

ABSTRACTS

POLITOLOGY

Berezinsky V. Cultural and psychological forms of social and political attractiveness.

The content of culturally and psychologically conditioned forms of social and political attractiveness were studied through the synergetic approach and the game theory. The attractors in the social mentality could take such forms as cultural archetypes, myths, political doctrines including ideas and symbols as well personalized and institutional actors in politics.

The special emphasis in the article was made on the role and position of such attractor as spontaneously organized crowd. The crowd was described as the first local structural entity. Such entity is forming in the points of high social irresistibility and critical points of the social entropy. That ancient pre-structure is an attractor in terms of transition to the level of self-organized structure.

Another key topic is a game as a form of social union. Game was described as the immanent social tool to create structures in the native environment. In this context the myth could be seen as a product of the collective union. The human in the mythological space is totally socialized as he or she is under the influence of the collective points of view.

The games inside of the social structure and the social structure that was formed based on the mythological process are the cornerstones in the process of deeper understanding of the nature of the attractors. Their role in politics differs based on the general system description and its possibilities to influence on the human nature.

Key words: social and political attractiveness, spontaneously organized crowd, a game of social and political structure, the mythological social and political structure.

Vyshnevskaya I.G. Version of trend for the future: events of wild cards as a result of the American strategy of China's engagement.

The genesis of the U.S. engagement strategy toward China falls on the end of XX - beginning of XXI century, when members of the RAND corporation arranged to join the polar tactics – containment and engagement – into one strategy. Strategic partnership relations between the USA and China are developing by ascending line because of engagement policy when politics of the United States acquires the features of MFN for China. Then the Celestial Empire is gaining strength, beginning to threaten the U.S. national interests. Accordingly, the vector of American policy is changing, it goes into a stage of containment. At this time, activation of partnership between the PRC and other big powers, in particular with Russia, becomes logical. Due to this, the official Beijing gets profit, including the necessary technology already from the other partners, viz., from the key allies of the United States. Such U.S. pendulum policy may cause the wild cards events when Americans fail, or vice versa – China loses due to the collapse.

The ultimate goal of the engagement strategy developer will not be achieved under the conditions both win of the Celestial Empire and its decline. The purpose of the strategy – to restrain China's growth at a safe level for the USA, not destroy it because of its need for economy of the United States. However, pursuing policy of engagement, playing in contrast, the USA and the PRC could lose their key positions because they do not notice the weak signals of new powers.

Harbadyan A.S. Alien as the principle of distinction within simulative political practices under the concept of Jean Baudrillard.

It was found that J. Baudrillard defines political, at the present stage of understanding, completely addicts principles of simulation. Political turned into merely a kind of spectacle that played out in everyday life to the thirsty to the sights citizen. Politics is the game with two possible variants of development, none of which is essential for human values.

Under these conditions, there is another acceptable, in terms of circulation prerogatives that fluctuate on the scale good-bad, but this articulation is meaningless as the fact that it generates. This simulation chose character as policies that caused him that he dictated. However, the existence of the alien under such conditions dictated by going beyond these limits.

Classical drama of alienation swallowed ecstasy of communication. Instead, the concept of alien can identify the essential issues, the specificity of which is not absorbed policies simulated character. Politics tolerance, cultivating external sliding differences, dialogue with artificial modified others - just a continuous narrative, the only simulacrum, binary game with the famous winner. After differentiation, foreignness, which is impossible to understand - this is the form of the alien in J. Baudrillard concept. Is a form definition meaning that ecstasy of communication not absorb. This form of deployment active social and political problems by J. Baudrillard.

J. Baudrillard approach reveals the formation of specific of alienation in today, simulation standing policy when binary construction of political discourse creates an artificial opposed to

"correct" opinion in the form of another while an alien takes over outline in the following schematic form of building political and discursive practices.

Keywords: alien, the other, simulation, political discourse.

Tsyrfya I. A. Key factors of the state foreign policy identity construction

Today the construction of collective identities (including the foreign policy identity) is the product of social, political and cultural traditions, the result of adherence to certain values and the existence of a common historical memory which, evolving over time, contributed to the formation of a joint collective heritage. The basic tools, needed to implement the process of the collective identity construction, are special symbols, values and norms which help to distinguish the key features of the community and to differentiate the latter from the Others. Established in society with the state laws or unwritten rules of morality, these components produce the socially accepted identity that encourages the members of a certain group to refrain from their ignorance and, consequently, to follow a certain type of identity.

Within a separate system of international relations the social identities of the political actors have the ability to evolve under the influence of normative and ideological structures to exist inside this system. The activities of states on the international arena are regulated with the «social normative structures», one of which is the international community. Accordingly, the states cannot have their a priori foreign policy interests. According to constructivists, the identities of states are formed using the norms which also define the interests of these actors. The normative constructing of identities leads to the transformation of state interests that, in turn, causes the changes of its foreign policy course.

The social structures of the system, which determine the identities and interests of states, are built as a result of mutual interactions of the certain actors of international relations within the global political process that ensures the permanent variation of existing state foreign policy identities.

Key words: foreign policy identity, collective identity, identity construction.

Shapovalova A.I. The essence and typology of norms in international relations: analysis from the point of normative power concept.

The article examines basic theoretic ideas about nature and properties of norms in international relations with a view to form due theoretic underpinning for the concept of normative power. The analysis conducted in the article enables to draw the following conclusions.

Norms are dynamic intersubjective phenomena encompassing all ideas or conceptions that at a certain historical stage and in a particular context gain generally recognized imperative character in the international system. Their main property is ontological duality manifesting itself, firstly, in parallel existence of norms at the agent and structure levels of international systems and, secondly, in the possibility of simultaneous application to the same norms of both the logic of consequences and the logic of appropriateness.

The diffusion of norms in the international system occurs not along a single causal scheme, that's why there is no sense in associating normative power with a particular type of actor's motivation (both of norm generator and of norm recipient). Normative nature of that kind of political power is determined rather by the ability of actor to formulate its policy in normative terms i.e. to construct its normative orientation.

To wield normative power means to affirm the priority of an exogenous for recipient norm and in broad sense to set the primacy of international normative context over the domestic one.

Different types of norms require different ways of constructing and affirming and produce different normative and political effects. However, it is absolutely inconceivable to discriminate them on their a priori moral superiority. Thus, confining normative power to diffusing a particular type of norms leads to narrowing its operative field and distorting its conceptual meaning.

Norms regulating the behaviour and interaction between states are prone to more formalized and institutionalized ways of affirmation since in seeking to achieve cooperative aims states rely upon forma binding commitments. At the same time, norms regulating internal organization of states depend in their reproduction first and foremost on their internalization by a target society or separate social groups.

Keywords: norms, normative power, normative context, internalization, formalization.

Yarova L. European Countries' Creative Experience in the Political Practice of Correlation of Concepts "Social State" and "Social Management".

In the article possibilities of development of the social state were analyzed in modern Ukrainian society taking into attention experience of the European countries. The social state was described as the changing phenomenon under the influence of the global market. The social responsibility of the state was strongly linked with provision to the citizens the number of social services. The fixed number of such services was well known as the fixed social minimum. The state refuses to do the specific management functions concerning the division of the goods

between final consumers. At the same time it is focusing on the regulation of the institutional network in the social sphere. This approach is not providing limits to the state field of the competence, moreover with such tool this field is getting more wide and complicated. The state takes responsibility to support balance in the social policy and to take leading role in the social mission.

The social quality analysis based on the European experience and best practices led to the conclusion that such approach includes all kinds of policies – economic, cultural and social. Combination of these three factors is raising the potential to make politics effective and democratic at the same time.

European models of the social state and social management could be taken into account for the Ukrainian institutions and the general state design. Each model has a number of tools that are helpful in terms of adaptation to the each particular context and political conditions.

Keywords: social policy, social protection, the development of the society, the principles of social justice, social functions of state.

SOCIOLOGY

Dutchak O.A. NGOing development: narrowing civil society within development discourse.

In the course of capitalist development during the 20th century state lost its position as the main actor of development. Neoliberal turn made it discursively and, accordingly, practically "inappropriate" leader of socio-economic upgrade. Looking for a substitute, rule-makers turned to state's classical (though questionable) opposition – civil society. However, not all the complex and ambiguous parts of civil society are perceived as equally suitable developmental actors. In fact, neoliberal perception of the development process as the realm of practical, technical solutions with visible and prompt outcomes, makes non-governmental organizations the main agents societies can rely on their way to better future. This NGOing of development is both doubtful in its theoretical presuppositions and contradictory in practical implementation. Ukrainian example shows NGOing of development in its actuality and supports arguments about its contradictory effects, not even mentioning doubts about NGOs' potential to bring systematic social change. Empirical evidence shows, that peculiarities of NGOs in general and their realization in Ukrainian context, among other effects, produce complex relationships between NGOs and grassroot social movements, which are based on slight mutual distrust and sporadic cooperation.

Keywords: development, NGO, civil society, neoliberalism, Ukraine, social movements.

Kononova Y.V. Methodological aspects of actor-network theoretical orientation: Bruno Latour.

The article reveals the features of the Actor-Network Theory (ANT) methodological aspects. Bruno Latour's basic concepts are summarized. Constructivism, political program and "turn to the material" are claimed as requirements for the development of the theory conceptual apparatus. ANT is constituted in a first-hand study of research laboratories in the interdisciplinary field of Science and Technology Studies (STS). Methodological innovations follow "turning to the materiality" trends - a special style of sociological theorizing, which focuses on issues of materiality, object agency in networks. Latour takes issue with the existing social theory artifacts interpretations as an invisible tool, either passively making out everyday practices props or a projection screen that reflects the significance of these practices. This polemic is aimed at the destruction of a dichotomous view of non-overlapping natural and social sciences domains. Appeal to the "materiality" rejects the idea of objects substitution and reduction to the meaning and is able, according to Latour, lead to different policy models and alternative models of scientific knowledge.

Attempts to revise the social sciences goals, objectives and subject matter within ANT are taken. By "public" is considered as not a substance and not a reality region (which is opposed to the natural, technical or economic), but as a way of tying together heterogeneous nodes, a method of converting one type of entity to another. By "scientific" in the social sciences is offered understand not the existing hidden patterns description, but the study of multiple strategies and methods to define the connections, the spaces and objects construction.

ANT diverges both with modernism, which rejected the progressive compositing of a common world according to Latour, because it thought "nature" and "society" are already existing and postmodernism, which does not wish for a common world in principle. ANT is a serious bid to overcome the postmodern nihilism on the impossibility of fundamental theoretical knowledge creating.

Keywords: actor-network, constructivism, object, material, thing, politics, science, society, nature, postmodernism, deconstruction.

Rakhmanov O. Formation and development of ideology of top managers of big business (review of theoretical and applied research).

One of the important milestones in development of modern capitalism is the transfer of control over big corporations from separate owners to top-managers of big business – the so called “managerial revolution”. The efficiency of modern economies is connected with this stratum, since its representatives are the active social force capable to master and develop production. The subjectness of a certain social stratum requires ideological substantiation of activities of its representatives, as soon as recognition of their public benefit allows them to occupy the proper place in the social structure of the society. In this respect ideology of a certain social stratum is a system of ideas and opinions, being a concentrated reflection of public life in mass consciousness in the light of their own class interests. Besides, the ideology is fed with the value convictions as to the importance for a person of a certain object, phenomenon or state as the objective of vital activity for a certain range of situations. Taking under their control big corporations of the most developed economies of the world, top-managers had to give ideological grounds of their claims to the leading role in the society and to substantiate their class interests as social ones. The article objective is to analyze theoretical and applied investigations of top-managers’ ideology in the process of capitalism development.

The data analysis demonstrates that managerial ideology has been formed in the process of development of corporative capitalism as the aspiration to coordinate activities of top-managers with the public opinion and interests of society. They have proclaimed the conception of social responsibility: that is business recognizes its function in the improvement of social environment. Managerial ideology has presented a top-manager as an organizer of economic process, which is of benefit to the whole society. Economic component of managerial ideology is in the investment of obtained profit to ensure high dividends in the future. Managerial consciousness is formed due to the advance on the scale of ranks that works out certain ethics of sociability, when agreements, enlistment in the corporation collective, human relations in the process of production, restraint, modesty, profession as a way of self-expression, self-satisfaction are appreciated. At the same time empirical investigations demonstrate that top-managers do not sometimes see the essential ideological difference between the propositions of the conception of long-term prospects, long-term interests of the company, on the one hand, and the conception of social responsibility of business, on the other hand. Besides, there are national peculiarities in business ideology that focus attention on human relations and various factors acceptable in certain society.

Pavlovsky V.V., Gerchanivsky D.L. Innovative technologies of testing the quality of education in the context of the Bologna Process.

The article analyses the research of methods of testing the quality of student learning. Analysis of recent research and publications on the issue, including works Infantry, Kiktenko, Roznovets, Voloshchuk, shows that the scientific literature has not formulated and scientifically grounded position of various authors on methods of testing the quality of student learning and the introduction of computer technology evaluation.

The main objectives in the development of testing technologies, which are described in the article, are:

- Grouping tasks in terms of complexity and three levels of mastery of the material;
- Preparation of test units that meet the educational content;
- Formulation of options right and wrong answers;
- Establishment of criteria for evaluating the test results closed tests;
- Determination of the duration of the tests of various lengths by the number of control questions;
- The definition of pedagogical requirements concerning the content of tests: plausibility, credibility, trust, confidence in the objectivity;
- The use of computer technology for testing the results.

Tests are shaped for different contents that match the topics of lectures, seminars, independent work, issues with self-control and other educational tasks humanities. Tests for ongoing monitoring conducted at the end of each lecture for 10 minutes. In the interim (module) control is allocated 15 minutes for each module. At the final control - 30 questions - 75 minutes allocated. Thus, the method of preparation and testing of students from the humanities enables adequate and reasonably assess the quality of learning and to ensure the formation of skills and abilities.

Keywords: test control, innovative technologies module-rating system.

Tancher V.V., Svyrydon T.V. Mass culture in the context of democratic transformations of twentieth century.

Analysis of works devoted to mass culture allows us to identify three main groups of this phenomenon.

The first group includes scientists who have negative attitudes towards mass culture. English poet T. Eliot claim that mass culture will always "substitute" culture and never reaches the high sample. Canadian theorist D. MacDonald argues that the basis of mass culture is the tendency to homogenization, it means provide all elements and phenomena some of uniformity, similarity. MacDonald points to the ability of mass culture to stereotyping, to the destruction of the difference between any phenomena. George Seldes in his book "Big audience," argues that mass culture is focused on low primitive tastes and evaluation. A similar view is taken by an American scientist B. Rozenberh.

The main content of the conclusions of the second group of researchers (Lipman, W., Mead M. Schlesinger, A., Schramm J.) is as follows: mass culture in its essence, in its production and distribution depends on the forces that fund communications and control of elite society, which governs. It is means, that mass culture interpreted as a kind of ideology that must bring to public consciousness.

The third group of scientists (Shilz E. Seldez G., D. White) argue that mass culture - something positive. There are many useful and informative in it. American sociologist Z. Brzezinski wrote : "If Rome gave the world the right, England - parliamentary activities, and France - culture and republican nationalism, that modern United States gave the world scientific and technological progress and the" mass culture ". Theorist of culture Herbert Gans in his article "Popular and high culture" also expressed their positive attitude to the phenomenon of mass culture. He argues that any criticism of mass culture completely unfounded, and that mass culture does not harm nor high culture, nor the people who use it, neither society at all.

Up to 90 years of the twentieth century there were three main methodological approaches to the study of popular culture.

The first approach is characterized by contrasting mass and elite culture species, therefore, as the conclusions sociologists must come to the definition of "on the contrary": mass culture and elite polar opposite and they have different properties (Cosser L.). Another group trying to define mass culture, accentuated to origin of mass communication, mass culture considering any cultural patterns that can quantitatively capture a large audience in the short term "or almost instantaneously" (H. Friedman). However, later researches showed that the first type of definition tautological and causal series "mass culture - mass communications" generated only the illusion of explaining mass culture. The phenomenon is not required for its massive grounds of mass communication, because they are only channels of information transmission.

In this regard, the most meaningful was nominated E. Baumanom third approach to the problem, which means that mass culture it is a kind of "mass social structure". Mass culture - a kind of reflection of society. How the faster and wider spreading process standardization and universalization of life, so more valuable becomes standardized mass culture. This meaning (essentially structural and functional) is nothing else than the development and addition of the second approach to the definition of the popular culture (mostly sociological) and first (basically art criticism). Each of these approaches cover some aspects of popular culture, but the question of the specificity of this phenomenon in general remains unresolved.

However, if Western esthetics, sociologists, cultural studies tried to analyze this phenomenon, that in the Soviet literature, this concept is usually to be fiercely criticized, resulting became traditional view of mass culture as a minor art, which has not nothing except entertainment.

Analyzing the phenomenon of mass culture, our scientists often use stereotypes of Western criticism. For example, the Russian authors we can find the traditional opposition between mass and elite culture (Kartseva AM). However, many scientists believe that this dilemma does not exist (Ashina GK Shestakov VP). V.P. Shestakov wrote that in order to get rid of contradictions and confusion in the interpretation of correlation "mass" and "elitist" culture, should abandon their opposition, which is nothing but the idealization of avant-garde art does not.

The main problem of many researches was that they focused attention mainly on the ideological function of mass culture (Hershkovych ZI, Kartseva OM Kotelova GI Streltsov MM et al.), while aesthetic content, structure and nature of stereotypes, remained unheeded.

Quite often, popular culture look like pseudo culture which has neither art, nor aesthetic sense. However, this simple notion of mass culture does not explain the reasons about acquisition of this phenomenon universal character.

So recently in science began to appear new works in which mass culture is seen as a fundamentally new layer of culture. The new perspective investigates certain types of mass art, such as film, mass music mass literature. Among modern Ukrainian scientists who study this issue should be called Bezklubenka SD, Panchenko VI, Skurativsky VL, Fedorov II, Shulga RP.

Scientists are trying to look at the culture of the twentieth century in the new cut. Most of them will certainly come to the conclusion that mass culture - it is not the individual pieces of poor quality. Mass culture - is a necessary stage of culture in democratic reforms. Beside her some negative features mass culture has great creative potential, which is revealed in its newly formed species.

LAW

Yasyuk Yeva. Consequences of breaching treaty obligations by a European Union member state.

The author discusses the problem of breaching treaty obligations by European Union member states. Shows the consequences which are found in case of committing the breaches by a Member State. Simultaneously the author penetratingly analyses relevant regulations of European Union law, which regard to this matter. The aim of this article is to consider the consequences of breaching treaty obligations by European Union member states. In fact the Member States are obliged to accomplish the obligations coming from EU membership. The legal instrument available to force a Member State to accomplish its commitments is complaint against the Member State in virtue of art. 258 – 260 of the Treaty on the Functioning of the European Union. A basis for institution of legal proceedings by virtue of art. 258 and 259 is loss of execution the obligations arising from European Union law by a Member State. It must be stressed that breaching the obligations by a EU member state may consist in both action and abandonment by all of the state authorities. The author indicates that legal proceedings carried out in virtue of art. 258 of the Treaty on the Functioning of the European Union is instituted by the Commission. However, in case of the proceedings carried out in virtue of art. 259 of the Treaty on the Functioning of the European Union, the Member State is subject which present a claim. The Treaty on the Functioning of the European Union does not give that kind of authorization to individuals. Additionally, the author emphasize that a basis for European Union member states public administration bodies settlement may be a rule of EU law, which is complied directly, e.g. executory order as well as a state regulation, which results from implementation of e.g. directive into the law of the Member State. Therefore, a Member State obligation arising from European Union membership is to conform property to EU law regulations by European Union member states public administration bodies. However, Member State administrative courts, as union courts, are obligated to ensure absolute and unconditional effectiveness of European Union law. Additionally, the author analyses a problem of assertion of claims for indemnity by an individual on the basis of EU law regulations as well as assertion of claims in state courts in virtue of EU law.

Dergachov E. Right to information and the implementation of information rights in the area of moral rights in Ukraine.

Today, as in legal doctrine and in legislation formed two approaches to the interpretation of the right to information. Within a narrow approach, the right to information is treated only as a right to (access) to information that is as a relative right. Broad same approach suggests referring to the right to information of all kinds of subjective rights aimed at information or action with her. By subjective right to information in a broad sense are two groups of subjective rights: 1) a group of absolute rights to information, examples include the right to information that is privacy, and 2) group relative rights to information, which include right to information, right to information dissemination and other relative rights.

Analysis of regulations and legal literature to determine the basic elements of the right to information: the right to create information, the right to gather information, the right to disseminate information, the right to store information, the right to information, the right to information, the right to use; the right to protection and security of information. This, in combination, to form the concept of the right to information as defined in the Civil Code of Ukraine.

Many moral rights defined in the Constitution of Ukraine and Central Ukraine right (right to a name, the right to develop their personality, etc.) or indirectly (right svobobodu and personal integrity, etc.) associated with the right to information (or their implementation directly by using the information.) All these rights, and to this many more not listed in this article, rights, creating a large system of information rights.

Chernyak A.M.. Copyright in the functioning of the Internet.

This publication was analyzed scientific and legal approaches to copyright objects placed on the Internet. Dedicated problematic aspects of work relating to the translation of works in digital form and the new features of their location in the network. The author of these features of the legal

regime of such objects as a literary work, a computer program, photographic work, audiovisual work and website.

Zolotarova N.I. Nadra and water facilities as administrative and legal protection.

The paper discusses the current state of the legal protection of mineral resources and waters in Ukraine. Identify features of administrative and legal protection of natural resources and water, ways to save at the present stage, increased liability for environmental offenses in this area.

Administrative and legal protection involves a system of measures and tools aimed at conservation, sustainable use and restoration of natural objects - the subsoil and groundwater. Ensuring protection of natural resources and waters is to improve the current legislation of Ukraine in the field of environmental, ecological expertise using their own natural resources, conduct inspection and prevention and emergency work of specialized units for the Prevention and Elimination of open oil and gas fountains enhance administrative and legal regime all types of waters and administrative liability for violations of water use and water pollution, as well as for violations aimed at environmental security in connection with the production of new energy.

Kravchuk O.O. Acts of exercise of rights and duties in the area of state property management.

Acts of exercise of rights and duties of participants in legal relations as an element of the mechanism of administrative legal regulation of state property management in Ukraine are considered in the article.

The author points that the exercise of rights and duties of the participants in legal relations carried out in such forms as: abidance, fulfillment, use, administration. It is carried out under the influence of legal conscience of the participants.

The legal acts of administration are basic form of exercise of powers of the subjects of state property management. Through the consummation of such acts these entities exercise their institutional and regulatory powers. The legal acts of state property administration substantially serve as acts of individual regulation of the rights and duties of participants of management legal relations. These subjects obtain their rights and duties on the basics of the legal acts of state property administration.

The author also asserts that high attention should be given to the improvement of the procedural law to increase the effectiveness of protection of property rights of the state in the legal relations.

Conclusions and suggestions for improvement of administrative legal regulation of state property management in Ukraine are made in the article.

Key words: acts of exercise of rights and duties, mechanism of administrative legal regulation, state property, state property management.

Chepulchenko T. O. Corporate culture: a place in the legal process and impact on the rule of law in the country.

The article highlights the impact of legal culture on state law and the problem of its deep implementation of legal activities in the process of applying law officers on a background of legal nihilism and corruption today. Specifies the difference in the concept of "legal culture", which is derived from the concept of "legal culture". The article emphasizes the special role axiological approach in the study of these problems, because the development of the legal person can not be imagined without a clearly defined values. As part of a comprehensive approach legal culture of the individual is seen as a concept that characterizes the qualitative state of the conscience of the individual, his work in the legal field. In this context, the author raised the issue of respect for the law (the law) in recognition of its social value and phenomena, directly opposite him - the legal nihilism.

Based on the analysis of a variety of scientific approaches to understanding the legal culture and its meaning in the context of law enables us to distinguish the elements of the structure of legal culture of law enforcement entity acting factor in the effectiveness of law enforcement activities. These include the following: the level of legal knowledge (ie, knowledge of the law and legal achievements of science) and ability to use legal instruments to facilitate the enforcement of law and order in society, respect for the law (ie, awareness of the social value of law as a regulator of social relations, confidence the necessity and usefulness of social laws, rights values as a measure of freedom and justice) justice professional, the content of which is formed under the provisions of applicable law and which defines the relationship to human rights as to certain values, which determine the meaning and content of enforcement. This item also includes legal thinking - that is, the ability to think legally, in particular, provide a legal assessment of the facts - correctly and legally qualify them accurately and be able to apply their knowledge in practice.

Keywords: rule of law, individual, law, legal culture, law enforcement, the implementation of the rights and values.

Belyanska O.V. Specifics of direct realization of the rights and personal freedoms in the private-law relations.

Implementation of personality rights is a complex and multifaceted phenomenon including activity not so much law-enforcement organs, but rather active person. The legislator, defining the model of implementation of legal norms, but in a greater degree the rules of private law, enshrining human rights, largely focused on the possibility of direct, independent of their use personality.

The aim of the article is to identify the specifics of immediate implementation, the peculiarities of this form in private law relations, this author defines the legal entity immediate implementation of human rights and ограничивает her from implementation through law enforcement. The author believes that the implementation of the rights and freedoms of the individual is regulated by legal norms the process of independent exercise of their individual rights without the help of the specially authorized bodies and persons.

The specificity of the immediate realization of the rights and freedoms of person in private law relationship is evident in the fact that the personality determines the ways of their behavior, protects their rights under the granted for its funds. The implementation includes the objective and subjective beginning. Objective beginning is expressed in the fact that the legal norms enshrining the right of a person not provide for implementation of enforcement activities. In subjective terms, the immediate implementation is conditioned by the interests and needs of a person, which in private law are of particular importance and set in motion правореализационный процесс.

Stepanchenko O.S. Historical and legal analysis of major ways of reforming legislation of the Russian empire (late XIX - XX centuries).

Increasing of amount of foreign investments is strategically important task for modern Ukraine. However, the problem of attracting foreign capital to the economy has to be explored not only by studying of the current state perspective, you also need to study the history of foreign investment. The problem of rapid industrial development and restructuring of the economic system as a whole appeared the Russian Empire (of which at that time included most of the territory of modern Ukraine) in the nineteenth to early twentieth century.

The economic policy of the Russian state in relation to foreign capital late nineteenth-early twentieth century can be divided into two main periods.

The first period (1861-1887 years) inflow of foreign capital was due to the abolition of serfdom, economic recovery and the formation of the foundations of the industrial economy. Specific factors that contributed to the inflow of foreign capital, have low tariffs and the right of foreign nationals to search for and extraction of oil in free public lands (1872).

The second period was a marked increase in foreign capital (1895 - 1900 years) associated with the introduction of the gold ruble and the accumulation of foreign exchange reserves. Important role in attracting foreign investment has played the government's decision to lift the ban (1892) for foreign nationals to conduct search and extraction of oil, and the introduction of a single customs system.

In the late 90's. XIX century, in fact, a favorable investment climate was successfully created by government.

Keywords: investment law, foreign investors, the investment story right concession.