

# ABSTRACTS

## SOCIOLOGY

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### **Dembitskyi S. Fixations on public activity in Ukraine: analysis of indicators of the main socio-demographic groups (2016 and 2018 years)**

The article examines the results of applying Index of attitudes towards civil activity among socio-demographic groups. Corresponding groups were defined on a basis of cross-classification of three variables: gender, age group and region of living. The obtained results allowed to reveal differences in the attitudes towards civil activity in socio-demographic groups, as well as describe the changes that occurred in the attitudes from 2016 to 2018. Databases of two nationwide surveys (2016, 2018) were used for empirical analysis. Surveys were conducted using samples that represent the adult population of Ukraine (18 and older) by parameters such as region, type of settlement, gender, and age. To analyze the relationship between demographic affiliation and attitudes towards civil activity, the Kruskal-Wallis test was used. For a posteriori verification (153 comparisons), Wilcoxon's rank-sum test was used. Its results were controlled by Benjamini-Hochberg Procedure. The results of the analysis revealed differences in attitudes towards civil activity in various socio-demographic groups and corresponding changes that occurred in attitudes from 2016 to 2018.

The following conclusions were made: 1) Ukrainian society is characterized by heterogeneity in terms of level of attitudes toward civil activity in various socio-demographic groups; such heterogeneity can be logically explained by the socio-political processes that occur in Ukraine; 2) the end of 2018 can be called the period of new political request that population of Ukraine addressed to political elites on the eve of the President election; a significant strengthening in attitudes toward civil activity is associated not only with this request, but also with the expectations that it will be fulfilled; 3) special attention should be paid to changing in attitudes toward civil activity among residents of southeastern Ukraine; this, in particular, testifies about positive adaptation processes that occur despite the debilitating military conflict in the south-east of Ukraine.

**Key words:** fixations on public activity, political culture, socio-demographic affiliation.

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### **Bahinskyi A. State actions in the post-conflict society**

The return of the state to sociological discourse can be based on the study of the role of state measures in societies that overcome the consequences of violence. The purpose of the article – is to outline the problems and some ways of overcoming them facing the state in the post-conflict reconstruction of society and can be successfully addressed by state authorities with varying degrees of success.

Given that the state in a post-conflict society, as a rule, has a low level of public confidence and limited resources to resolve the conflict, the practice of peacekeeping operations and other organizational arrangements for building peace is widespread.

In addition to the organizational component, the assistance of the Western world is in promoting and sometimes imposing in the transitional societies the legal norms and political institutions of the "old world", which often complicated the peace process and did not take into account the local context of peace-building. In addition, the speed at which international donors wanted to obtain a result from international intervention could contradict the long-term process of psychosocial and economic recovery of victims of the conflict.

Modern theories of "transitional justice" try to overcome the contradiction between the limited support of international actors on the one hand and the fragility of the state and the weakness of civil society on the other.

The researchers are proposing a model where the state interacts with civil society on the path to peace in the long run and reconciliation.

A decentralized transitional justice model emerged in Northern Ireland, where local conciliation initiatives combined community efforts and government and non-governmental interventions. Particular emphasis on overcoming the effects of violence is on reparations. However, there is no unambiguous universal form of payment to victims of the conflict to meet all economic needs. Reparations can take different forms – from money to symbolic ones. In addition, the decision to pay reparations is implemented by the

state on the basis of agreements at the level of institutes of transitional justice, first of all, the truth-establishing commissions.

In order to overcome the consequences of violence and the post-conflict reconstruction of a society, the state must take into account the whole range of social problems – political, socio-psychological, and economic. The solution to political problems is through the provision of broad political rights and ensuring the inclusiveness of social groups in society. Socio-psychological problems are solved in particular through the transformation of the group identity of the oppositional conflicts of social groups in the context of the exchange of social experience. Economic issues of post-conflict reconstruction concern the development of an effective reparation system at the individual, group and national levels.

**Key words:** state, conflict, post-conflict peace-building, post-conflict society, transitional society, transitional justice, peace building.

### **Ivanova T. Biomedical and sociological approaches to mental health**

Psychiatric epidemiological studies provide us with useful information about the prevalence of specific mental health problems in various countries and societies, but their biomedical attitude toward mental health does not allow us to focus on the study of the social factors of mental health. The biomedical direction is gradually changing and becoming more socially oriented, in particular, the psychiatric concept of mental disorders is changing to understanding them as dysfunctions, which already involves taking into account the discrepancy between man and the environment.

Theories of social discontent explore various social, including value and economic, factors that give rise to mental health problems in modern societies. It should be noted that the problem of these theories lies in the fact that they consider discontent and social risks as a fundamental condition of modern life, and do not analyze them as a behavioral state or certain social variations. In addition, social theories ignore diversity in the manifestations of the mental health of people in different countries.

Obviously, there is a need to form an independent direction of sociology – the sociology of health, which would not be reduced to epidemiological psychiatric studies, but would form its own system of terms and categories.

First, the sociology of mental health requires the development of theories of specific mental disorders. Because of its orientation to biomedical ideas about health and disease, sociology is reluctant to develop specific theories of mental health.

Secondly, the sociology of mental health should use a multi-level analysis of health factors and build macrosociological models of mental health.

**Key words:** mental disorder, mental health, biomedical direction, modernization, social anxiety.

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### **Leshenok U. Perspectives of using spatial data in studies of political orientations of the Ukrainians**

The article analyzes perspectives of using spatial data in the researches of political orientations of Ukrainians. The purpose of this research is to study the perspectives of using spatial data in studies of political orientations of the Ukrainians through identification of the links between electoral choices and the proximity/remoteness of the place of living from the border(s) to other states. The research is based on the assumption that the measure of proximity of territories to the border with another state affects the level of support of political parties in these territories.

Empirical data for this research is the results of voting in the Chernihiv region on the Parliamentary elections of 2012 and 2014. The relationship between the electoral choice and the place of living is analyzed on an aggregated level. The units of analysis in this study are the polling stations of the Chernihiv region. The level of support parties in the Parliamentary elections (2012 and 2014) is calculated for each polling station. The level of support is the percentage of votes for the party in a polling station. The proximity or remoteness of the borders with other states is encoded at the level of districts of the Chernihiv region. Thus, all polling stations are divided into three groups: the districts that border with Russia, the districts that border with Belarus, and the districts that don't that border with other countries. In order to assess the effect of the proximity to the border with another state on the results of voting, several linear regression equations have been calculated.

Based on the data of the regression equations, we can conclude that during the Parliamentary elections of 2012 it is possible to identify parties whose level of support is positively influenced by the proximity

of the place of living to the borders with other states and the parties whose level of support is negatively influenced. In 2014, proximity to the border with another state also serves as a significant predictor for the support of most parties. Also, as in the previous stage of the analysis, it is possible to identify parties whose level of support is positively influenced by the proximity of the place of residence of the population to the borders with other states and parties whose level of support is negatively influenced by this variable.

As a result of this study, the perspectives of using spatial data in the study of political orientations of the Ukrainian population have been demonstrated. It is shown how the proximity to the border with some country or the absence of borders with other countries is related to the voting strategy in the area.

**Key words:** political orientations, electoral choice, spatial data.

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### **Cherniy P. About formalizing explanatory models of socio-economic systems**

Modeling socio-economic systems traditionally use different theoretical approaches and, accordingly, different conceptual models of processes and phenomena. The high level of statistical “white noise” (unremovable calculation errors) and uncertainty in data interpretation often make it impossible to compare models with each other to select the most appropriate one. These features make efficient the pluralistic approach – to use several independent models at the same time.

In this paper considered the stages of creating a computer model of a socio-economic process or system and highlighted two ways of applying the pluralistic approach: the use of several conceptual models and the use of several formalizations of the same conceptual model. Both ways can be used parallel and selected in accordance with the goals of the modeling and the properties of the modeling object (target).

The presented generalized algorithm considers the creation of a computer model as a study and describes the results of each stage of modeling. This view of the modeling process allows us to distinguish the sets of hypotheses that are the basis of the computer model, compare the models with each other and identify new issues for theoretical studies.

**Key words:** modeling socio-economic systems, formalization, pluralistic approach, research, algorithm.

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### **Cherniak K. Analysis of the value system in the context of the influence of the ideology of neoliberalism: theoretical conceptualisation**

Although neoliberalism is one of the most discussed phenomena in social and political sciences which influence has been emphasized both by apologetics and critics, it has still lacked broad theoretical background and empirical data. Particularly, consequences regarding neoliberalism and its influence on public consciousness (and value system as its part) mostly are based on secondary data analysis. Moreover, neoliberalism itself usually is considered as a monolithic phenomenon nevertheless it is consisted of different, sometimes even opposite, ideas and concepts, which can be divided in at least three different forms – ideology, economic and political doctrine. Hence, there is a problem of the absence of sociological knowledge about the character of the influence of the ideology of neoliberalism on the social value system and the absence of the investigatory sociological framework for the studying of the influence and the understanding of neoliberalism in its different forms.

Regarding that among all the forms of neoliberalism exactly the ideology can have a direct influence on the public consciousness there was decided to start the creation of the sociological framework from the creation of the framework that allows to investigate the value system in the context of the influence of the ideology of neoliberalism.

In the study the ideology of neoliberalism is defined as one of the sects of the ideology of liberalism that appeared in 1970s and defends supreme market freedom, a limitation of government activities to the guarding of borders and the control of implementation of legislation, and encourages the concentration of the thought of an individual on themselves, their achievements and their satisfaction.

To form the sociological framework of the studying of the value system in the context of the influence of the ideology of neoliberalism it has been chosen to create a separate model of a value system that is consisted of certain value orientations. The model is based on the several cross-cultural studies, on the one hand, and on the characteristics of the ideology of neoliberalism, on the other. Particularly, there was made a list of neoliberal values and models of behavior that was then divided into a few thematic categories.

These categories were compared to the existed models of value systems in cross-cultural researches. As a result the several value orientation that can describe the value system under the influence of the ideology of neoliberalism were chosen.

Thus, based on the specific characteristics of neoliberalism emphasized in studies of theory and history of neoliberalism, on the one hand, and on the different theories and methods of cross-cultural researches, on the other, the ideology of neoliberalism was separated as a specific phenomenon and the special model of value orientations that allows to analyze the value system in the context of the ideology of neoliberalism was created. The model consists of six value orientations: power distance, uncertainty avoidance, individualism versus collectivism, long-term orientation versus short-term orientation, independence versus dependence from the government and material orientation versus orientation to non-material. The model can be used to compare one society in different periods of time as well as several different societies in one period of time to define the cultures that are more or less oriented to neoliberal values.

This study has become the first step of the creation of the specific sociological framework for the investigation of the influence and the understanding of neoliberalism in its different forms. In the long-term perspective it offers wide challenges to more detailed and theoretically grounded investigation and understanding of neoliberalism as a complex phenomenon. In terms of more substantial abilities of the analysis, the model that was created allows to conduct a research of a state and changes of the value system in the context of the ideology of neoliberalism both in a one society and in a variety of societies with different social and historical background.

**Key words:** neoliberalism, ideology, value system, cross-cultural studies.

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## POLITICAL SCIENCE

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### **Kliuchnyk R. Peculiarities of political protest participants` mobilization**

The article represents an integrated perception of peculiarities of political protest participants` mobilization. The objective of the article is to distinguish peculiarities of mobilization of protest participants today in Ukraine and abroad. Mobilization can be divided into two types: constructive and forced. Deviant behavior is often considered as an indicator of political crisis. Online political activity is considered as the most widespread communication between people engaged in politics because Internet is available to anyone. Deliberative technologies represented by negotiations are often used to calm down protests in democratic regimes.

Features of political participation (including protest participation) have been highlighted. The role of urban environment in mobilizing of protest participants has been underlined. Physical and digital types of participation have been separated. Social media users are not equal; they can be divided into several types in accordance to their involvement in politics.

Urban area can also stimulate protest movements. Using the example of Germany, the possibilities of political mobilization of citizens by radical movements have been shown. It is proved that participation in protest facilitates creation of a collective identity. Ordinary citizens can be involved in protest when their civil rights and liberties are threatened by the state. Relative deprivation has been considered as a factor of protest.

Relevant sources in English, Ukrainian, Russian and Polish have been used in the article. The methods used in the research are comparative, system, institutional, historic and others.

**Key words:** political protest, political mobilization, political participation, political identity, political movement.

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### **Kostenko A. Financial capacity of the civil society organizations in Ukraine in the context of providing their institutional capacity**

The article explores an assessment of the financial sustainability of civil society institutions in Ukraine. The analysis is based on four indicators of financial sustainability (by type of sources of funding): international grant financing; financial support from the state and local budgets; receipt of services, membership fees.

In 2016, NGOs received 6.2 billion UAH from various sources. This is 2% less than in 2015. The bulk of funding comes from philanthropy – UAH 3.5 billion, which is 56.7% of the total funding. Public organizations received: UAH 623 million from membership fees, which is 10%; from the economic activities of organizations – 468.8 million UAH, it is 7.5%. Civil society institutes rarely receive revenue from services.

The main source of funding for NGOs is grants and technical assistance programs funded by other countries. During 2017, NGOs implemented 547 international technical assistance projects worth a total of \$ 5.7 billion. USA. All available international programs / projects are aimed at assisting Ukraine in fulfilling its international obligations, stabilizing the socio-economic situation and strengthening civil society.

The situation with the diversification of sources of funding civil society institutions does not change significantly. In recent years, there has been a decline in international donors' support and technical assistance. Foreign donors now focus on specific issues and require specialized expertise.

Decline in revenues from state and local budgets. State and local contests are low budget. Sometimes such contests are opaque.

**Key words:** institutional capacity of civil society organizations, financial activity, financial support of civil society institutions, grant activity.

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### **Petriaiev O. Migration challenges to EU identity: between myth and reality**

The article discusses attempts to create European identity and the threats posed by Muslim migration from the Middle East and the African continent. The system of building national identity and ideological base for uniting people and creating a nation is analyzed. Article conducts comparative analysis of the construction of national identity in Europe, in different periods of history. The system of building national identity in Italy, Germany and the Soviet Union is analyzed. The article analyzes the current weakness of European identity, which is threatened by Muslim expansionism in Europe and European nationalism.

**Key words:** European Union, European identity, Muslim threat, migration, nationalism.

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### **Surnina-Dalekorey O., Maradyk N. Peculiarities of political participation of citizens of Czech Republic**

The study analyzed specifics of the political activity of citizens of the Czech Republic in the process of democratization. The Czech Republic is a typical country of Central Europe that develops a democratic political culture and values. The political and public participation of Czechs in practice is realized through participation of citizens in elections, local and national referendums, membership in political and public associations, petitions, complaints to authorities at all levels. The most common forms of political participation of the Czechs are electoral participation, membership in non-governmental organizations and trade unions.

However, despite the establishment of the attitude towards democracy as an optimal political regime, as well as high rates of citizens' involvement in the elections, the skepticism of the Czechs on the potential of a democratic political regime is widespread. Moreover, as survey data show, the trust of the Czechs in the political institutions is not high too.

Instead, citizens of the Czech Republic have a positive attitude towards the process of civil society development, as evidenced by extensive statistics. However, among the main problems of functioning of the civil sphere in the Czech Republic can be distinguished: the lack of historical experience of self-organization, the critical attitude of the part of the political elite to civil society organizations, doubts in the professionalism of public activists.

The nature of the political and cultural orientations of the Czech population is a consequence of many socio-political and economic processes unfolding within the country, the influence of national traditions, the post-authoritarian heritage, the establishment of civil society institutions. As a result, it can be defined the mixed type of political culture of the modern Czech Republic, with the predominance of both activist and parochial type of thinking. The case of the Czech Republic is evidently confirmed the fact that, unlike the modernization of political institutions, changing the culture and value orientations of the population is a much longer process.

**Key words:** Czech Republic, democratization, political participation, political culture, civil society.

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## **Fedorenko V. The moral and legal conflict regulation in the military organization**

Changing of military-politically situation in the country, its Euro-Atlantic aspiration, NATO cooperation, conducting of hybrid war has raised reformation of Armed Forces of Ukraine. Therefore it is necessary to untie the whole complex of problems predefined by army essence as holistic social and political entity which acted, on the one hand, as a part of Ukrainian society, and from other hand develops and functions of specific laws. Further improvement of system of moral and legal regulation of conflicts in military organization is one of such problems.

In the article the philosophical and legal analysis of the moral and legal regulation of conflicts in the military organization is offered. The author considers such concepts, as: conflict, social conflict, as a generic concept, social and military organization. Different positions of theory of conflicts for their further use in research of soldiery collectives as social organization, taking into account the features of her functioning and interacting with Ukrainian society are analyzed. The role of the moral and legal regulation of conflicts is underlined, and ability of their constructive solution. Much attention has focused on the need for social and legal researches to assess the impact of moral and legal regulation of behavior and discipline of the military personnel on conflict proneness in military units.

**Key words:** conflict, military organization, military staff, social institute, social cooperation, moral and legal regulation.

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## **LAW**

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### **Atamanchuk N. Characteristics of legal regulations of excise tax in Ukraine**

The article is devoted to the issue of legal regulation of excise tax in Ukraine and areas of adaptation of domestic legislation to the requirements of the European Union.

The definition of the concept of "excise tax" in Ukraine, its imperfection was analyzed and the author's definition of this tax is proposed.

It was underlined significant features of the excise tax, that revealed its essence: the state tax; indirect tax; comes from excisable goods (products); taxation of highly profitable goods (products); included in the sale price of excisable goods (products), while increasing their value.

The ways of improving the legal regulation of excise taxes are: reform of the current tax legislation in Ukraine and harmonization with the EU norms and rules; Improvement of tobacco products labeling system; improvement of the control system for the production, sale and circulation of excisable goods (products); establishment of international cooperation and information exchange in the field of excise taxation.

**Key words:** indirect taxation, excise tax, excisable goods, the Tax Code of Ukraine.

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### **Barabash O. The Right of people to appeal for the protection of their rights and freedoms to the European Court of Human Rights (ECHR)**

The article deals with the right of people to appeal for the protection of their rights and freedoms to the European Court of Human Rights (ECHR). In Ukraine, the problem of optimal organization and effective activity of public authorities in ensuring human rights lies in the sphere of ensuring the rule of law. The assertion and protection of human rights and freedoms is the main function of the Ukrainian state. An important confirmation of the significance of the institution of human rights as an object of protection by international institutions lies in the fact that in the current Constitution of Ukraine there are norms, which establish the inalienability and inviolability of these rights and set up a categorical prohibition on the adoption of laws and other normative legal acts that would restrict human rights or freedoms or narrow their content. However, the mechanisms of protecting human rights in Ukraine under the conditions of the socio-economic and political crisis are not enough effective, since systematic violations are traced. Special attention should be paid to the struggle against organized crime and corruption, which undermine the trust of people in their rights, as well as the ability of the authorities to ensure law and order.

It is concluded that the European choice of Ukraine defined its state policy, which is aimed at approaching the living standards of citizens to European standards, rooting European values in all spheres of the functioning of the Ukrainian state and society. In the context of the adaptation of Ukrainian legislation to the EU legislation, the guarantee of human rights is the key to stable partnerships with the EU member states. Therefore, an appeal to the European Court of Human Rights is considered as an additional guarantee of ensuring the rights and freedoms of man and citizen at the international level, as well as the mechanism for their protection in cases where a person is not satisfied with the decision of the domestic court, and there are violations of legal norms. The reflection of standards in the field of human rights, taking into account the national identity, will enable the fullest exercise and protection of human rights, and increase the level of legal culture. Such a system of legal conscience should be aimed at recognizing the axiological content of the rights and freedoms of man and citizen in their combination with the rights of society and the state. However, we believe that Ukraine should continue to make significant efforts to ensure the effectiveness of the Convention for the Protection of Human Rights and Fundamental Freedoms, to create new effective national remedies against its violations, to adapt national legislation to European standards more actively. Thus, the most effective and immediate protection of human rights and freedoms guaranteed by the Convention should be ensured at the national level.

**Key words:** human rights, right to protection, rule of law, international standards, European standards, ECHR, Constitution of Ukraine, Convention, national legislation, national identity.

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#### **Briukhno O. Administrative and legal regulations for the termination of citizenship in the Lithuanian republic and Ukraine. Comparative analysis**

The article is devoted to the study of the administrative and legal regulation of the privatization of citizens in the Republic of Lithuania and Ukraine. The author makes a comparative analysis of the current state of the national legislation and legislation of the Republic of Lithuania regulating the sphere of citizenship, namely, the Constitution, the Law "On Citizenship of Ukraine" of January 18, 2001 and the Law of the Republic of Lithuania "On Citizenship" of December 2, 2010 No. XI- 1196 as well as other normative and legal acts. On the basis of what it proposes to improve the modern legislation of Ukraine in the administrative-legal aspect, imposing it on international standards and norms on the example of the Republic of Lithuania.

**Key words:** termination of citizenship, grounds for termination of citizenship, legislation of the Republic of Lithuania and Ukraine, administrative and legal regulation of termination of citizenship.

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#### **Guyvan P. Legal assessments of the European Court of Human Rights on the protection of personal data. Their importance for Ukraine**

In this paper, the analysis and assessment of the effectiveness of the legal regulation of personal data circulation at the level of international law enforcement was carried out. The issues of the development and introduction of new mechanisms that can adequately regulate relations in the sphere of the circulation of confidential personal data are considered. This is primarily due to the fact that the human right to privacy, including respect for his personal data, is one of the fundamental principles that guarantee democratic, humane and fair interaction between the state, society and a specific individual. Ukrainian national legislation and judicial practice are still at the development stage, therefore, in the context of the implementation of the aspirations for European integration, the work addresses the very topical issue of careful study of European and world standards for protecting personal information about a person and adapting them to our legal system. The necessary measures have been studied for the further development of systemic legislation on the protection of personal data, which is a determining factor in civil society development, proper regulation in this area, both in terms of material and legal support, and in terms of developing stable and expected law enforcement practices.

Analyzed the legal positions contained in international treaties, such as the Universal Declaration of Human Rights of 1948, the European Convention for the Protection of Human Rights and Fundamental Freedoms of 1950, and numerous national laws, where the protection of personal data is understood as an integral part of the human right to privacy. . The principles of activity in this area of the European Court of

Human Rights are evaluated. The basic principles of dispute resolution, such as legality, timeliness of processing, proportionality of intervention, are studied. Concrete examples of decisions of the ECHR, including in cases against Ukraine, are given. It has been taken into account that this organization is entitled not only with regard to the issuance of a verdict in a particular case, but also through the adoption of a case-law that is obligatory for use on the territory of all Member States, it can exercise so-called judicial justice. This is done by interpreting, clarifying and specifying the content of the general provisions of the convention norms to the situations of a particular case.

The case law of the ECtHR on the positive regulation of the private life of a person is noted by defining and establishing boundaries that, from the point of view of the moral foundations of society, are permissible and will not be regarded as undue interference by the legislator. The relevant criteria are assessed, formed on the basis of a judicial investigation of various interests in specific situations by the Court. The legal approaches of the European Court of Human Rights to regulating relations in the field of processing so-called "sensitive" personal data have been especially carefully studied. In particular, attention is paid to the principles of confidentiality, which is required when processing information about human health.

The shortcomings of the national justice are indicated, which should be corrected in the light of the European Court's case law. It is concluded that the European judicial practice is an important benchmark to ensure proper protection of personal data in our country. This is very important because the Ukrainian legal system, in contrast to European national and international legislation (which began to pay attention to the special regulation of relations for the protection of personal data from the 80s of the last century) is only at the beginning of such a process. Therefore, it requires improving the quality of Ukrainian law and law enforcement in terms of their focus in the democratic direction of ensuring the right to respect for private life.

**Key words:** judicial protection of personal data, proportionality of intervention.

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### **Podorozhna T., Biloskurska O. Constitutional complaint as a form judicial protection of human rights in Ukraine**

The introduction of the constitutional complaint institute in the context of modern constitutionalism in Ukraine are analyzed in the article. Prospects for further improvement of this institute are considered. Particular attention is paid to detailing the main advantages and disadvantages of the constitutional complaint model adopted in Ukraine.

The constitutional complaint is a new effective procedural remedy for the protection of human rights and freedoms in Ukraine. The constitutional complaint is a significant step towards improving Ukrainian legislation on compliance with its European standards in the field of human rights and citizen protection. Without the implementation of a really effective constitutional complaint, it is impossible to systematically ensure the rule of the Constitution of Ukraine and guarantee the emergence of constitutionalism. The functioning of the constitutional complaint institute complements the content of the principle of direct effect of the norms of the Constitution of Ukraine.

The Constitutional Court of Ukraine, while protecting human rights and freedoms, is guided by the experience and practice of European constitutional justice, since approaches to addressing the main tasks of constitutional courts are similar, despite some peculiarities of national regulation. Therefore, we consider it appropriate to study the process of reforming the constitutional complaint institute, for example, in the Republic of Armenia. This is explained by the fact that in Ukraine and in the Republic of Armenia the model of complaints is similar. At the same time, both states discuss the prospects for implementing a model constitutional complaint with the possibility of challenging legal acts and acts of law enforcement. Problems of the functioning of the constitutional complaint institute, the existence of individual features of the model of complaint in each state are due to the desire to adapt this institution to the realities of social life, indicating the importance of the institute constitutional complaint.

The constitutional complaint serves as a guarantee of the rights and freedoms of man and citizen, a guarantee of the development of democracy on a constitutional basis. The constitutional complaint is a component of the rule of law in the form of ensuring the implementation of the principles of law in the law. A constitutional complaint should be considered not just as another mechanism of judicial protection, but as a means of influencing the quality of the current legislation.

**Key words:** constitutional complaint, constitutionalism, state duty, constitutional justice, Constitutional Court of Ukraine, human rights mechanism, judicial protection of rights.

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## **Ryndiuk V. "System of legislation" and "system of normative legal acts": the question of determination and correlation of concepts**

The problem of the definition and correlation of such concepts as "system of legislation" ("legislation") and "system of normative legal acts" was examined in this article. The parallel use of two different terms to denote the same legal phenomenon makes it important to clarify the content of these concepts, and to determine correlation between them.

The modern level of studying the problem allows us to conclude that the concept of "system of legislation" ("legislation"), and the concept "system of normative legal acts" is collective concepts, and they are determined by the enumeration of their constituent elements. The system of legislation (legislation) is a system (set of) laws, and the system of normative legal acts is a system (set of) normative legal acts. A scientific discussion is taking place around the question of which normative legal acts and laws are incorporated into these concepts.

The prevailing in legal literature definition of the concept of legislation as a system of normative legal acts identifies it with the notion of "system of normative legal acts". The system of normative legal acts of Ukraine is determined by the current legislation of Ukraine. However, in practice, the question needs to be clarified: what are the legal acts that are adopted by state authorities and local self-government, are normative legal acts.

To determine the concept of "system of legislation" ("legislation") as a system (set of) of laws, it is important to determine the meaning of the concept of "law". However, in the legal literature, the concept of "law" has no unambiguous understanding. In opinion of the author of the article, defining the concept of "legislation" as a system (a set of) laws, it is necessary to proceed from the most general philosophical understanding of the concept of law as regularities, and not to substitute the concept of the law by the concept "normative legal act" or the concept "the law of Ukraine" as it happens.

The law should be regarded as one of the types of social laws (economic, moral, religious, political, legal, etc.), taking into account the logic of defining the concept through the closest kind and type of difference. Then, the system of legislation (legislation) is a system (a set of) of legal laws. Further research of this problem must be carried out in the direction of studying the legal law as one of the types of social laws.

**Key words:** system of legislation, legislation, system of normative legal acts, law, normative legal act.

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## **Solovei A. Research of social justice within labor law**

The article deals with the general development of philosophical thought on the question of justice; attention is drawn to the role of justice as the fundamental value of law; analyzed the type of justice such as social, in particular within labor law; provided examples of normative consolidation of social justice in the labor law of different countries, in comparison with Ukraine; the main provisions of the activities of the European Union and the International Labor Organization in the realization of the idea of social justice are described.

The research has shown interest to studying justice by both philosophers and scholars. Including that justice is an all-encompassing category, it is not surprising to have a stable connection with the law, for which it serves the value or orientation.

Category of "social justice" becomes more popular nowadays, especially in labor law. We can state that social justice in labor law creates opportunities for the distribution of social benefits, produces the desire of members of society to be involved in the process of labor. And, finally, its implementation in labor relations is a guarantee of the highest level of their effectiveness, which implies unconditional compliance with safeguards and the realization of labor rights.

It is mentioned that social justice cannot exist without its legislative consolidation and control over implementation by the state. The direct formulation of social justice as a goal is possible both at the constitutional level and at the level of labor legislation. In addition to national legislation, an important role in the development of the idea of social justice plays supranational legislation; in particular, the article analyzes the activities of the European Union and the International Labor Organization. The value of their activities lies not only in the fact that their normative documents operate with social justice as a prerequisite and purpose of their activity, but also through continuous monitoring and recommendations they provide to the states. Thus, within the framework of the European Union, a special social justice criterion (Social Justice Index) has been developed. That makes possible to evaluate and compare the level of social justice in the EU member states. Therefore, we propose to recognize and consolidate social justice as the underlying value, on which modern labor law is based.

**Key words:** justice, social justice, labor law, labor legislative, Social Justice Index.

## **Philipovich I. Tax relations as an object of legal regulation: methodological aspects and novels of development**

The article is devoted to the issue of the definition of tax relations as an object of legal regulation. Based on general knowledge of the theory of law, the author reveals the legal nature of the respective relations and details of the characteristics due to branch affiliation. It is stated that current tax relations reflect the conditions of economic development and socio-historical features of the Ukrainian state. Additionally, they have to be in line with the conditions of the market economy and the Eurointegration vector of development. In this context, the author suggests that the tax relationship should be interpreted as a special kind of social relations that arises in order to ensure the legitimate public and private interests of their participants through the normative range of subjective rights and duties in the field of taxation. The system of characteristics of tax relations includes: (1) their nature as social relationship; (2) arise, cease or change on the basis of principles and norms of law, as well as in connection with the legal fact (fact of reality); (3) the subjects of legal relations are connected with each other rights and duties in relation to payment of taxes or duties; (4) the relations have property and public character; (5) clear certainty of prescriptions.

In addition to the characteristics listed above, each separate relationship has its own essential features. They are additional to the main traits, regular and covering all tax relations without exceptions.

The tax relations are characterized by features widely recognized by legal doctrine. However, they need new dimensions and require rethinking. In particular, updated approaches in the context of publicity and power, a combination of imperative and dispositive principles in legal regulation, innovations in tax law (including in the field of transfer pricing), as well as the transformation of the relationship between the taxpayer and the state in the form of cooperative compliance, testify to further development of tax relations.

**Key words:** tax payment, tax relations, legal regulation.

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## **Shesternina N. Administrative and legal guarantees and standards of quality of providing of Free Secondary Legal aid in Ukraine**

The Institute of Free Secondary Legal Aid is one of the indicators of a democratic, legal, social state. Authoritative international organizations and basic legal acts emphasize that free legal aid is not an act of mercy but a duty of the state. In addition to guaranteeing access to the institution of free secondary legal aid, the state should ensure its quality. This requires a mechanism for monitoring the quality of providing legal aid free of charge and a methodology for assessing such assistance.

The article states that the quality of providing secondary legal aid free of charge is a combination of modern legal knowledge and skills of working with the client. Under the standard of quality of provision of free secondary legal aid, it is proposed to understand the legal regulation of the system of requirements to the content, procedure and conditions for the provision of free secondary legal aid in the interests of its recipient (client). It was established that the state, ensuring the access of citizens to the institute of free legal aid (both primary and secondary), should ensure an appropriate level of its quality, which is an indicator of the implementation of free legal aid centers by the centers for the fulfillment of state functions in this area and the purposeful use of the state budget funds, at the expense of which funding is provided for the provision of such assistance. The mechanism for monitoring the quality of the provision of free secondary legal aid by lawyers is dual in nature and the assessment of the quality of the provision by lawyers of free secondary legal aid is carried out in accordance with the Standards of the Commission established for this purpose by the councils of the lawyers of the regions, at the request of the respective centers in accordance with the established procedure. The monitoring of the quality of the provision of free secondary legal aid by lawyers is provided by the Legal Aid Coordination Center and the regional centers.

**Key words:** quality, standard, legal assistance, monitoring center for the provision of free secondary legal aid.