations» in historical retrospect seems to be a mysterious anamorphosis that denies the irrational schemes of the entire combined philosophical and theological tradition. For example, in Neoplatonism, fundamental to the Renaissance worldview, the role of man in establishing a connection between ideal archetypes and material reality was associated with the mystical and artistic state of «divine fury» (mania), from which, according to legend, Orpheus and Hesiod drew their chants. When it is ennobled by J. Bruno to a «heroic enthusiasm» (furor), combining the imitation of sensual nature (mimesis) with the elucidation of the ideal archetypes of nature in one's own soul (katharsis), rationality will prevail in the artist's creative exaltation.

The assumption that arises from this about the artistic and aesthetic rationalization of the cognitive ascent to ideal archetypes (transcensum) is based on the tradition of the aesthetic criterion of truth. With the crisis of ideas about the transcendent Intention and the determination of individual places in the world, systematized by «world sympathy», aesthetic forms outgrow the official illustrative and educational purpose. Following the model of Plotinus, they are assigned an active role of mediation between analogous archetypes in the divine and human minds: with the help of artistic means, they can emphasize, adding or subtracting, strengthening or weakening, in real objects, the corresponding significant properties [32, p. 192].

The pantheistic tendencies of Neoplatonism contributed to the deepening of the content of art, softening medieval dualism and eclecticism both in relation to the subject of mimesis and its artistic means. In search of sublime reality, when, in the words of J. Huizinga, «with their own hands people brought heaven down to earth» [7, p. 266], the role and place of man in the Neoplatonic circuitus spiritualis lose their exclusivity. Depending on whom he mediates in relation to «absolute – material

nature», the ideal of insight into a largely single archetype based on the artist's personal genius is replaced by the ideal of compositional-dynamic combination of many things in one image based on the «laws of art». Here, the *dogma of creation* played the role of transmission, which made it possible to bring together the initially opposite spheres of the heavenly (theo), natural (fusus) and artificial (techne). Its meaning in comparison with the Middle Ages is changing: under the methodological impression of Pliny's revived Natural History, the emphasis is shifted from the allegorical knowledge of the divine infinite plan to the canon for artificial imitation – the cosmological theodicy of Cusanus goes into the artistic parousia of the Florentines.

Accordingly, the initial thesis that any image is only a shadow of the original *idea* of creation, which is also found in the soul, is supplemented by the fact that in order to bring it to the light of qualitative certainty, an inventive effort inspired by the «ancients» (*invenzione*) is required, capable of evoking in the soul «grace of form» and make up for the damage done to things. By means of art, the master as «Deus occasionatus» tragically strives to reproduce the spiritual essence of the infinite divine idea, sensationalized in the random diversity of nature, and to limit it to the fullness of eternity [33, p. 71].

From here, obviously, comes the common thesis that in the «ancient classical» warehouse of the Italian imagination, «talent and taste for order, therefore, for correctness, for harmonious and strict form» prevails. In contrast to the medieval German and to the detriment of the inner deep truth, «it is with difficulty that, like the first, it is given to portray savagery, coarseness, strangeness, pure chance, disorder, an unexpected explosion of self-willed forces, countless and elusive particulars of some individual, which - some lower or nondescript creatures, deaf and dark for us life, common in all layers and spheres of existence <...> it alone revealed and transmitted to us the natural order of ideas and images» [34, p. 70].

However, personal mastery will not immediately crown the hierarchy of virtues, marking the overcoming of the general cultural gap between spiritual intellectual contemplation and material handicraft practice, the new personality and the old cosmos. «The revolution in political theories could not but affect the corresponding

development of personality <...> man also became more selfish when the accidents of historical life dissuaded him from the viability of that epic-ordinary way of life, of which the social theories of the Middle Ages were an extreme expression <...>. Sometimes, however, some strange fatalism of fate, which cannot be reckoned with, will sound a sad note in the midst of a merry day, and then the turmoil and noise rise even more than before. Here skill is the highest <...> the worship of custom was replaced by the cult of luck» [35, p. 96-97].

Indeed, being one of the aspects of the Renaissance problem of freedom, the humanistic going beyond the limits of social tradition and symbolic navigation needed guarantees, finding them first in the finiteness of sensory experience, then in the regularity of technical means. The formation of the first guarantee can already be seen in the literary history (*studia litterarum*), basic for the early Renaissance, which is the first of the arts in their modern sense to try on the religious privilege of textual interpretation of reality. If Dante's «Comedy» reveals the *dilution* of cosmic harmony by the arbitrariness of individual situations, then in the «Decameron» by G. Boccaccio, who had the fame of «the impresario of Fortune», the amorphousness of world determination is positively disciplined by personal efforts. «The tradition coming from antiquity connected events with anything, but not by a causal-temporal connection; the next event was not the result of this one, it was the result of chance encounters, mystical powers, magic spells, providential intervention, or the machinations of Satan <...> But the poetics of the Renaissance <...> which includes the influence of the individual, his fate, emotions and will on the nature of causal manifolds <...> already includes causal manifolds, series of situations connected with each other, almost as unambiguously as the elementary states of *here-now* movement in modern cosmology» [24, p. 164-165].

In the «Genealogy of the Pagan Gods», this transition is already personified in the figure of Prometheus, similar to Adam, in whom innate moral virtues take shape in cultural gifts (*ars*), and high personal valor (*virtù*) is realized as an aesthetic «valor in skill» (*il virtuoso*). Thus, the ancient agonistic value of perfection from the contemplative «acquisition» of pure ideas was modified into the ability to invent and embody them.

Together with the reception at the time of the Basel Council of the natural science works of Aristotle, the «crazy» content of the mimesis of beauty scattered in the elements of nature is also being revised, resolving the moral aspect of the relationship between the object and the subject of imitation. «Imitazione» in the classical-phenomenal theories of art by L.B. Alberti, L. Ghiberti, Leonardo, at the instigation of Ciceron, acquires *cognitive* significance [36, p. 54], combining the medieval metaphor of art as a «mirror» («monkey») of sensual nature (*natura naturata*) with the Renaissance metaphor of the Creator as an «artist», based on the geometric archetypes (*mathesis*) of the world Soul.

The hermetic thesis about a man who creates «as a second god», popularized at the beginning by Cusanus, L.B. Alberti rethinks in the spirit of *modus operandi* – as an artistic ability to realize the highest design in finite matter, thereby uniting theory and practice without «world sympathy» or other symbolic aids [37].

Unlike the ancient classics, the sensual *beauty* of the sublunar world of Christianity was devoid of substantiality, unable to restore the latter even with the New European substantialization of Nature. Despite the internal distinction between ontological priorities between a natural thing and an artistic form, it acted rather as a means of creative self-knowledge: individual accidental qualities were actualized only thanks to their ideas, actively connected by the «parts of the soul» of the absolute Subject. At the time of secularization and exotericism, when a person is perceived as the closest and most accurate «image and likeness» of the creative Absolute, «parts of the soul» first imitate in the «narcissistic enthusiasm» of aesthetic prototypes, and then – in the self-sufficient rules of the arts, which until recently were called «servile» (*serviles artes*), and now they translate the tragedy of the fall into poetic discourse and, in the spirit of the «golden mean», rehabilitate the extremes of earthly creations on their own [38, p. 257-355].

The fact is that the notorious apology of human capabilities and the breaking of traditions, losing the original Renaissance values, turns into arbitrariness, and for the original harmony and completeness of existence, they increasingly turn to the creative nature itself (*natura naturans*). In order to recreate it not naively, visually, but

functionally, setting in *motion* the bodily possibilities of creations (dynamis), more and more often resort to «skillful calculations and sleight of hand» (dynamis cai techne). The latter, commensurate with the invariants of movement as a kind of natural law, pass from the status of a technical *manner* that determines the value of an object by the amount of labor expended on it, to a *method* that puts forward incomprehensibility for the layman as a criterion of artistry [39].

L.B. Alberti in this regard, even on the eve of the high Florentine aesthetics, refers to the Ciceronian *distinction* of «beauty» (pulchritudo) as an internal necessary law of beauty and «embellishment» (ornamentum) as a relative or introduced predicate of beauty, found in the course of «correspondence» (decorum) of technical means for the restoration of the whole [40, p. 177-179]. Although the distinction was made according to the criterion of mathematizability and justified in practice (for example, in painting it will lead to a synthesis of Flandrian Gothic or Byzantine Romance with ancient Romanesque monumentality, and in architecture – a Gothic structure with antique decor), in the general Renaissance test of aesthetic emancipation by art, this distinction could be realized quite arbitrarily.

Therefore, here the «Italian Vitruvius» relies on another rhetorical distinction – «dissolutio/compositio» that functionalizes the Neo-Platonic circuitus spiritualis into linear chains of decreasing/increasing complexity of the part and the whole [41, p. 157-183]. The artistic techniques that arise from here, defining the space of possible aesthetic experience, in the mannerist result (G. Vasari, G.-P. Lomazzo, F. Zuccari, etc.) turn out to be only ambivalent *means*: imitating not so much the «physical» appearance (imitatio) as the «poetic» («historical») action (representatio) of Nature and (or) the Creator, they can serve to awaken the most opposite emotions (ethos and pathos) in the soul.

Under the conditions of schism, dynamis cai techne will subordinate the original imaginative (neo) Platonic aesthetic concept of «mimesis» (mimetai toi noi) to the didactic functions of the Aristotelian «catharsis» (F. Robortello, L. Castelvetro), which sets apart the image and its object, the viewer and the participant. If the Middle Ages noticed in Aristotle only the degrading natural aspect of chance, which connected its

ontological status with the secondary principle of *individuation* in Stagirite, then the Late Renaissance discovered, together with his poetics, the ranking of these individuals – according to the presence and degree of their highest expediency as purely aesthetic outcomes, perceived in such an aesthetic form only by the viewer: ««...» and this most often happens when one thing unexpectedly turns out to be a consequence of another (in fact, there will be more surprising here than [if it happens] accidentally and by itself, because even among unintentional events, those that seem to happen as if on purpose seem the most amazing: how, for example, in Argos, the statue of Mitius fell and killed the culprit of the death of this same Mitius, when he looked at her; these events do not seem to be random), then the best stories will necessarily be just such» [42, p. 656].

8.4 The art of discovering «true» nature and its assimilation in science

Thus, along with the transfer to nature of the idea and design of its organization, the creative and driving causes are depersonalized, and a person's access to them will lose spiritual immediacy. The restoration of material naturalness is felt in the course of rethinking the ancient category of freedom: the simple elimination of random spatio-temporal circumstances in favor of natural evidence dictated by the common experience of social tradition is no longer enough. Given that the incarnation itself assumes the status of an Aristotelian entelechy, it should be certified in the opposite way by multiplying and extremizing random circumstances, so that the «individual nature» that has survived under their onslaught will show its freedom and authenticity. In this sense, for example, the image of Fortune, widespread at that time, is understood as a lady who can be won over only by constantly demonstrating the superiority of her own valor over everyday circumstances. In the final experimental evidence, it is only necessary to eliminate those of the circumstances that cannot be controlled by reproduction, the invariant of the ontological relations of nature and the neutrality of human experimental preferences will coincide.

It is characteristic that the theoreticians of the new art realized this first of all, having prepared their images for naturalists. Thus, Vincenzo Galilei, in his «Dialogue on Ancient and Modern Music», experiments with the revived cathartic principles of

melopeia, paving the way for the monodic style of operatic art. «When, for entertainment, they go to tragedies and comedies played out by fairground actors, let them one day restrain immoderate laughter and let them, please, let them, please, observe [how] the [actor] speaks, with what voice – high or low timbre, with how many long and short sounds, with what force of accents and gestures, how the speed and slowness of movement are conveyed [when he speaks] one nobleman with another <...> let them consider when this happens to a prince talking to his subject and vassal, or asking for protection, as an angry or excited [person] does, like a married woman, like a girl, like a simple child, like an insidious public woman, like a lover when he speaks to his beloved, seeking to win her over to his desires, like those who complain, those who cry, like those who are fearful, and like those who rejoice with joy. From these various cases, when they carefully observe and carefully study them, they will be able to take the norm of what is appropriate for the expression of any other state» [43, p. 518-519].

A similar certification of naturalness through the technical exhaustion of randomness can be seen in the experiments of representatives of the fine arts – colorists, luminaries, stereometrists. Supported by the Augustinian concept of «formal-numerical laws of sensual beauty» revived at the Academy of M. Ficino, exercises in aesthetic delights (*varietas*), seen in astrological periods, neo-Pythagorean proportions and magical recipes, will open self-sufficient methodological invariants at their expense – the laws of dynamics and composition, in the fixation of which G. Vasari saw his superiority over Pliny. Such a comparison of the sides of the creative process, since the Creator tells both Nature and the Artist the rules of his creation, has taught the scientific community to pursue the extrapolation of the law, and not its letter, but to be scrupulous about its authorship. However, the personal beginning both in the «virtuoso» and in his «creation» was actually diminished. After all, now it is not necessary to elevate their phenomena to the level of self-sufficiency each time: «high art» (*maniera grande*) recognizes in advance the *eidos* in *each* phenomenon without an «enthusiastic» *transcensum* or local *decorum*.

According to N.A. Berdyaev, who opposed, in contrast to the Vasarian tradition, the Florentine Quattrocento Botticelli and the Roman Cinquecento Raphael, such an imbalance of spirit and nature meant not only the pinnacle of the classical tradition, but also the «mortification of the spirit» in the canon, and art in compositions. «The art of Raphael is the abstract perfection of composition, these are the very laws of perfect art forms. Raphael is the most non-individual, most impersonal artist in the world <...> All this lofty and perfect art of the XVI century is essentially unoriginal, imitative and reactionary in the world sense» [30, p. 446].

At the same time, all his formalisms, decorativisms, allegorisms and symbolisms, replacing the humanistic content of art, will be *formalized* in new mathematical disciplines (projective geometry, analytic geometry, trigonometry, etc.). Impersonal quantitative expression will replace personal qualitative expression, purism will be replaced by mannerism, and «physics» will become cognizable only with the help of the «geometry» tool.

«It seems that we have before us the classical ancient opposition, fixed by Plato, who contrasted in the “Phaedo” “divine – human”, “immortal – mortal”, “intelligible – sensual”, “uniform – diverse”, “permanent and unchanging – impermanent and changeable”. But this similarity is deceptive, it is limited only by the plan of opposing the world of phenomena to being, the phenomena themselves and being are understood differently» [44, p. 178].

For example, Leonardo da Vinci, criticizing the cognitive position of the «commentators» in favor of the «originals» who are able to invent by imposing «common sense» on natural experience, nevertheless borrows from the first the metaposition of discorsi, thanks to which the magical-mystical ability of a person to sporadically empathize with Nature *distances* itself from it. «If Leonardo da Vinci turns to experience, it is only in order to discover in it the eternal and unshakable laws of the mind. For him, his own subject of research is not so much experience itself, but rather the rational foundations of experience, its “ragioni”, which are in it in a latent form and only partially manifest themselves» [45, p. 67].

In addition to the implementation of the metaphysics of Nicholas of Cusa [46, p. 417], here one can see the looping of the Platonic methodological dichotomy of «dialectics» and «mathematicians», although Leonardo himself rather retains an a priori belief in their parallelism, drawn now in Logos, now in Sensus, as is characteristic of mathematics, which constitutes both the «way up» and the «way down». «This interdependence of causes and experience, this constant striving to comprehend what you see, from experience, from experiment, from observation, makes the old combination of empiricism and fantasy, observation in detail and love for wonderful, implausible explanations no longer possible. Now only one way of action is possible in any kind of creativity, to act, “now deriving actions from causes (*cagioni*), then confirming reasonable grounds (*ragioni*) by experiments”» [47, p. 40].

Finally, the son of V. Galileo, in *his* famous dialogue through the lips of Sagredo, referring to Michelangelo, Raphael and Titian among the geniuses of art, offers the same norm of *activity* both in application to sensual matter and in application to a rational spirit [48, p. 89-90]. In her desired quantitative practice, on the material of mechanistic gravity, the heavenly symbolic and the earthly experimental poles of world sympathy will converge, and the moral probabilism of Catholicism will find a calling in the experimental epistemology of the Reformation: since divine *causation* is not mediated by anything, its non-cessitary nature is reproducible only probabilistically – as «theoretical assumptions». «The canon spoke in due time: of course, distant bodies do not send us, as Epicurus thought, perfect resemblances that convey the corresponding body both in external form and in hidden nature. Only signs, signs come to us, and we use them for conjectures, which we call contemplation» [49; see in 50, p. 70].

Having established himself in the perception of nature not so much as a result, but as an object of divine creativity, the Renaissance scientist will also assign a purely artificial (methodological) status to the substantial principles, thus eliminating the ontological gap between essence and phenomenon in the «sensualization of ideas and intellectualization of images». The latter turned out to be fraught with elimination from the matter of motion, and from nature in general – everything that is not subject to

certification: according to G. Galilei, from the mathematical principles of cognition, natural phenomena will become deductively derivative in their sensual form, and intellectual idea, and G.W. Leibniz would fix the new situation ontologically by forbidding accidents to «separate or move outside of substance» [51, p. 414].

Thus, exercises in aesthetic refinements will become the basis of a revolutionary strategy of combinatorial-mathematical discipline of accidents, scientifically formulated in methodology as ideal constructs that protect mathematical formalism from moments of qualitative originality of sensory experience, if it has not become mediated – «empirical». However, the mimesis of the privileged position of the subject of theoretical language, undertaken in this way, turned out to be in conflict with the atomistic image of the individual, giving rise to an empirical-analytical *gap* between personal life and social institutions, which was generally eliminated by *withdrawal* the moral dimension from the goal-forming function, and with it the reuniversalization of social values and cognitive goals. The «expressive» scheme of cognition, which grew out of the ideal of individual piety («Socratism») of Cusanus, in his epistemological syncretism, a replacement was found in the face of the «stage-distributive» scheme of the trinitarian ideal [52].

Developed by P. Pomponazzi, J.F. Stapulensis, Sh. Bovelles and, finally, J. Locke as a form of self-control of the subject's established activity, the new scheme meant the revenge of didactics over poetry. Contributing to the reinforcement of the inductivism of the new natural science, it will finally subordinate the ontology of individual «nature» to the expediency of linguistic-theoretical structures, so that only their experimental and technical updating turns into an improvement and an increase in experience. As the «unity of spatio-temporal being» is being compiled, the meaning of finding and following the exact laws of nature will appear, and with it the naturalistic method in relation to man, which by the twentieth century will have time to produce so much substantive content that E. Husserl in search of «pure human consciousness» will have to «bracket it out».

8.5 Socio-humanitarian genealogy of scientific nomology

The constant historical leitmotif of the content of the forms and aspects of the application of the «law» is still served by two main meanings, dating back to the preclassical and classical ancient Greek concepts θέμις and νόμος. In the first of them, in the spirit of Plato, an external unambiguously mathematical «prescription» is attached to matter, implying among themselves natural accidents; in the second, the internal multi-valued balancing «*tendency*» is explicated in Aristotelian fashion through the actualization of «formal» connections of accidents.

According to the authoritative British systematizer of nomological concepts, «like other most general ideas, the concept of Law entered the consciousness of different eras in a variety of its concretizations arising from the combination of this concept with other components of popular cosmology» [53, p. 506]. Since Quattrocento, faithful to the precepts of F. Petrarch, has not yet discovered the practical value of non-Aristotelian natural science, a kind of testing ground for developing the idea of a scientific law, where Platonic and Aristotelian nomological strategies intersected as spheres of due (desired) and possible, were the ups and downs of the formation of anti-scholastic anthropology and social philosophy.

Therefore, an additional study of such extra-natural forms of expression of «universal world connection» as «divine law», «*fatum*», «*fortune*», «*virtue*», etc., repeatedly reanimated in the history of methodology, promises to enrich modern generalizations of scientific law [54]. The general outline of this «adventure of ideas» consists in transposing the content of the nomological «prescription» from the logical-theological to the astrological-mathematical and experimental-historical, and the starting point is the classification of the laws of Thomas Aquinas.

At first glance, the hierarchical distinction of laws, noticeable in it, lays the foundations for the subsequently leading alternative of the dynamic and statistical levels of the law in scientific description. However, upon closer examination, each of them reveals the Aristotelian scheme of substantial teleology, which combines the internal and external at the cost of inescapable empirical randomness:

- for the «eternal law» (*lex aeterna*) – due to the diversity of participation (*participatio*) of individual things and their extra-essential circumstances in the supreme good (*summum bonum*);

- for the «natural law» (*lex naturalis*) - due to the constant lagging behind of tradition (the institutions of marriage, education, curiosity, peacefulness, etc.), developed in addition to the Mosaic commandments (*lex divina*), from the expansion of the illuminative inclination (*inclinatio*) of created things (and man in the first place) in relation to the universality of the supreme good (*bonum commune*);

- for «human laws» (*leges humanae*) – due to the historical contextuality of applications and restrictions of human nature by the state in society.

Since at any level the law is called upon to actualize the *goals*, consistently linking those already achieved in the role of means for the more supreme (*regula est et mensura actuum*), the Thomist person has a *rational resource* (*virtus est potentiae perfectionem*) to overcome the accidents that separate the human and divine minds, in face of logico-mathematical truths, theological method, or «positive» innovations [55].

The increment of this resource is determined by the social context and externally expressed in the development of civilization. However, the latter is by no means always centered around the real *common* good, therefore, with each such acquisition, citizens have an additional reason for sensual egoistic impulses, and the state for regulatory adjustments, some of which limit the expanded potential of freedom to natural frameworks (*dispositio*), and some are looking for him transient forms (*adiventae*) [56].

It is known that the Renaissance intensification of Christian civilization set in motion the Thomistic levels of legislation, breaking their harmony and, in the end, dividing them into spheres. Among the long-term consequences of this overcoming of the theological paradigm of law are deism, «natural» law and law of T. Hobbes and «laws of motion» of I. Newton. The first symptom of change was a kind of dynamic contradiction between *titanism*, behind which stood the transcensum of Nicholas of Cusa, and *tyranny*, behind which stood the strengthening of monarchism (papism) in Europe.

The social circumstances of the emancipation of man from clerical fate, produced by humanism, which was considered in spite of all «inscrutable» (for example, when comets «caused» pestilence on Earth) always a reasonable form of realization of good Providence, turned the accidental resources of individual creativity into the category of «ferocious» fortune (Dante, F. Petrarch, G. Boccaccio C. Salutati, M. Ficino). For a long time, the attitude towards it was built according to the Christian model of «an all-encompassing instrument of divine truth (will, purpose)», re-founded by Albertus Magnus and Thomas Aquinas as a spiritual overcoming of carnal passions (or, in «reverse» medieval terms, overcoming by Fortune of Doom). Thus, Pico della Mirandola, outlining the essentially Platonic position of M. Ficino, compares the «order of ideas» (providenzia) and the «order of things» (fato) with the life of a disembodied rational soul and a temporary sensual body: just as the law of Providence «directs things to its goal, to the achievement of the highest and final good», the subordination of the secondary senses to the primary mind promises a person fatally weighed down by the body freedom in the realization of final desires [57, p. 263].

Remarkable is this appeal to philosophical help, which accompanies the typographic surge of theological projections at the ups and downs of earthly life. «Contemporaries of Ficino, then Pare and Shakespeare believed that in essence nothing is material and there is no difference between the causality of material forces and the effect of spiritual forces, since it is the latter that explain the movement of the planets. Each fate is in the interweaving of mutually affecting influences» [58, p. 44].

Thus, in M. Ficino's treatise «On the Threefold Life», we see the (im)moral content of fortune already in an alloy with an emphatically exoteric physicalist description: the subordination of the spirit to fortune is a «disease of corporality» (including social), since the spirit (mind, will) in relation to the body has the advantage of a much superior mass – almost the same as the gravity of the stars on a single body. Due to the dual spiritual and bodily nature of a person, the influence of fortune is irremovable, but is subject to selective redirection by the «spiritual mass» into good, evil or inaction [45, p. 110].

The key to the success of such a spiritual overcoming is the practice of the moral improvement of the individual – the «cultivation of virtue (virtù)» widely known at that time. In the Neoplatonic version, it is directed back to the evolution of the One («from the reflections of light to the light itself») and driven by «divine madness» moves from the moral-poetic level to the loving-intellectual, from transcendence of chance to the good will of fate. «Therefore, what in relation to us is called Fortune or chance, in relation to universal nature can be called fate, in relation to the rational principle – providence, and in relation to the highest good – law» [59, p. 262].

However, as its source is transferred from divine grace to human nature, which obviously expresses the growing social strength of the individual, the ascetic means of improvement are replaced by civil and entrepreneurial means of the *earthly transcensum*. Often for humanists who accepted the experience of «sympathy» of the transcendent and ethical (L.B. Alberti, M. Palmieri, M. Parenti, G. Rucellai), the degree of spiritual perfection had a quite visible expression – in the magnitude of personal wealth, preserved and incremented in the vicissitudes financial market.

Moreover, stable economic well-being was considered a consequence of moral virtues, because, firstly, it is based on the desire to surpass the cash, secondly, it increases the potential of the entire community, and thirdly, it usually does not exceed the measure of natural necessity (P. Bracciolini, L. Valla); and with all this, it also expresses divine providence. «There was a new way of thinking, in general terms - the way of thinking of still early Western capitalism, a set of rules, opportunities, calculations, the ability to live and get rich at the same time. It was also a risky game: the key expressions of the trade language «luck», «chance», «prudence», «prudence», «security» (fortuna, ventura, ragione, prudenza, sicurta) set the limits of the risk from which one must protect oneself» [60, p. 477].

Against this ideological background, the formation of the first statistical models is taking place, serving, according to the patterns of astrological fortune, the financial inventory of the emerging banking system («chance», «balance», «insurance», «risk», «function», «average», etc.). Having the status of independence from the will of individuals, they will soon be extrapolated to the environment of state policy and social

reality in general. In the Polanian society, where the original Christian model acquires the anti-estate meaning of overcoming the stellar lot, in accordance with the depersonalization of fortune, carnal passions lose their personal beginning, which allows, on the one hand, to naturalize them into the «causes of things», and on the other hand, to designate morally unacceptable reasons as unacceptable. natural and therefore requiring extra personal effort. Although the latter is constituted by secular republican government, in practice it is more often reduced to an apology for the «good tyrant», a derivative of the scholastic identification of moral and political hierarchy [61, p. 38].

So, L.B. Alberti of early treatises, exalting the individual as a creator over the means of fortune and nature, argues that «in civil affairs and in the lives of people, reason has much more weight than fortune, prudence than chance» [62, p. 10]. But in the second half of the XVth century, when the disharmony of nature and traditional society is felt, he is already inclined to believe that fortune rewards the unworthy, and the virtuous should stock up on skill and diligence [63] and for many humanists, exhausted by civil wars and lawlessness, the visionary maxim of the inveterate Republican C. Salutati takes on a second life – «there is no greater freedom than to obey the best sovereign» [64, p. 114].

In both positive and negative conditions of socio-political instability, intellectuals turn to the heavenly order, hoping to see in its original (or purified) mathematical copy of the earthly order the signs of tomorrow. ««...»Their goal is not to recognize the dark power of blind forces in the world, but to give it a more perfect correctness, for weaving a network of universal connections in the universe, in which natural reality appears to be a solid foundation for human activity that does not violate the overall harmonious picture» [65, p. 90].

According to this logic, the accidental nomination of an individual to the sovereign with an unexpectedly large asset of well-being, which should testify to the high potential of his virtue (G. Pontano), should at the same time «naturally» be explained by his outstanding personal horoscope. And since that, according to the «universal form of the Law», is closely determined by the entire celestial system, subjects have the right to expect a mirror determination of their system of social organization by the horoscope

of their sovereign and involvement in his outstanding well-being... The time is passing when «planets and constellations» (as well as any «knowledge») served as an instrument of the divine will; now the tool dominates the Will, leveling the differences between the miraculous and the natural.

If the Aristotelian P. Pomponazzi in this context also points out that the natural order of the «eternal and indestructible Law» not so much outstrips the divine will with its predictions, but saves it from profanation by astrologers and soothsayers [66, p. 184-194], then the pantheist G. Bruno in his apology of magic speaks of sympathetic activation forces of the macrocosm («Providence»), *regardless* of the stars, relying only on expedient choice within the microcosm («Prudence») [67, p. 103-104, 178].

It should be noted that the methodological trick, taking the celestial ensemble now in a straight line, now in a mirror image, simply expresses the Renaissance *mezheum*, where medieval ontological dualism is tested by anthropological ambivalence. «Imagine the most incompatible combinations and tendencies, coexisting in some strange way with each other, and you will never be mistaken in recognizing the double physiognomy of this transitional time: youthful enthusiasm and corrosive skepticism, brutal appetite and hopeless satiety, flourishing and withering, hope and doom. , ardent faith and blasphemous skepticism coexist here on equal terms, creating a unique situation of expediency without a goal; that is why the only dazzlingly deceptive beacon in this sea of lawlessness and madness is artistry<...>» [68, p. 184-185].

Under the influence of the Italian wars, which made the dependence of welfare on politics obvious, civic prowess mimics courtesy and administration, conscience – insolence, and glory – in the ability to achieve one's own, acting according to time and circumstances (*virtuoso*) (B. Castiglione, F. Guicciardini, N. Machiavelli) [69].

As can be seen, it is from the contradiction between state-legal and non-institutional (first of all, moral) principles that the «ferocity» of fortune indicated above occurs. «And although the final causality continued to be attributed to God and His providence, He was already losing omnipotence and was actually forced out to the periphery of the universe by fortune wedged between Him and the lower reality, which claimed the place that had previously been due only to Him» [70, p. 469]. Given the monarchical

context, which discredits the status of the divine level of legislation, this «destroyer of earthly goods» can be identified with the Hellenistic goddess of chance (τυχή). At the same time, in the revived context, this accident also gave rise to opposition – in the analogue of the Epicurean «clinamen» and the Stoic «logos» («fatum»).

The first of these, on Christian-anthropological grounds, expanded the possibilities of the spontaneous to such an extent that only a «positively» daring monarch could cope with them. The second came into force when the valor (virtù) of the monarch began to seem insufficient: Copernicanism, having expanded the limits of the macrocosm to infinity, made it necessary to extend the «spiritual abilities» of the microcosm into the infinity of the immanent natural order (regnum naturae), capable of curbing both the arbitrariness of fortune and the mystery of the higher order (regnum gratiae), having defined the «law» with it. The trend of transition from the first to the second was wittily foreshadowed by M. Ficino: «few are given the power to make laws, and still fewer who obey the laws that have been issued» [71, p. 234].

8.6 Naturalization of Socio-Political Laws by N. Machiavelli

N. Machiavelli is considered to be a textbook thinker who combined all the above aspects of the original model of overcoming fortune. In the author of «Il Principe», analogous to the pantheistic dehierarchization of nature, the infinitization of man occurs by alienating the divine substantial morality from him. The fact is that the notorious Florentine intensification of social life [72], having separated the spheres of moral prescription of ends and causal description of their means, immediately revealed the consequences of such secularization for both: instead of participating in a predetermined process of improvement, the individual becomes an enterprising subject of egoistic goal-setting. Since the social context still constitutes some «lines of force» (qualita dei tempi) for isolated means, (a)moral permissiveness was naturalized and nomologized by N. Machiavelli on the basis of *experienced* history and realist politics. They take the place of the «ideal» canons of statehood, court law and diplomacy, derived from theological dogmas and scholastic universals, insofar as they oppose the new atomistic worldview of the era of permanent martial law [24, p. 144].

In such «secular casuistry», which in fact combines both medieval theology and the inductivism of ancient jurisprudence and medicine, the transcendence of morality is distributed in earthly history, turning into pragmatic examples of (in)expediency (*exemplum effectuale*). Thus becoming just an accidental prescription, morality (be it grace, virtue, fortune and state institutions) yields the substantiality of a person to his generalized (replenished) nature of behavior, now sought in the invariants of earthly history as «the law (outside) of historical causality». «Whenever historical forms have already become obsolete, when law has turned into lawlessness, beneficence into torment, alliances into chains and shackles, it seems as if the human spirit is plunging into eternally the same nature in order to wash away the dust of centuries, – like Antaeus, seeking to receive a surge of fresh strength from the eternal native land, – and «the ancient primeval state of nature returns again». This is, first of all, the main feature of the Renaissance «...» [6, p. 53].

If the predecessor in this genre is L.A. Bruni confines himself to clearing the historical chronicles of legends and miracles [73], then N. Machiavelli, on the same basis of variability, separates *socio-political* reasons from the «unchanging nature» of individual psychological motives, presenting them as equal poles that set the space for the movement of social life. As a result, according to V.A. Andrushko [74, p. 38], developed by Cusanus in relation to the cosmos, the *repetition* of a perfect circular motion as the first Stoic-Renaissance intuition of the category of law, N. Machiavelli, focusing more on Polybius and Cicero, applied to society [75, p. 410; 76, p. 128-130]. However, as socio-political reasons are ascertained, more and more surpassing the cyclical respectability of the rationally transcendent «heavenly ensemble», the historical law is drawn into a substantive and from the side of nature (*φύσις*) and society (*νομος*) a causal chain in which the content of the law and methodological requirements become indistinguishable.

Excommunicated from the goals of Holy History, the new morality no longer implies qualitative progress: after the longed-for and symbolic national unification of the Italian state, its dynamic harmony will be guided, according to N. Machiavelli, by «unchangeable nature», transcended after the Golden Age from its *bearer*, now

graceless, but comforted by the coming freedom of goal-setting. «And since, in the spirit of this freedom, the liberated person himself decides what will be obligatory for him, this latter can henceforth be defined in different ways. The human mind and its law or an institution according to the norms of this mind and an objectively ordered being, or that chaos that is not yet ordered and only yet subdued through objectification, which at a certain epoch begins to demand mastery of itself, can become obligatory» [77, p. 56].

The range of this scatter, which correlates up to the establishment of an epistemological subject-object distinction with the range of forms of the social and state structure, is determined by active *correlation* within the framework of syncretism, covering the personal and impersonal, individual and social, internal and external, spiritual and material, natural and artificial, necessary and random...

We are talking about the moral capacity of virtù, in which the medieval balance of transcendent «giving/communion» is violated in favor of active communion, understood in the sense of an autonomous earthly transcensum. If at the social level the risk of such a way of actualizing the heavenly potential is reinforced by its historical reminiscences, then individual virtue seeks guarantees in the natural *law* of this history. However, the antischolastic implications of Cinquecento's naturalism still deny the law some constant properties, turning it into a phenomenal fate-fortune. The latter, still fulfilling the role of ancilla dei prescribed by the authority of S. Boethius and directing free will from earthly goods to «heavenly reunion», has been experiencing since the XVth century. the influence of the Roman tradition of Cicero, Sallust, Seneca, Livy [78, p. 48-53].

Being in its original meaning bona dea, rewarding feats with glory, honor, wealth and freedom, this «good goddess» of the Romans becomes a (super- or impersonal) force that supports talented and virtuous daring in the right, but inscrutable direction. In accordance with its promises, the virtue of the individual is also concretized, saturating hitherto abstract prescriptions of ideal ends with real accidents of their means: that is why history teaches that the same actions lead at different times to different results («happy» and «unlucky» fortune) [79].

In order to ensure control over them, the individual is forced to abandon the intuitive Aristotelian ethics of the «middle measure» and resort to the aesthetic *extremization* of moral means, thus achieving the pure quality of one of the polar possibilities of the Ordo world order in Nature. Hence the conviction, reinforced by the authority of Virgil, that virtù multiplies in the morally ambivalent *struggle* for the favor of fortune, that the passivity of a person will completely surrender him to the power of fortune, and energetic actions can get her support in at least half of the undertakings and replenish the moral strength reserve for the inevitable blows of chance [80, p. 116–119].

But N. Machiavelli is not content with this. In the desire to eliminate the half-heartedness of luck and secure long-term guidelines, he turns to astrology, which also expresses the unfinished Renaissance overcoming of ontological dualism, comparing the «fate» of a person with the trajectory of his «star». In other words, overcoming the natural and judicial sinful determinism of the «earthly elements», the knight of fate can turn to the perfect original of space and time of the determinism of the «heavenly ensemble».

Despite all the anachronism of astrological support, already felt, for example, by N. Machiavelli's younger contemporary F. Guicciardini, its applicability to fateful decisions in the context considered was obviously justified by the «noble *combination*» of the natural and judicial components even in the naturalized forces of fortune. Both the dictates of fate and its stellar clues already contain a «*half*» of the grace won from God, in which the individual still only guesses her social dignity, but already encroaches on it. «Nicolo Machiavelli in «Il Principe» first declares that the founder of the state is determined by his inner strength (virtù), realized in a dynamic struggle against the evil changes (fortuna). In times of victory, the sovereign (il principe), following the principle of the power of his virtù, establishes a legislative basis, or the principle (principe) of the newly created state» [26, p. 83]. His internal criterion of perfection thus finds an external justification in civil laws, which, from the point of view of Cusanus intellectum, are linear restrictions on individual arbitrariness, and for the mind (mens) are invariants of expedient actions.

The content of the state principle, in fact, is diverse and, at first glance, combines continuous contradictions: «the law of people» and «the power of the beast», «the power of the lion» and «the cunning of the fox», public morality and diplomatic games, state institutions and the law of circumstances bullying crimes and winning sympathies. In part, this impression is due to the descriptive-historical method, demonstrating the «power of Fortune in the accomplishment of destinies» and «the power of the ancient founders of states»; in part – the priority of the empirical level of ethical and political praxis; partly – the political chronology of Florence at the turn of the XVth–XVIth centuries and the corresponding difference in the addressees of the main works. However, if we proceed from the presumption of the effectiveness of N. Machiavelli's method, the state principle reveals a balance of these opposites.

The method is based on a popular Christian *metaphor* attributed to Menenius Agrippa [81, p. 89] or apostle Paul (Rom. 12:4-5), according to which society is likened to a living organism (σώμα), and individual citizens are likened to interdependent bodies. If in the «Latin Renaissance» of the XII century. it justified the division of estates and the feudal order [82, p. 158-169], then at the time of the alternation of the power of the «Council of Ten», the seignury of the Medici and the papification of the provinces, its meaning already falls on the carnal manifestations of this organism: as the consequences of the fall, one should perceive the ostentation of public virtue, the selfish nature of subjects and the insatiable conflict of neighboring states.

Thus, the moral and political dehierarchization of the Quattrocento, which opened up the ambivalent freedom of self-determination, turns into a chaos of freedoms in the next century. Perceiving it as a «triumph of the flesh», the sovereign resorts to repressive ascetic measures – it's good that the completely depraved turn out to be the most pious: «in fact, not a single people has ever had a founder of emergency laws who would not resort to God <...> for there are many blessings known to a reasonable person, which in themselves are not so obvious that all other people could immediately appreciate their merits» [76, p. 150-151].

However, the latter correspond to the artificial, «positive» level of legislation with its diversity, opposites and variability: «<...> when a good custom disappears, the law

immediately becomes necessary <...> hunger and want make people inventive, and laws good <...>» [76, p. 133].

But history teaches that the longevity of the state depends not only on the size of the private virtù of the founder, which is easily replaced by tyranny, but also on its function to nurture the virtues of the «social flesh» (pigliatore). Setting the state institutions, the constitutional structure, the principles of organizing society (ordini) by personal example, the private virtù of the newly minted despotism, like the «law» of the Old Testament, must pass into the New Testament «grace» of the communal virtù of a free republic, intimidation and glory into patriotism and greatness.

True, this hearth of lumen naturale in the social organism, in order to avoid regression to natural law, which is always accompanied by corruption of the communal virtù, is ready to be supported by a mass of auxiliary ordini laws with a common initial principle of state-ideological expediency, in which the historicity of moral teleology is accumulated in the potency of self-preservation, extreme reproduction. Thus, in contrast to the «republican» tradition of Florence, which extols a priori harmony (Dante, B. Latini, F. Guicciardini, etc.), the moral goals of Machiavellian society autonomously vary by means, and the laws of the «mixed» republican constitution provide civil freedom according to the results. permanent disagreements between the rich and the poor, the noble and the upstarts, the demagogues and the virtuous.

8.7 The scientification of laws as a prerequisite for ontological reductionism

The final removal of state-legal principles from under the auspices of theology to the agency of human nature did not mean the eradication of *transcendence*: it remained to the extent of (un)cognition of regnum naturae. To the same extent, the equation of a person with commensurate forces of nature discriminates against the irrational component of knowledge associated with the individual, that is, the selective concentration of the potentials of the (micro-)cosmos to overcome one's stellar lot.

Its successor, still far from any expediency, will be the ability to use natural properties quite arbitrarily. In this context, Leonardo da Vinci, for all his eclecticism, is probably the first to depersonalize the discourse of charismaticity («enthusiasm»,

«heroism») revived together with Neoplatonism, identifying the mathematical reflection of experience («the foundation of a certain measure and strict rules») with the *mastery* of a chaotic variety of phenomena and speaks of the transformation of the experimentally random into the naturally necessary. «Oh miraculous necessity, with the greatest mind you compel all actions to be involved in their causes, and according to a high and indisputable law, every natural activity obeys you in the shortest action! Who could have thought that such a small space could contain the images of the entire universe? O great manifestation whose mind is able to penetrate such an essence! What language can explain such miracles? Obviously none. It directs human contemplation to the contemplation of the divine» [83, p. 303-304.]. And further, speaking of lightning: ««...» Oh powerful and once animated instrument of skillful nature, more than your strength is not enough for you, you must leave a quiet life and obey the laws that God and time bestowed on mother nature» [84, p. 327].

Thus, the above-described transformation of the Thomistic universe of laws adds up to the following sequence: when mastering a new subject area, the deontological claims of tradition first dictate a structural prescription («eternal law»); then this speculative legislation reveals exemplary immanence in the soul and nature («natural law»); where there are means to profitably adapt natural reality to social practice («positive human laws»), approximate regularities are reduced to necessity, inheriting the status of eternal and natural. This renaissance fate of the law allows us to reinforce the widespread thesis that the classical concept of the scientific law of nature in its mathematical precision comes from the pragmatic orientation of modern European science. «The center of gravity is no longer in generality, but in the possibility of drawing particular conclusions. The law turns into a program of technical application «...» the ability to make predictions based on it about what will happen as a result of this or that experiment» [85, p. 114].

The potential of divine powers transferred to the Renaissance man, justified by Nicholas of Cusa as an active participation of any spiritual essence in its irremovable individuality, was soon limited by the requirements of social expediency. In turn, social determination, mystically expressed through astrological ensembles, led to the

substantialization of nature in the form of *ragione* – reasonable grounds, initially antipathetic to man, but secondarily discovered by him through the division and ranking of experience. Since in the conditions of the modern times the moral and sensual aspects of experience are subject to pragmatic guidelines, the manifestation of the spiritual essence already falls on the generalized Subject and Nature, in which an individual has the freedom of transcendent self-identification and goal-setting only on the rights of a citizen, and true knowledge of nature seems possible only in the form of scientific knowledge law.

Thus, the entire Neoplatonic ladder of mental nomenclature becomes redundant: reason exhausts the subjective side of cognition, and sensations exhaust the objective side. «That kind of human existence begins when the entire area of human abilities is captured as a space where the mastery of beings as a whole is outlined and carried out» [77, p. 49.].

Let us note that the existent, moving into the category of *empeiria*, that is, a priori resubordination to the theoretical law instead of moral goals, repeats the reductional fate of cognitive «abilities» – the moral and aesthetic gradient of the divine plan (*Ratio*) and the ensemble of the earthly world order (*Ordo*) merges into a hidden from direct contemplation *ratio ordinis*. [86, p. 30]. Since the phenomena in Copernicanism have only those properties that are given to them from the transcendent department, their quantitative diversity is deprived of qualitative diversity and development – ««...» qualitative differences appear only as a consequence of the geometry of repeatedly intersecting trajectories, collisions and adhesions of atoms with a finite variety of shapes» [53, p. 520]. The former are represented by the revived atomistic program, the latter are described by the Platonic-Pythagorean; in their alliance against Aristotelianism, according to A. Koyre, the scientific revolution of the XVIIth century consists [87].

More clearly, the redistribution of objective properties resulting from this union can be imagined if we consider it the completion of the Renaissance cultural synthesis, that is, taking into account also the medieval component – the metaphor of the world as a text. Then the Galilean requirement to learn to read the book of the Universe, since

it is written in the language of mathematics [88, p. 41], should also be taken as a more general demand for the transition from the ideographic writing revived by Hermetism to the alphabetic one [89, p. 227].

In addition to the fact that the signs of the new method of description, like atoms, are indifferent to the subject of description, its impersonal mathematical grammar, which completely defines and allocates objective properties (since, unlike Aristotelianism, they are completely reduced to [spatial] movement), due to its quasi-transcendental genealogy, it distances itself from the contemplativeness («aestheticity») that precedes the translation of the «text» of the work on understanding its content, and with it from the «sympathetic» connection with things.

This late Renaissance *demythologization* of language, which disidentifies the word and the thing, is assessed negatively in the *program* work *Dialectics of Enlightenment*: after all, it is the indifference of the word in relation to its content that makes the random active word usage rigidly determined, and the connection between language and things magical. «The decisive break, declaring the course of the word accidental, and the subordination of the object arbitrary, puts an end to the superstitious confusion of word and deed. That which, in a strictly established sequence of letters, goes beyond their correlation is expelled as incomprehensible and verbal metaphysics. But by doing so, the word, which is only supposed to designate and is no longer given to signify anything, fixes fixation to the thing to such an extent that it turns into a frozen *formula*. To the same extent, this affects both the language and the subject. Instead of making the object accessible to experience, the purified word exposes it as a special case of an abstract moment, and everything else, being forced to ruthless distinctness, deprived of expressiveness, which no longer exists, due to this, also falls into decline in reality» [90, p. 206-207].

From the subordination of external nature to reason, and reason to metaphysics, comes the everyday intuition of law as an efficient cause, in which the virtues of essentiality and universality, necessity and regularity, which together constitute the ideal of control, are discovered or artificially fixed. It should be noted that this polarity was established only under the dual influence of medieval creationism, which set the

semantic interpretation of the law: according to the Augustinian version of Platonism, the symbols of creation prevent their alienation from the subjective context already at the discursive level of their expression, while in Aristotelian Thomism about the «dignity of causality» of the divine Words can approximately testify to the embodied creation itself. «And then it turns out that the two opposing doctrines of the Law lead in different directions: on the one hand, to the monotheistic conception of God as a transcendent and only incidentally immanent essence, on the other hand, to the pantheistic conception of God as an immanent essence and by no means transcendent. Plato's *Timaeus* gives us an example of the ancient vacillation between these two doctrines of the Law: the doctrine of immanence and the doctrine of external imposition» [53, p. 519-520].

The revival of «*Timaeus*» stimulates their interaction, outlined by Cusanus and Copernicus and realized through the «artificial» substantialization of Nature: in connection with an attempt to humanistically overcome the Thomist-Christian hierarchism, extended in natural philosophy to all of nature, it was expressed in the sophistication of the material aspect of the world order – from chaos flesh (*casus*) to the immanent conformity of the body. For example, a graduate of the University of Padua, E. Dole, who earned himself the fame of a freethinker, following Cicero, argued that «nothing happens that is not destined to happen, and nothing will happen when nature has no effective reasons for this» [91, p. 486]. Despite the opposition of antiquity and Christianity in terms of readiness to perceive *natural* deviations – monsters and miracles, respectively – he interprets a miracle in the spirit of modern times as «everything that by its nature causes our surprise».

The fact is that the Augustinian *interiore homine*, which was established in the European consciousness and «transformed» in the Protestant version of the confession, dictated to the ancient model of the relationship between the idea and the thing, which was the basis of the medieval *casus*, a new – *epistemological* – status of *contingentia*. Overcoming such an accident, it became possible to transfer from a qualitative aesthetic-transformative movement to a quantitative spatial movement – with the preservation of the original (non-)identity of the «world of the earth» and the «world

of heaven» in the epistemological plan of yesterday's magician as *empirical* and *theoretical*.

Prior to the invention of Galilean idealizations, this complication of Renaissance mathesis went through a consistent path of eliminating ratio sensus in painting, anatomical atlas, mechanical scheme, geometric drawing, while maintaining the support of the Absolute [will, idea, space, force ...], distributed in a «circle» [instead of a qualitative «ladders»] of substantial cases. The certification of their relationship, which ends at the level of philosophy, is carried out through reductionism – the spiritualistic Florentine or the naturalistic Padua. The latter was realized at the level of physics as a symmetry of a substance (thing) and *accidents* (properties) of its *movement*, finally uncessitated in the form of «dynamic» laws, reducing the material movement of contingencies (substantial cases) to a generalized mathematical equality. In the future, «dynamic» is one of the central methodological concepts, which leads a number of meanings – both specifically scientific (especially from mechanics) and more general, close to the ontological ideas that originate in Aristotle's δύνάμις. In modern academic literature, such stable phrases as «dynamic laws», «dynamic models», «dynamic style of thinking», etc. are used without separate explanations [92; 93]. In general, these values can be considered in symmetry to the discursive levels of randomness, and at least one of them – probabilistic-statistical values with dynamic characteristics – acquires the status of a general scientific idea.

The fact is that thanks to the well-known Galilean «immanentization» of nature and mathematics [94], *force influences* acquired a mathematical expression of *dynamic dependencies*, that is, dependent on the function of time. After I. Newton and G.W. Leibniz, they became universal tools both within physics («dynamic systems», «dynamic states», «dynamic structures», «dynamic regularities») and within mathematics («dynamic descriptions», «dynamic models», «differential equations»). The mathematical image of mechanics acquired a reflexive expression in *dynamic methods* of description, which under the conditions of disciplinary-methodological uniformity of classical science passed to the status of a paradigmatic scientific tool – for basic scientific methods (inductive, deductive, hypothetico-deductive), oriented in

this way to the ideal of complete description and comprehensive mathematical determinism, identity of theory and empiricism.

A dynamic description was introduced into natural science as an antithesis to a static description based on the variability of the quantitative expression of movement under the action of forces (factors). And today, for example, among the methods of diagnosing energy systems, which use deterministic, statistical, probabilistic approaches, static and functional methods are mutually opposed [within the general limits of the idealization of system closure and coherence of subsystem behavior [95].

While the Renaissance worldview was still alive, the explanation of any change was dominated by the «four causes» of Aristotelian determinism. Under the influence of the scholastic principle «causa aequat effectum», when solving physical questions, effective explanation was even more limited than in Aristotelian physics to formal and final causes, which (sometimes without distinction) describe the restoration and maintenance of the natural order: any natural objects and processes had to be integrated into a more general context, encompassing both the Past and the Future, which, in turn, dictated a quasi-physical (religious, mythological, aesthetic) cause for the local order [24, p. 164-165].

For the latter, in the context of the revival of the Platonic-Pythagorean tradition, a less speculative form of mathematical regularity was found in distinctions and their derivatives (J. Kepler, G. Galileo). «Rejecting Aristotle's idea of formal causes, mathematical consciousness nevertheless carefully treated the brilliance of the old classical logos and even updated it: it not only reunited truth and being (contrary to Christianity, which was the cause and basis of their separation), but also united phenomena and intellectual categories, and more successfully than classical philosophy did» [96, p. 88].

However, with the reduction of the mathematical description to the model of equations of motion (forms to formulas), their variables began to be associated with the closest («active») causes («causal automatism»), and the formal ones were pushed to the axiomatic («ultimate») mechanism – external form («formal»), position, order of primary corpuscles of matter. In non-mechanical physics of the XVIII-XIX centuries

formal causes were split into qualitatively different material causes – «forces» and «fields» [97], which took on the appearance of active ones in the measure of their mathematization in the mechanistic paradigm.

In connection with the new socio-cultural ideals, these active causes, which performed a non-natural episodic role for Aristotle, are reduced to the nomological model of formal causes in mechanism, thus narrowing the structure of possibilities and understanding of regularity (explanation) in natural science. «In this language, the words «to reveal cause-and-effect relationships» mean «to understand the dynamics of intermediate processes». At the same time, they silently think that the causes and consequences are proportional» [98, p. 14].

Obviously, it was against this tendency that D. Hume protested in his critique of «causality», seeing in it the subordination of naturalness [free, probabilistic] human perception to some artificial phantoms in the same row as «matter», «transcendence», «teleology». «There is no algebraist or mathematician who is so well versed in his science as to trust absolutely to any truth immediately after its discovery, or to look upon it otherwise than as mere probability. With each new review of the evidence, his credibility increases <...> It is clear, however, that this gradual increase in confidence is nothing more than the addition of new probabilities<...>» [99, p. 289-290]. A topical example is the laws of I. Newton, laid in the form of differential equations in the basis of dynamics, thereby providing it with a mathematically precise foundation.

Such a sample of dynamic methods of description makes it possible to determine the law of its motion based on the forces *acting* on the system. In contrast to pre-classical physics, this is not prevented by any potentialities, transitions of possibilities (posse), since all existence has flattened to the existing (actualites) [100]. The nature and history of forces is not studied by dynamics, limiting them to the role of the *formal* cause of motion in the fundamental *equation* of dynamics, which is capable of exhaustively expressing Newton's second law.

Thus, this sample also demonstrates that the presence of a time variable can be limited to a purely mathematical sense – without the supposed asymmetry of the possibilities of the Past and the Future. Here, dynamic laws assume the reversibility of

time, which means timeless, universal applicability. According to I. Prigozhin and I. Stengers, the timeless nature of the equations of classical physics is a specification of the mechanistic picture of the world, which presents the universe as amnesiac and deterministic. The mind «which penetrated beyond the appearance of changes», «into being beyond the framework of becoming» was allowed to deduce all the unknown variety of phenomena from the known, the Future – from the Past and vice versa [101]. This leads to the conclusion that dynamic nomology expresses changes in overly strong idealizations and is only a mathematical generalization of fixed ontologies [material points]. According to E.Ya. Rezhabek, this still corresponds to the geometric «Platonic paradigm», which assumes correct thinking only of the substantive, of what «already exists» [102].

At the same time, the actual conditions of the interaction of objects are limited to genetic (causal), and those, in turn, take the form of nomological (regular), as if each event was decisive and exemplary. As a result, when analyzing the quantitative parameters of the movement of such objects (mechanics of a solid body and continuous media), their relationships and behavior are reduced in all their details to a single image (variant), otherwise the description will not be *scientific*. G.W. Leibniz, who contributed to the formation of the classical scientific description, also assumed the existence of a random phenomenon: ««...» speaking in the language of algebra, if one formula of a higher characteristic expresses one phenomenon essential for the universe, then in such a formula it will be possible to read further, future phenomena in all parts of the universe and at all strictly defined times«...»» [103, p. 212]. The Laplace projection of this method of description onto the entire universe leads to the fact that the behavior of any object in the system of nature is unequivocally determined by the behavior of all other objects.

8.8 Scientific nomology in the structure of new rationality

Known for its revolutionary changes, the New Age, on the one hand, compensates for the remaining content of the spiritual tradition with institutional forms of professional science based on the universal method of cognition, and on the other hand,

synthesizes the established components of ancient, medieval, and Renaissance scientific programs in program scientific research versions of this method. Even on the eve of this synthesis, Renaissance scholars justified the free treatment of ancient content by the need to replace it with scholastic means of achieving the ideals of antiquity common to all. And the new scientists completely distance themselves from the goals of achieving higher prerequisites of knowledge in favor of a universal given of thinking, which represents any being as an object of knowledge, and the subject as a carrier of cognitive abilities.

The cultural background of this revolutionary epistemologizing of the worldview was the «bourgeois» transformation of crafts into industry, communal and guild relations into capitalist ones, and the traditional clerical way of life into a secular one. Social consciousness accompanies these transformations with the development of new values of naturalness (a practical filter for traditional experience and the priority of immediacy over *ratio scripta*), individualism (the ultimate criterion of personal achievements instead of inert devalued status models and advantages), activity (creative explorations according to the universal criterion of economic profit instead of individual reproduction practitioner). In other words, at the turn of two eras, the fateful regularities of the life of an ordinary person acquire signs of arbitrariness in the form of evil Fortune or incomprehensible Providence and require personal intervention and complicity or humility instead of rational prediction of events in order to achieve the public good [104, p. 59]. A visual embodiment of the bourgeois mentality is the reasoning in the literary plot of Robinson Crusoe, which describes his own life on the island as the realization of a whole set of new social institutions under conditions of desolation. Thus, his subjectivity reveals the features of cognitive universality and risky freedom, which allow in a positive way to realize and overcome the gap with corporate traditions [105].

However, such optimism is only one of the trends of the XVII th century, which is fully realized only in the Enlightenment, while the other – skeptical – questions the objective expediency of world laws or the subjective ability to understand or constitute them. Its ancient pedigree was based on the experience of numerous crises of social

institutions, the competition of different ontologies and the superiority of cognitive and methodological self-reflection as a common denominator for them. Instead, the transfer of cognitive abilities of the scientific subject from the vertical plane of the natural and supernatural to the horizontal coordinates of reason in relation to the «book of nature» and faith in relation to the «book of Revelation» opened a new page of scientific methodology and theory of knowledge, which outlines the conditions for the possibility of rapprochement between the human and divine mind. First of all, they include the replacement of the logical paradigm of natural science with a mathematical one manifested by G. Galilei: «the truth, the knowledge of which mathematical proofs give us, is the same that divine wisdom knows; but <...> our way is reasoning and going from conclusion to conclusion, while His way is simple intuition <...>» [48, p. 89].

The weakening of the opposition in mathematical assumptions between mental states and sensory evidence contributed to the rehabilitation of the carnal nature of the latter and the introduction of a more constructive epistemological distinction between the theoretical and the empirical. If the prerequisite of these changes was the intersection of the program content of antiquity, such as the determinism of peripateticism and atomism, then the immediate consequences turned out to be the normalization of mathematical hypotheses in scientific and educational practice, such as the Copernican doctrine, the reduction of the heterogeneity of nature and their «secondary qualities», as well as a rigid determinism as evidence of the homogeneity of creative Design outside the circumstances of the actual act of Creation of the world or miraculous intervention in it [106, p. 85-86].

The epistemological narrowing of worldview issues caused a reorientation of philosophy from the models of astronomy and humanities to natural science based on the common functions of open knowledge, a critical attitude towards authorities and leading actors (G. Galilei, Ch. Huygens, R. Descartes, etc.). If natural philosophy returned to nature its own substance, then the natural sciences concretized it according to the laws of motion demanded by the mass mechanized industry of the new Europe. From the middle of the XVII century. their representatives, on the one hand, receive training according to new, not ancient authors, and on the other hand, they surpass the

craftsmen of that time, whose practice is not based on a combination of theory and experiment. Moreover, obtaining in this way the laws of nature, which it observes equally both in wild and in tamed states, allowed natural scientists to claim to revise and update any knowledge, including socio-political, leaving behind the categories and values of the spiritual tradition, art or politics. «Since the scientific picture of the world is characterized by the fact that through the mediation of knowledge it is possible to predict and control the events taking place in the world, so any recognition of the existence of uncontrollable and uncontrollable forces that limit or capture our consciousness is considered mythology. Because what is recognized in this way cannot be really being» [107, p. 167].

The institutions of the new science are losing the individual dimension in which Renaissance scientists fulfilled their soteriological purpose of rising from the newly discovered laws of nature to the supernatural world, each time combining ancient means of knowledge in an original way. As evidenced by Bacon's scientific project of the new academy, scientists, losing the distinction between inner meaning, form of professional recognition and social application, turn into impersonal servants. Thus, the method from a means of self-realization, since it translated transcendental goals into personal competences, turns into a means of representing natural laws away from any personal authoritative models [108]. Together with this pragmatic vector, yesterday's natural philosophy acquires objective differentiation, productive power, public recognition and state patronage.

The new worldview basis for the systematic search for scientific laws primarily includes *naturalism*, which equally denies the objects of research otherworldly involvement and justification by tradition in favor of, if not their empirical comprehensibility, then at least their completeness in the existing form. In scientific methodology, this principle is concretized in the requirements of valid observations and experiments, publicly available verification, analytical separation of the studied objects and their properties from the system of physical and symbolic connections, just as, for example, it happened in Newtonian optics with light due to its dispersion. Paradoxically, the mentioned naturalism combines with *mechanism*, which deprives

the nature of soul traits in favor of the nomological perfection of the machine (absolutely reproducible dynamics, precisely distributed among internal elements) and provides scientists with universal tools for idealizing matter, space, time, and the experience of their knowledge to a mathematical dimension [109].

Because of the a priori symmetry of the naturalized and mechanized object to the scientist who knows it, the latter is also subjected to a certain refinement, losing direct historical, interpersonal and bodily-sensual connections in favor of the actual transcendental status of the «subject» of universal thinking. Unlike nature, such a subject is outside the spatial and temporal context, having the ability to comprehend in a single form the extensive unfolding of natural laws in a multitude of things and moments of time. The same applies to social history and one's own biography.

True, the *initial* search for one or another nomology requires a certain sequence of cognitive actions that correspond to the dual psychophysical organization of a person – the synthetic path of experience and the analytical path of the mind. Their methodological coordination brings modern science and metaphysics closer together, when the former provides appropriate examples, and the latter universalizes them and rids the scientist of delusions: ««...»the only salvation remains in the fact that all the work of the mind should be started anew and that the mind should not be given to itself in any way from the very beginning, but that it should be constantly controlled and the matter should proceed as if mechanically» [110, p. 28].

Modern metaphysics should protect from distortions the «mechanical» advancement of the method in a part of the world unknown to tradition, because it will offer for it categories derived from the absolute subject, which will constitute the «conditions of possibility» for the (non)existence of this or that being. For example, R. Descartes considered metaphysics only as a rational-intuitive source of universally applicable axioms. According to his metaphor, the «roots» of metaphysics, through the «trunk» of physics, should eventually give birth to the «fruits» of mechanical engineering, anatomical-physiological medicine, and psychological morality [111]. Although it soon turns out that their content as a creative Idea of an absolute subject in the secondary edition of the natural mind (*lumen naturale*) is not immune to alternatives

(«pictures of the world»), the (methodological) logical «stem» continuity of the original and derived categories will guarantee *uniformity* of causation in the global order. The latter will unite a multitude of individual things along the lines of former theocentrism: the essential inner properties of things are rejected in favor of a common *substance*, which instead gives them the unifying, equal meaning of «modes».

Thus, in R. Descartes, two substances (which in traditional terminology were called «spirit» and «nature») acquire at the same time independence and mutual symmetry in each of their areas («ideas» *res cogitans* – «general immutables of nature» *res extensa*) with the exception of a human body capable of communicating with the mind through the soul in the «cone-like» gland and in this way diluting mental ideas with bodily affects. Thanks to such a project of the world system, which had a precedent in the Platonic parallel of «ideal» and «figurative» geometries, when the first is simplified by matter into the second, R. Descartes received grounds for the rationalist thesis that the mind is capable of making discoveries independently of sensory experience, however in the future, it will be confirmed by him or the counter-empirical thesis that even knowledge that is experiential in origin requires mental processing and everything will remain hypothetical.

In addition, ethics was justified rationalistically: the experience of meditation reveals to a person a personal point of *freedom of will*, divine in origin, which is able to spread to the entire space of the spiritual substance. But the material substance present in a person also makes itself felt in *affects* – bodily passions, which distort (with prejudices, delays, belittlements, exaggerations) the flight of free will and are grasped by the soul as «secondary ideas». Instead, the conscious reflection of the space of the spiritual substance on the model of the methodical development of the ideas of common sense makes it possible to eliminate the cacophony of passionate «secondary ideas» (whose hypothetical alternativeness is often mistaken for «free will») in favor of the deductive geometry of «primary ideas». In this way, not only is the soaring of true freedom of will verified, but also the essential arrangement of material natures for the «fruit-bearing» of the «tree of knowledge» is understood.

Compared to the traditional didactic palliative mind/sense, the new empirical-analytical cycle of knowledge, symbolized by Bacon's «New Organon», is actually intended to combine the transcendental idea and its earthly embodiment in knowledge, therefore it claims to be natural, impartial and innovative. Having as a prototype the artistic practice of the Renaissance, where the sculptor had to cut off everything superfluous from the material bounty of nature, and the artist – to layer the best combination of meanings on the material substrate [112], the new Organon sees the beginning of research in the critical revision of traditions and authorities in order to separate from the objective nature the impurities of human nature, and the continuation – in the combination and mutual verification of empirical and theoretical knowledge. The subject of philosophical and methodological disputes here is only the direction of the cyclical movement: from the external or internal source of knowledge to the academic or practical criterion and form of truth.

On the other hand, the initial positions of empiricism and rationalism did not envisage opposition, being equally determined to overcome the helplessness of university scholasticism before the challenges of the Reformation and Counter-Reformation by abstracting from conflicting values in favor of impersonal omnipresent means. A fundamental difference was revealed later, in the XVIIth century, when it became clear that the methodological rules of these means can be based on the nomology of created nature or the logic of its creator, which will find expression in the terminological distinction between inductive analysis of reason and deductive synthesis of reason, as well as differences between phenomenological and essentialist approaches, each of which claimed universal status in science [113].

F. Bacon's inclusion of the «idols» of human nature in the methodological stage of critical revision was continued in the reception of P. Gassendi, G. Galilei, R. Boyle, and others. atomistic teaching in the scholastic interpretation of «primary and secondary qualities of things». The first are critically tested by mechanistic measurements of size, state of movement, and shape, the second are recognized as epiphenomena of the physiology of the human sense of temperature, taste, or smell. At the basis of the first and second, only the relative position and movement of elementary

atoms is recognized, while qualitative differences are removed from the nature of things before its interpretation by human nature. In addition to the basis of mechanistic nomology, this way of understanding matter also laid down certain anthropological models, such as Cartesian «clarity», Spinozian «freedom» or Hobbesian «machine», in which expediency coincides with predictability and controllability. Compared to official Aristotelianism, there is no room for spontaneous (occult) properties that came from the Aristotelian formal reason («secondary essence») and had an a priori correspondence to the innate ideas of a person [114].

Conclusions

During the Renaissance, the crisis of the traditional organic world order manifested itself in the fact that behind the canonical selection of «first causes» for the obvious «immediate causes» of experience, «sympathetic» *alternatives* of description began to break through, expressing a certain immanence («own nature») of experience. Filling the magic of organicism with emotional and affective arbitrariness, which found expression in the revisions of the mythology of Fortune and the mystery of transubstantiation, they desacralized the external canonicity of symbolic associations and, according to the patterns of ethics and medicine, initiated an independent dictionary of sublunar determinism.

The latter, abolishing the multi-order determination, in the course of justifying the individual value of creations over the course of four centuries, will have time to identify a new discourse «towards a single goal in different ways» (F. Petrarch) and *turn* it over to a new European program of searching for a universal method. A special role in solving the problem of this revolution belongs to the theory and practice of the revived ancient art, where the indicated creative project is realized in the vicissitudes of combining individual sensual images with higher spiritual ideas.

Initially, this humanistic criterion was supposed to distinguish updated knowledge from the *didactic* massif, so it did not yet contrast modern inventions with ancient texts, if they elevate the mind above other abilities of the soul and lead it from the domain of book philosophy to creative practice (*artificio*). Its ability is proven by the explication

of the accuracy of the means of rhetoric or the explication of the hidden potential of created nature under the auspices of mathematized painting. Then, despite numerous borrowings of the formulas of ancient poetics and rhetoric (L.B. Alberti, L. Ghiberti, F. Brunelleschi), in the theoretical reflections of art, inspired by Plato's «Timaeus», the artist, due to the beauty and harmony of the works, imitates not so much the oratorical basis, as much as the proto-*geometric* function of Creation, directing a person to the ultimate aesthetic perception of his imaginary archetypes [20, p. 139-142].

For this, art (*ars*), which according to the Aristotelian definition of *τεχνη* deals with things whose «causes» are split into «movements» from creation and existence, must bring them to harmony, or by accumulating all the possibilities of the material in an ideal form (the idea of beauty), or by reducing them to necessity as a relation of ends and means. On this path, artistic representations of natural things are presented as divisible into individual universal elements that are amenable to theorization in the system of geometric means, and art merges with science.

Therefore, for experimental artists, such as Leonardo da Vinci, and innovators of musicology, science paved the way to true art, which corresponds to true nature and rises methodologically and socially to the level of synthetic wisdom. However, soon artistic creativity acquired a separate institutionalization of mannerism, and «art books» began to specialize in accordance with human cognitive abilities, normalizing the humanization of the highest «philosophical» theory into applied counterparts – magic and science (for example, astronomy was embodied in both horoscopes and calendars and navigation equipment).

The methodological consequences of the humanization of the antique-medieval picture of the world were reflected in the philosophical reflections of the Renaissance as a more general process of its aestheticization, realized on the basis of the mimetic and cathartic concepts of art. In the course of their interaction, the intensive path of virtuous overcoming of accidental chance was transferred to natural creations, constituting the quintessence of Renaissance *art* as going beyond the limits of everyday experience (*prima natura*), and the extensive mimesis of the personality of the Artist-master – to the mode of his action, transferred to pantheized nature (*natura naturans*).

The artistic and aesthetic canons developed for this will gradually acquire internal logic as «idealizations», likening their spatial, technical and symbolic (re)combinations to a figurative distinction of things, and after extrapolation to mechanics, a general scientific methodological significance. Under the conditions of the post-Trident condemnation of «Copernican» atomism, they completely mimic the politically neutral structural-mathematical language of «theoretical assumptions», which reduces the immanent freedom of experience and understanding to the quantitative distribution of a hypothetical substance.

The logic of methodological hypostatization universalizes the diversity of things and processes as only particular cases-states within the law and schematizes the picture of the world, depriving it of animation, and with it transcendental and immanent spontaneity, as if the metrical and experimental idealization of experience eliminated unpredictable and irremovable accidents in itself «first nature».

In combination with the new European transition from the contemplative process and results of knowledge, justified in advance by the original truth of tradition, in favor of pragmatic rationality in knowledge and activity, the aforementioned reductionism of the picture of the world led to the narrowing of the potential of the human microcosm to the methodological standards of the scientific subject. The establishment of natural nomology as its main goal subordinates the organization not only of science, but also of philosophy with its reflection not only of scientific, but also of non-scientific and transcendent spheres. Metaphysics of the New Age primarily serves as a guide to the search for or verification of general laws.

In the structure of the new rationality, a shift is established from transcendental goals in relation to society towards creative means in relation to nature, which are subject to normalization and generalization to the status of a universal method. According to the metaphor of prominent artists of the Renaissance, the structure of such a method includes a preparatory stage designed to eliminate the subjective influence of human nature, and the main one, which determines the ideal sequence of cognitive and practical actions of the scientific subject. The first of them largely relies on the reflective experience of philosophy and later merges with metaphysics, the

second – on the methodical experience of mathematics and later merges with mechanized natural science.

Not only the empirical, but also the rationalist version of the universal scientific method envisages, at one stage or another, the use of a mechanical experiment in the role of an artificially created reality that reflects the idealized content of laws and theories. Thus, pragmatic rationality, in contrast to purely cognitive rationality with its duality of logical forms and natural experience, is realized in the logical symmetry of scientific discoveries and inventions, mathematical structures and mechanical capabilities. It is this coincidence of the origin and justification of scientific nomology that provided the program of experimental-mathematical natural science with a wide range of applications, the perspective of a scientific paradigm, and a socio-cultural form of human rationality.

References

1. Panibratov V.N. K istorii stanovleniya kategorii zakona. Materialisticheskaya dialektika i chastnyye nauki: [sb. st. / Len. kaf. filosofii AN SSSR; otv. red. Ye.F. Solopov]. Leningrad: Izd-vo «Nauka», 1976. S. 32–48.
2. Yevropeys'kyy slovnyk filosofiy: Leksykon neperekladnostey: [v 4-kh t.] / [per. z fr. / nauk. ker. B. Kassen, K. Sihov]. Kyyiv: Dukh i litera, 2009–2014. T. 1. 2009. S. 362–370, 473–479.
3. Yevropeys'kyy slovnyk filosofiy: Leksykon neperekladnostey: [v 4-kh t.] / [per. z fr. / nauk. ker. B. Kassen, K. Sihov]. Kyyiv: Dukh i litera, 2009–2014. T. 2. 2011. S. 258–274.
4. Bruni L. A. Vvedeniye v nauku o morali; [per. s it. I.Ya. El'fond]. Sochineniya ital'yanskikh gumanistov epokhi Vozrozhdeniya (XV v.) / Pod red. L.M. Braginoy. Moskva: Izd-vo MGU, 1985. S. 49–67.
5. Smit R. Istoriya gumanitarnykh nauk; [per. s angl. Yu.V. Gorbatova, T.A. Dmitriyeva i dr. / pod nauch. red. D.M. Nosova] / Gos. un-t Vysshaya shkola ekonomiki. [2-ye izd.] Moskva: Izd. dom GUVSHE, 2008. 392 s.

6. Vindel'band V. Istoriya novoy filosofii v yeye svyazi s obshchey kul'turoy i ot del'nymi naukami: [v 2-kh t.]; [per. s nem. pod red. A. Vvedenskogo]. Moskva: TERRA-knizhnyy klub; KANON-press-TS, 2000. T. 1. 640 s.

7. Khozvinga Y. Osen' Srednevekov'ya. Issledovaniye form zhiznennogo uklada i form myshleniya v XIV–XV vekakh vo Frantsii i Niderlandakh; [per. s nid. D.V. Sil'vestrova]. [5 izd.]. Moskva: Progress-Kul'tura, 1995. 416 s.

8. Stolyarov A.A. Simpatiya kosmicheskaya. Antichnaya filosofiya: Entsiklopedicheskiy slovar': [nauch. izd. / Red. kol.: P. P. Gaydenko, M.A. Solopova i dr.]. Moskva Progress-Traditsiya, 2008. S. 666—667.

9. Shastel' A. Iskusstvo i gumanizm vo Florentsii vremen Lorentso Velikolepnogo: Ocherki ob iskusstve Renessansa i neoplatonicheskom gumanizme; [per. N.N. Zubkova / Otv. red. O.F. Kudryavtsev]. Moskva: Un-skaya kniga, 2001. 624 s.

10. Kudryavtsev O.F. Florentiyskaya Platonovskaya akademiya: ocherk istorii dukhovnoy zhizni renessansnoy Italii; [otv. red. L.M. Bragina / In-t vseobshchey istorii; MGIMO(U)]. Moskva: Nauka, 2008. 479 s.

11. Piko Della Mirandola Dzh. Rech' o dostoinstve cheloveka; [per. L. Braginoy]. Estetika Renessansa: Antologiya: [v 2-kh t.]. / Sost. i nauch. red. V. P. Shestakov. Moskva: Iskusstvo, 1981. T. 1. S. 248–265.

12. Mikhaylova I. I. Printsip coincidentia oppositorum Nikolaya Kuzanskogo i florentiyskiy neoplatonizm Coincidentia oppositorum: ot Nikolaya Kuzanskogo k Nikolayu Berdyayevu: [koll. mon. / S-Pb. o-vo izucheniya kul'turnogo naslediya Nikolaya Kuzanskogo] / otv. red. O. E. Dushin. Sankt-Peterburg: Aleteyya, 2010. S. 351–361.

13. Danneman F. Istoriya yestestvoznaniya. Yestestvennyye nauki v ikh razvitii i vzaimodeystvii: [v 3-kh t.]; [per. s nem. A.G. Gornfel'da / pod red. M.L. Levina, O.YU. Shmidta]. Moskva: MEDGIZ. 1932–1938. T. 1, 1932. 432 s.

14. Garen E. Platonizm i dostoinstvo cheloveka; [per. s it. Ye.S. Gordon i M.S. Tarasovoy]. Garen E. Problemy ital'yanskogo Vozrozhdeniya: [sb. st./ Sost. L.M. Bragina]. Moskva: Progress, 1986. S. 110–148.

15. Gorfunkel' A.Kh. *Filosofiya epokhi Vozrozhdeniya*: [ucheb. pos.]. Moskva: Vyssh. shkola, 1980. 368 s.
16. Kasavin I.T. *Traditsii i interpretatsii. Fragmenty istoricheskoy epistemologii*: [nauch. mon / IF RAN]. Moskva–Sankt-Peterburg.: RKHGI, 2000. 230 s.
17. Ol'shki L. *Istoriya novoy literatury na novykh yazykakh*: [v 2-kh t.]; [per. s nem. Ye.A. Kosminskogo]. Moskva–Leningrad: GTTI, 1933 – 1934. T. 2. 212 s.
18. Fichino M. *Platonovskoye bogosloviye obessmertii dush*; [per. s lat. O.F. Kudryavtseva]. Chasha Germesa. *Gumanisticheskaya mysl' epokhi Vozrozhdeniya i germeticheskaya traditsiya*; [RAN. Institut vseobshchey istorii; vstup. st.: O.F. Kudryavtsev]. Moskva: Yurist, 1996. S. 176–211.
19. *Izumrudnaya skrizhal'*: *Taynoye slova Germesa Trismegista Vysokiy germetizm*; [per. s drevnegrech. i lat. L.Yu. Lukomskogo / nauch. red. R.V. Svetlova]. Sankt-Peterburg: Azbuka; Peterburgskoye vostokovedeniye, 2001. S. 24–26.
20. Nikolay Kuzanskiy *Ob uchenom neznanii*; [per. V.V. Bibikhina]. Kuzanskiy N. *Sochineniya v 2 t.*: [per. s nem.] / Obshch. red. i vstup. st. Z.A. Tazhurizinoy. Moskva: Mysl'. 1979 – 1980. T. 1. 1979. S. 47–184.
21. Akhutin A.V. *Ponyatiye «priroda» v antichnosti i Novoye vremya / In-t istorii yestestvoznaniya i tekhniki*; otv. red. N.F.Ovchinnikov, I.D. Rozhanskiy. Moskva: Nauka, 1988. 207 s.
22. Bruno Dzh. *O Prichine, Nachale i Yedinom*; [per. s it. M.A. Dynnika]. Dzh. Bruno *Filosofskiye dialogi: O Prichine, Nachale i Yedinom; O beskonechnosti, vselennoy i mirakh/ Pod. red. M.A. Dynnika*. Moskva: Aleteyya, Novyy Akropol', 2000. S. 23–152.
23. Bruno Dzh. *O beskonechnosti, vselennoy i mirakh*; [per. s it. A.I. Rubina]. Dzh. Bruno *Filosofskiye dialogi: O Prichine, Nachale i Yedinom; O beskonechnosti, vselennoy i mirakh/ Pod. red. M.A. Dynnika*. Moskva: Aleteyya, Novyy Akropol', 2000. S. 153–303.
24. Kuznetsov B. G. *Idei i obrazy Vozrozhdeniya (Nauka XIV- XVI vv. v svete sovremennoy nauki) / In-t istorii yestestvoznaniya i tekhniki*; otv. red. A.Kh. Gorfunkel'. Moskva: Nauka, 1979. 280 s.

25. Krayevskiy V. Problema ontologicheskoy kategorii prichiny i sledstviya; [per. s pol. A.P. Yermilova]. Zakon. Neobkhodimost'. Veroyatnost' : [sb. st.]. Moskva: Progress, 1967. S. 287–311.
26. Dimerets' R. Spinozivs'ka kontseptsiya prirodnoi' mogutnosti' (potentia) i transformatsiya ponyattya prirodi v naturfilosofii XVI-XVII st. Sententiae. 2004. №2 (XI). S. 83–101.
27. Khaydegger M. O sushchestve i ponyatii phýsis: Aristotel', «Fizika», V-1; [per. s nem. T.V. Vasil'yevoy]. Moskva: Medium, 1995. 110 s.
28. Dyurkgeym E., Moss M. O nekotorykh pervobytnykh formakh klassifikatsii. Moss M. Obshchestva. Obmen. Lichnost'. Trudy po sotsial'noy antropologii; [per. s fr. i sost. A.B. Gofmana]. Moskva: KDU, 2011. S. 55–124.
29. Martin, J.J. (2007). The Myth of Renaissance Individualism .A companion to the worlds of Renaissance/edited by Guido Ruggiero. Oxford: Blackwell Publishing. P. 208–224.
30. Berdyayev N.A. Smysl tvorchestva. Berdyayev N.A. Filosofiya svobody. Smysl tvorchestva. Moskva: Pravda, 1989. S. 251–508.
31. Chernyak V.S. Tsennostnyye aspekty kopernikanskoy revolyutsii. Blago i istina: klassicheskiye i neklassicheskiye regulyativy: [sb. nauch. st.] / Otv. red. A.P. Ogurtsov. Moskva: IF RAN, 1998. S. 214–237.
32. Plotin Enneady; [per. s drevnegrech.]. [lit.-khud. izd. /Sost. i otv. red. S.I. Yermeyev]. Kiyev: UTSIMM-PRESS, 1995. 393 s.
33. Mikelandzhelo Kogda zamyslit divnyy um sozdat' ...: [sonet CXXXIV; 236]; [per. A.M. Efrosa]. Mikelandzhelo Poeziya. Pis'ma. Suzhdeniya sovremennikov / Sost. V.N. Grashchenkov. [2-ye izd.]. Moskva: Iskusstvo, 1983. 451 s.
34. Ten I. Filosofiya iskusstva; [per. s fr. A.N. Chudinova] / Podgot. k izd., obshch. red. i poslesl. A.M. Mikishi. Moskva: Respublika, 1996. 351 s.
35. Veselovskiy A.N. Iz istorii razvitiya lichnosti: zhenshchina i starinnyye teorii lyubvi. Veselovskiy A.N. Izbrannyye stat'i; [In-t lit-ry AN SSSR / Pod obshch. red. M.P. Alekseyeva, V.M. Zhirmunskogo, A.A. Smirnova]. Leningrad: GIZ Khud. lit-ra, 1939. S. 70–116.

36. Aristotel' Ritorika; [per. s grech. N. Platonovoy]. Antichnyye ritoriki / Pod red. A. A. Takho-Godi. Moskva: Izd-vo Mosk. un-ta, 1978. S. 15–164.
37. Krayneva I.B. Leon Battista Al'berti o roli iskusstva v obshchestve. Kul'tura Vozrozhdeniya i obshchestvo: [sb. st. / otv. red. V.I. Rutenburg] / Nauchnyy sovet po istorii mirovoy kul'tury AN SSSR. Moskva: Nauka, 1986. S. 64–70.
38. Ordine N. Granitsa teni. Literatura, filosofiya i zhivopis' u Dzhordano Bruno; [per. s it. A.A. Rossiusa]. [nauch. izd. / IF RAN]. Sankt-Peterburg: Izd-vo S-Pb. un-ta, «Akademiya issledovaniya kul'tury», 2008. 407 s.
39. Gabrichevskiy A. Vazari i yego istoriya iskusstv. Vazari D. Zhizneopisaniya naiboleye znamenitykh zhivopistsev, vayateley i zodchikh / D. Vazari; [per. s it. A.G. Gabrichevskogo i A.I. Venediktova]. [lit.-khud. izd. / Red. per. A.G. Gabrichevskogo]. Moskva: «Izdatel'stvo AL'FA-KNIGA.», 2008. S. 1261–1270.
40. Al'berti L.B. Desyat' knig o zodchestve: [v 2-kh t.]; [per. s lat. V.P. Zubova]. Moskva: Izd-vo vsesoyuznoy akademii arkhitektury, 1935–1937. T. 1. 1935. S. 3–385.
41. Shestakov V. Filosofiya i kul'tura epokhi Vozrozhdeniya. Rassvet Yevropy. Sankt-Peterburg: Nestor-Istoriya, 2007. 272 s.
42. Aristotel' Fizika. Aristotel'. Sochineniya v 4-kh t.: [per. s drevnegrech.]. Moskva: Mysl', 1976 – 1981. T. 4. 1983. S. 645–680.
43. Galiley V. Dialog o drevney i novoy muzyke; [per. s it. L.M. Braginoy]. Muzykal'naya estetika zapadnoyevropeyskogo srednevekov'ya i Vozrozhdeniya / Sost., red i avt. vstup. st. V.P. Shestakov. Moskva: Muzyka, 1966. S. 514–520.
44. Rozin V.M. Metodologiya: stanovleniye i sovremennoye sostoyaniye: [uch. posob.]. Moskva: Mosk. psikhologo-sots. institut, 2005. 414 s.
45. Kassirer E. Izbrannoye: Individ i kosmos; [per. s nem. A.G. Gadzhikurbanov, D.O. Kuznetsov i dr.]. Moskva- Sankt-Peterburg: Universitetskaya kniga, 2000. 654 s.
46. Losev A.Ph. Estetika Vozrozhdeniya. Losev A.Ph. Estetika Vozrozhdeniya. Istoricheskiy smysl estetiki Vozrozhdeniya: [nauchn.] / Sost. A.A. Takho-Godi. Moskva: Mysl', 1998. S. 7–640.
47. Dubova O.B. Mimesis i poyesis: Antichnaya kontseptsiya «podrazhaniya» i zarozhdeniye yevropeyskoy teorii khudozhestvennogo tvorchestva; [nauch. mon. /

RAKH NII teorii i istorii izobrazitel'nogo iskusstva]. Moskva: Pamyatniki istoricheskoy mysli, 2001. 271 s.

48. Galiley G. Dialog o dvukh glavneyshikh sistemakh mira – ptolemeyevoy i kopernikovoy; [per. s ital. A.I. Dolgova]. Moskva-Leningrad: OGIZ, 1948. 378 s.

49. Kircher, A. (1646). *Ars Magna Lucis et Umbrae*. Rome: Typ. Ludouici Grignani, 1089 p.

50. Eko U. Ostrov nakanune; [per. s ital. i predisl. Ye.A. Kostyukevich]. Sankt-Peterburg: «Simpozium», 2007. 486 s.

51. Leybnits G.-V. Dva otryvka o printsipe nepreryvnosti. Leybnits. Sochineniya v 4-kh t.: [per. s lat., frants., nem.]. Moskva: Mysl'. 1982 – 1989. T. 1. 1982. C. 203–214.

52. Tonoyan L.G. Logiko-matematicheskoye istolkovaniye Troitsy u Boetsiya i Nikolaya Kuzanskogo. *Coincidentia oppositorum: ot Nikolaya Kuzanskogo k Nikolayu Berdyayevu*: [koll. mon / Sankt-peterburgskoye obshchestvo izucheniya kul'turnogo naslediya Nikolaya Kuzanskogo] / otv. red. O. E. Dushin. Sankt-Peterburg: Aleteyya, 2010. S. 150–170.

53. Uaytkhed A. Priklyucheniya idey. Uaytkhed A. Izbrannyye raboty po filosofii: [per. s angl.] / Sost. I. T. Kasavin: Obshch. red. i vstup. st. M. A. Kiselya. Moskva: Progress, 1990. S. 389–702.

54. Sidorenko Ye.A. Zakon. Entsiklopediya epistemologii i filosofii nauki / [pod red. I.T. Kasavina; nauch.-red. sovet IF RAN: Stepin V.S., Gaydenko P.P., Lektorskiy V.A., Oyzerman T.I.]. Moskva: Kanon + ROON «Reabilitatsiya», 2009. S. 239–242.

55. Baumeyster A. Filozofiya prava: [navch. pos.]. Vinnitsya: O. Vlasyuk, 2007. S. 123–141.

56. Mats U. Toma Akvins'kyy; [per. z nim. V. Kebuladze]. *Klasyky politychnoyi dumky vid Platona do Maksa Vebera* / Pid red. Ye. Prychepiya. [nauk. vyd.]. Kyyiv: Tandem, 2002. S. 86–102.

57. Piko Della Mirandola Dzh. Kommentariy k kantsone o lyubvi Dzhirolamo Beniv'eni; [per. L.M. Braginoy]. *Obrazy lyubvi i krasoty v kul'ture Vozrozhdeniya* /

otv. red. L.M. Bragina; Nauch. sovet RAN «Istoriya mirovoy kul'tury». Moskva: Nauka, 2008. S. 235–269.

58. Delyumo Zh. Uzhasy na Zapade: Issledovaniye protsessa vozniknoveniya strakha v stranakh Zap. Yevropy XIV–XVII vv.; [per. s fr. N. Yepifanovoy]. Moskva: Golos, 1994. 416 s.

59. Fichino M. Pis'mo Dzhovanni Ruchellai, muzhu svetleyshemu, o tom, chto takoye fortuna i mozhet li chelovek protivostoyat' yey; [per. s lat. O.F. Kudryavtseva]. Gumanisticheskaya mysl' ital'yanskogo Vozrozhdeniya / [Sost., avt. vstup. st., otv. red. L.M. Bragina]; Nauch. sovet «Istoriya mirovoy kul'tury». Moskva: Nauka, 2004. S. 261–263.

60. Brodel' F. Material'naya tsivilizatsiya, ekonomika i kapitalizm XV–XVIII vv.: [v 3-kh t.]; per. s frants. L.Ye. Kubbelya. Moskva: Izdatel'stvo «Ves' Mir», 2007. T. 1. Struktury povsednevnosti: vozmozhnoye i nevozmozhnoye. 592 s.

61. Drobnitskiy O.G. Ponyatiye morali; In-t filosofii AN SSSR. Moskva: Izdatel'stvo «Nauka», 1974. 388 s.

62. Al'berti L.B. Knigi o sem'ye; [per. s it. M.A. Yusima]. Moskva: Yazyki slavyanskoy kul'tury, 2008. 416 s.

63. Al'berti L.B. Dobrodetel'; Rok i Fortuna; [per. N.A. Fedorova]. Sochineniya ital'yanskikh gumanistov epokhi Vozrozhdeniya (XV v.) / Pod red. L.M. Braginoy. Moskva: Izd-vo MGU, 1985. S. 154–161.

64. Abramson L.B. Ot Dante k Al'berti: [nauch.-popul. izd.]. Moskva: Nauka, 1979. 176 s.

65. Garen E. Grazhdanskaya zhizn'; [per. s it. M.A. Yusima]. Garen E. Problemy ital'yanskogo Vozrozhdeniya: [sb. st./ Sost. L.M. Bragina]. Moskva: Progress, 1986. S. 64–109.

66. Pomponatstsi P. O prichinakh yestestvennykh yavleniy. Pomponatstsi P. Traktaty «O bessmertii dushi», «O prichinakh yestestvennykh yavleniy»; [per. A.KH. Gorfunkelya] / AON pri TSK KPSS, In-t nauchnogo ateizma; redkol.: V.I. Garadzha i dr. Moskva: Gl. red. AON pri TSK KPSS, 1990. S. 124–288.

67. Bruno Dzh. Izgnaniye torzhestvuyushchego zverya; [per. s it. A. Zolotareva]. Bruno D. Izgnaniye torzhestvuyushchego zverya. O prichine, nachale i yedinom. Minsk: Kharvest, 1999. S.3–260.
68. Svas'yan K.A. Stanovleniye yevropeyskoy nauki [2-ye izd.]. Moskva: Evidentis, 2002. 438 s.
69. Devyataykina N.I. Dobrodetel'. Kul'tura Vozrozhdeniya: Entsiklopediya. [v 2-kh t.] / [otv. red. N.V. Revyakina]. Moskva: ROSSPEN, 2007–2011. T. 1. 2007. S. 584–585.
70. Kudryavtsev O.F. Fortuna. Kul'tura Vozrozhdeniya: Entsiklopediya. [v 2-kh t.] / [otv. red. N.V. Revyakina]. Moskva: ROSSPEN, 2007–2011. T. 2. Ch. 2 2011. S. 469–471.
71. Fichino M. Kommentariy na «Pir» Platona; [per. s lat. i ital. A. Gorfunkelya, V. Mazhugi, I. Chernyaka]. Estetika Renessansa: Antologiya: [v 2-kh t.]. / Sost. i nauch. red. V. P. Shestakov. Moskva: Iskusstvo, 1981 T. 1. S. 144–241.
72. Garen E. Istoriya v mirovzzrenii Vozrozhdeniya; [per. s it. M.A. Yusima]. Garen E. Problemy ital'yanskogo Vozrozhdeniya: [sb. st./ Sost. L.M. Bragina]. Moskva: Progress, 1986. S. 350–367.
73. El'fond I.Ya. Bruni. Kul'tura Vozrozhdeniya: Entsiklopediya. [v 2-kh t.] / [otv. red. N.V. Revyakina]. Moskva: ROSSPEN, 2007–2011. T. 1. 2007. S. 249–250.
74. Kategorii «zakon» i «khaos»: [monografiya] / AN USSR; otv. red. M. A. Parnyuk. Kiyev, 1987. 292 s.
75. Makiavelli N. Istoriya Florentsii; [per. s ital. N. Rykovoy]. Makiavelli N. Gosudar': Sochineniya. Moskva: ZAO Izd-vo EKSMO-Press; Khar'kov: Izd-vo «Folio», 2001. S. 197–263.
76. Makiavelli N. Rassuzhdeniya o pervoy deкаде Tita Liviya; [per. s ital. R. Khlodovskogo]. Makiavelli N. Gosudar': Sochineniya. Moskva: ZAO Izd-vo EKSMO-Press; Khar'kov: Izd-vo «Folio», 2001. S. 123–196.
77. Khaydegger M. Vremya kartiny mira. Khaydegger M. Vremya i bytiye: stat'i i vystupleniya; [sost.. per. s nem. i komm. V.V. Bibikhina]. Moskva: Respublika, 1993. S. 41–62.

78. Skinner K. Makiavelli. Ochen' kratkoye vvedeniye; [per. s angl.]. Moskva: Astrel', 2009. 156 s.
79. Khandersmark L. Nikkolo Makiavelli. Velikiye mysliteli Zapada / Pod red. Ya. Mak-Grila; [per. s angl. V. Fedorina]. Moskva: KRON-PRESS, 1999. S. 188–197.
80. Makiavelli N. Gosudar'; [per. s ital. G.D. Murav'yevoy]. Makiavelli N. Gosudar': Sochineniya. Moskva: ZAO Izdatel'stvo EKSMO-Press; Khar'kov: Izd-vo «Folio», 2001. S. 47–122.
81. Tit Liviy Istoriya Rima ot Osnovaniya goroda: [v 4-kh t.]; [per. N.A. Pozdnyakovoy]. [nauch. izd.]. Moskva: Nauka, 1989. T. 1. 576 s.
82. Le Goff Zh., Tryuon N. Istoriya tela v sredniye veka; [per. s fr. Ye. Lebedevoy]. Moskva: Tekst, 2008. 189 s.
83. Leonardo da Vinchi O zrenii i svete. O preodolenii rasstoyaniy. O glaze; [per. V. P. Zubova]. Leonardo da Vinchi Izbrannyye proizvedeniya : v 2 t. / per. A.A. Gubera, V.P. Zubova, V.K. Shileyko, A.M. Efrosa ; pod red. A.K. Dzhivelegova, A.M. Efrosa. Moskva: Izdatel'stvo Studii Artemiya Lebedeva, 2010. T. 1. S. 296–308.
84. Leonardo da Vinchi Voda i zhizn' zemli. Proshloye zemli. More i oblaka; [per. V. P. Zubova]. Leonardo da Vinchi Izbrannyye proizvedeniya : v 2 t. / per. A. A. Gubera, V.P. Zubova, V.K. Shileyko, A.M. Efrosa ; pod red. A.K. Dzhivelegova, A.M. Efrosa. Moskva: Izdatel'stvo Studii Artemiya Lebedeva, 2010. T. 1. S. 324–353.
85. Geyzenberg V. Zakon prirody i struktura materii; [per. s nem. A.V. Akhutina]. Geyzenberg V. Shagi za gorizont: [sb. st. / sost. A. V. Akhutin; obshch. red. i vstup. st. N. F. Ovchinnikova]. Moskva: Progress, 1987. S. 107–122.
86. Kopernik N. O vrashcheniyakh nebesnykh sfer; [per. s lat. I.N. Veselovskogo pod red. F.A. Petrovskogo; Obshch. red. A.A. Mikhaylova]. Kopernik N. O vrashcheniyakh nebesnykh sfer. Malyy kommentariy. Poslaniye protiv Vernera. Upsal'skaya zapis'. Moskva: Nauka, 1964. S. 7-416.
87. Koyre A. O vliyaniy filosofskikh kontseptsiy na razvitiye nauki. Koyre A. Ocherki istorii filosofskoy mysli. O vliyaniy filosofskikh kontseptsiy na razvitiye nauchnykh teoriy; [per. s frants. YA. A. Lyatkera] / Obshch. red. i predisl. A.P. Yushkevicha. Moskva: Progress, 1985. S. 109–127.

88. Galiley G. Probirnykh del master; [per. s it. i lat. Yu.A. Danilova / AN SSSR; otv. red. Ya.A. Smorodinskiy]. Moskva: Nauka, 1987. S. 7–271.
89. Bekon F. O dostoinstve i preumnozhenii nauk. Bekon F. Sochineniya v 2 t.: [per. s lat. N.A. Fedorova]. [2-ye izd.]. Moskva: Mysl', 1977. T. 1. S. 81–522.
90. Khorkkhaymer M., Adorno T. Dialektika Prosveshcheniya. Filosofskiye fragmenty; [per. s nem. M. Kuznetsova]. Moskva, Sankt-Peterburg: Medium-Yuventa, 1997. 312 s.
91. Delyumo Zh. Tsivilizatsiya Vozrozhdeniya; [per. s frants. I. El'fond]. Yekaterinburg: U-Faktoriya, 2006. 720 s.
92. Ovchinnikov N. F. Metodologicheskiye printsipy v istorii nauchnoy mysli. Moskva: Editorial URSS, 1997. 296 s.
93. Kryms'kiy S. B. Zapiti filosofs'kikh smisliv: monografiya. Kiïv: Vyd. PARAPAN, 2003. 240 s.
94. Kassirer E. Filosofiya Prosveshcheniya; per. s nem. V.L. Makhlina. Moskva: «ROSSPEN», 2004. 400 s.
95. Ur'yev Ye.V. Problemy sozdaniya sistem tekhnicheskoy diagnostiki turboagregatov. Teploenergetika. 2001. №11. S. 24–28.
96. Imbrul'ya Dzh. Razum. Mir Prosveshcheniya. Istoricheskiy slovar' / Pod. red. V. Ferrone i D. Roshe; per. s ital. N.Yu. Plavinskoy pod red. S.Ya. Karpa. Moskva: Pamyatniki istoricheskoy mysli, 2003. S. 88–97.
97. Tolstouzhenko M. Referat stat'i T. Kuna «Kontseptsii prichinnosti v razvitii fiziki». Prichinnost' i teleonomizm v sovremennoy yestestvennonauchnoy paradigme: [sb. st.] / Otv. red. Ye.A. Mamchur, Yu.V. Sachkov. Moskva: Nauka, 2002. S. 51–58.
98. Chernavskiy D.S. Sinergetika i informatsiya. Dinamicheskaya teoriya informatsii; Predisl. i poslesl. G.G. Malinetskogo. [3-ye izd.] Moskva: Knizhnyy dom «LIBROKOM», 2009. 304 s.
99. Yum D. Issledovaniye o chelovecheskom poznanii. Yum D. Sochineniya: V 2-kh t.: [per. s angl.] / D. Yum. Moskva: Izd-vo sots.-ekon. 1-ry «Mysl'», 1966. T. 2. S. 5–169.

100. Kulik S.P., Seval'nikov A.Yu. Narusheniye neravenstv Bella i problema kvantovoy ontologii. Spontannost' i determinizm: [sb. st.]. V.V. Kazyutinskiy, Ye.A. Mamchur, Yu.V. Sachkov, A.Yu. Seval'nikov i dr.]. Moskva: Nauka, 2006. S. 109–128.
101. Prigozhin I., Stengers I. Vremya, khaos, kvant. K resheniyu paradoksa vremeni; per. s angl. Yu.A. Danilova. Moskva: Editorial URSS, 2003. 240 s.
102. Rezhabek Ye.Ya. Platonovskaya paradigma i sinergetika. Rezhabek Ye.Ya. V poiskakh ratsional'nosti (stat'i raznykh let): [nauch. izd.]. Moskva: Akademicheskiy projekt, 2007. S. 119–140.
103. Leybnits G.-V. Dva otryvka o printsipe nepreryvnosti. Leybnits. Sochineniya v 4-kh t.: [per. s lat., frants., nem.]. Moskva: Mysl'. 1982–1989. T. 1. 1982. C. 203–214.
104. Kosareva L.M. Rozhdeniye nauki Novogo vremeni iz dukha kul'tury. Moskva: Izd-vo «Institut psikhologii RAN», 1997. 360 s.
105. Sidorkina O.M. Lyudina individual'na ta kolektivna u fenomeny robinzonady. Vísnik NAU. Ser. Fílosofiya. Kul'turologiya. 2019. №1 (29). S. 67–72.
106. Belyayev N.Yu. «Mekhanizm» v novoyevropeyskoy kul'ture. Sankt-Peterburg: Izd-vo SPb universiteta, 2007. 260 s.
107. Gadamer, H.-G. (1993). Mythos und Vernunft. Gadamer H.-G. Kunst als Aussage (Asthetik und Poetik I). Tübingen: J.C.B. Mohr (P. Siebeck), P. 163-170.
108. Lucas P. Bacon's New Atlantis and the Fictional Origins of Organised Science. Open Cultural Studies. 2018. 2 (1). P. 114–121
109. Malívs'kiy A.M., Sokolova K.V. Obraz prirody ta lyudini v praktichnýy fílosofíí Dekarta. Antropologíchní vimíry filosofs'kykh doslídzen', 2017, Vyp. 12. S. 128–138.
110. Bacon, F. (2000). The new Organon, L. Jardine, M. Silverthorne (Ed.), Cambridge, United Kingdom, CUP. 252 p.
111. Dekart R. Pervonachala filosofii. Dekart R. Sochineniya v 2 t.: [per. s lat. i frants.]. Moskva: Mysl' 1989–1994. T. 1. 1989. S. 297–422.

112. Michelangelo, (1875). La lettera a messer Benedetto Varchi, CDLXII. Le lettere di Michelangelo Buonarroti G. Milanesi, (Ed.), Firenze: Ed. ordinata dal comitato Forentino, P. 542–543.

113. Harris, E.E. (2015). *Nature, Mind and Modern Science*. New York: Routledge, 472 p.

114. Hoyningen-Huene, P. (2019) *The Concept of Nature, The epistemic Ideal, and Experiment: why is modern Science technologically exploitable?* Trans. by A. Levine. *Journal of Ethics and Legal Technologies*. Vol. 1(1). P. 2–23.

115. Khol M.B. *Nauka Rennsansa. Triumfal'nyye otkrytiya i dostizheniya yestestvoznaniya vremen Paratsel'sa i Galileya 1450-1630; [per. s angl. L.A. Igorevskogo]*. Moskva: Tsentrpoligraf, 2014. 351 s.