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## CHAPTER 1

### MODERN TRENDS IN PUBLIC ADMINISTRATION

#### APPLIED ASPECTS OF THE CONCEPT OF MACROFINANCIAL IMBALANCES MANAGEMENT

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**Abstract.** This paper addresses the important scientific problem of public administration: the concept of managing macrofinancial imbalances in the Ukrainian economy. Applied aspects of the concept, according to the authors, mean, first of all, answers to two questions: how to assess imbalances, and what is the participation of authorities in their regulation. The authors identified imbalances and divided them into two major groups: 1) imbalances associated with the active phase of the Russian-Ukrainian war, which began in February 2022, and 2) imbalances resulting from Ukraine's current economic model. It is concluded that the concept of institutional design of macrofinancial stability of the Ukraine's national economy should be altered. The reasons for this conclusion are based on the examination of data on national economic security levels achieved between 2010 and 2021, the institutions involved in the management of macrofinancial imbalances in Ukraine, and the experience of imbalance management in the European Union (EU). The authors proceed from the idea that the concept of institutional design of macrofinancial stability, among other things, includes: 1) a system of indicators for assessing (detecting) imbalances and monitoring them, and 2) a system of public authorities that interact to perform the management process. The article substantiates the so-called Ukrainian scoreboard, which consists of 14 indicators for assessing (detecting) macrofinancial imbalances. The proposed scoreboard of indicators is justified, first and foremost, by the expedience of approaching the system of imbalance assessment (detection) used in the EU. Second, the indicators must reflect the unique challenges that Ukraine faces. Such criteria for selecting indicators, according to the authors, lay the groundwork for ensuring a sufficient level of future economic security. The authors also propose approval of the list of 28 auxiliary indicators, the use of which will contribute to an adequate policy response to imbalances in the Ukrainian economy and changes in institutional design through changes in the competencies and limits of responsibility of institutions public authority.

**Key words:** concept, imbalance management, macrofinancial imbalances, institutional design, scoreboard of indicators, stability of the national economy, national economic security.

**JEL Classification:** E61, H110, H560

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**Introduction.** The issue of managing macrofinancial imbalances in Ukraine has become relevant for three reasons. First, the economy of eight-year-long war in Ukraine requires greater attention to imbalances as a source of additional danger. In 2022, the active stage of the Russian-Ukrainian war created new critical imbalances associated with GDP decline. According to the Institute of Economic Research and Policy Consulting of Ukraine, the scale of the recession will make 50% of GDP [1]. According to international organizations, the decline is slightly lower: Word Bank -

45%, IMF - 35%, EBRD - 30%. There are also more optimistic forecasts, obtained in particular when developing econometric models that account for the redistribution of production resources between Ukrainian regions during the war. Such modelling, in particular, predicts a 22-26 percent decline in Ukrainian GDP. Regardless of estimates, they are all dangerous, and imbalances are critical.

Foremost, new critical imbalances are formed, which are then combined with those formed in previous stages. It is obvious that the current economic model in Ukraine contributes to some of the macrofinancial imbalances. According to current Ukrainian authorities, there are imbalances that threaten national security and have developed "over the last ten years". It is a matter of addressing this situation in the document "Strategy of economic security of Ukraine for the period until 2025" (further - the Strategy of Security until 2025) [2], which was approved in August, 2021. Consequently, the Ukrainian public management system is still far from perfect in terms of "institutional security design".

The Security Strategy mentioned above envisions the introduction of new elements of this institutional design until 2025. Despite the fact that the draft Security Strategy included such a definition, the actual definition of "economic security" has not been introduced into the legislative field. The identification of elements such as: transparent system of continuous security monitoring, efficient public policy and political responsibility, new indicators of economic security and national economic interests, and gradual strengthening of economic stability and vulnerability to threats, etc., is an undeniable positive sign of the Security Strategy until 2025.

In the face of new threats in Ukraine in 2022, the need to accelerate the modification of the institutional design of macrofinancial imbalance management, as well as the need to adapt the algorithm (methodology) for assessing imbalances to changes in national economic interests during wartime, has become even more apparent.

**Literature review.** The development of the national economy always takes place with imbalances. Disparities (imbalances) and, consequently, imbalances (disproportions) of development are natural features, but within limits that do not cause negative consequences for the rest of the economic sectors and society as a whole.

Thus, the instability of the national economy can be assessed in different ways: by deviations of actual indicators describing imbalances from their equilibrium values; on the approximation of the actual values of indicators to the optimal values; on the achievement of goals (targets), on the implementation of approved financial (fiscal or monetary) rules.

The instability of the macrofinancial system poses a threat to macrofinancial security and, consequently, to the economic security of the state as a whole. The system of public management of macrofinancial stability should ensure such interaction of public authorities that will be able to support the stable development of the macrofinancial sphere.

The category of "macrofinancial" may be described as the state of the financial system in which the national economy is developing stably, as noted in the scientific

work "Optimal Policy for Macro-Financial Stability" of Benigno G., Chen H., Child Ch., Rebucci A., Young E. (2012) [3].

The meaning of the term "institutional design" of the public sector studied by various scientists. Josep M. Colomer (2008) [4] defines "institutional design as a choice of rules of collective decision - making" and emphasizes the process of building institutional design on two aspects: who is in this structure makes decisions and how these decisions will be made.

The issue of institutional design and its optimization is represented in the study "Institutional design. Changing institutional features of networks" by Erik-Hans Klijn and Joop F.M. Koppenjan (2006) [5]. The authors focus on a detailed study of institutional design, the problems of its optimization. Their study examines various aspects of political networks and the variety of rules that govern people's behavior within such political networks. Researchers have proposed strategies to change such rules and designs in accordance with changes in public demand or economic conditions and analyzed possible options for resisting change. The importance of applying the basics of management network theory was highlighted by Klijn, E., Koppenjan J. (2012) [6] in the scientific work "Governance Network Theory: Past, Present and Future".

In the book "The Theory of Institutional Design", Robert E. Goodin (1996) [7] researched institutional design and redesign issues (redesign as a significant change from the previous design) through the prism of theory new institutionalism. The author considers it appropriate when intentional interference in institutional design does not focus on designing institutions as such separately, and on designing schemes of institutions, i.e. systems of their interaction, coordination of actions and procedures, goals of activity, etc., which would pay due attention to the versatility of users.

David L. Weimer (1995) [8] in the book "Institutional Design" in the context of choice alternative public policy focused on institutional design as the process of creating specifications and rules. Understanding of institutional design should assist interested stakeholders in public policy analysis and in formulating effective alternatives.

The European governance mechanism, i.e. the assessment, prevention and correction of macroeconomic imbalances, has been the subject of research by many Ukrainian scholars. Among them are examples of research Kryuchkova I.V. [9], Borzenko O.O., Panfilova T.O. [10].

**Aims.** The purpose of this study is:

- the analysis of the ways to assess the main macrofinancial imbalances of the Ukrainian economy for their compliance with current external and internal threats,
- anticipation of appropriate changes in the institutional design of macrofinancial imbalances management, and thus in the concept of institutional design of macrofinancial stability.

**Methods.** The study used such basic methods of analysis as deductive method; comparative analysis; assessment of national economic security using integrated

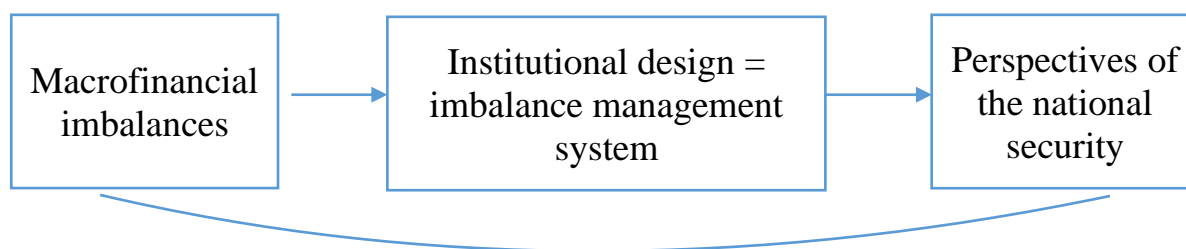
indices. Also, actual data from the experience of assessing the macrofinancial security of the EU countries were used.

**Results.** The research model is based on a scientific hypothesis. The hypothesis is the assumption that the future of national economic security is determined by:

- a) the ability to correctly identify external and internal threats to national economic interests,
- b) formation of an adaptive system for detecting potentially harmful macroeconomic imbalances,
- c) the institutional capacity of public authorities to manage macrofinancial imbalances, thus preventing harmful macroeconomic imbalances and correcting existing imbalances.

The institutional design of macrofinancial imbalances management, in our opinion, shapes the institutional capacity of public authorities. A number of studies were conducted in the 1990s and 2000s to define (clarify) the concept of "institutional design". For example, Robert E. Goodin bases his work [7] on the following definition of institutional design: "Institutional design is a type of implementation of designed procedures, interaction algorithms, rules, incentives, and constraints that provide values of society (communities) in certain areas".

The research model may be visualized as follows (Figure 1):



**Figure 1. Research Model**

*Sources: authors' own*

Figure 1 depicts the relationships between the research objects that correspond to its (research) logic. It is a transition from the identification of macrofinancial imbalances to the analysis of their management system and the formation of future national economic security potential.

The study uses actual data from the experience of assessing the macrofinancial stability and security of the European Union (EU) countries. The current list of indicators, which is in fact a system for detecting imbalances, is the so-called "scoreboard". These indicators can record short-term (rapid) deterioration and long-term (gradual) accumulation of imbalances. The list of indicators is given in Table 1.

**Table 1. The indicators of the Macroeconomic Imbalance Procedure Scoreboard in the EU as of 2021**

External indicators		Internal indicators		Labour market indicators	
Indicators (Unit)	Threshold	Indicators (Unit)	Threshold	Indicators (Unit)	Threshold
Current account balance (3 year average)	- 4/6%	House price index – deflated (1 year % change)	6%	<b>Activity rate - % of total population aged 15-64 (3 year change in p.p.)</b>	-0.2 p.p.
Net international investment position (% of GDP)	- 35%	Private sector credit flow – consolidated (% of GDP)	14%	<b>Long-term unemployment rate - % of active population aged 15-74 (3 year change in p.p.)</b>	0.5 p.p.
Real effective exchange rate (3 year % change)	±5% (EA states) ±11% (non-EA states)	General government sector debt - consolidated (% of GDP)	133%	<b>Youth unemployment rate - % of active population aged 15-24 (3 year change in p.p.)</b>	2 p.p.
Export market shares (5 year % change)	- 6%	General government sector debt (% of GDP)	60%		
Nominal unit labour cost (3 year % change)	9% (EA states)	Unemployment rate (3 year average)	10%		
	12% (non-EA states)	<b>Total financial sector liabilities - non-consolidated (1 year % change)</b>	16.5%		

Sources: authors' own based on source [15]

Table 1 presents 14 current indicators for identifying imbalances in the economies of EU member states. The indicators reflect the managerial focus of EU institutions on economic security, stability and economic policy. These indicators are neither policy objectives nor tools. The list of EU indicators has changed significantly over the past 30 years. For example, in the early 1990s it was significantly different and covered only 5 indicators [11]. The list for 2011 included 10 indicators [12]. Changes in the list of indicators used to assess economic security reflect the evolution of institutional security design. New indicators compared to 2011 (highlighted in Table 1) indicate a focus on:

- a) internal threats to the financial sector, not just real and public, and
- b) labor market population activity (activity rate), particularly the activity of the younger population.

In the context of this study, it is noteworthy that in addition to the 14 main indicators, the EU also uses 28 auxiliary indicators. As stated in the EU's official



document, auxiliary indicators make it possible to better take into account the risks that policy-making governments may face and to refine policy recommendations.

Two official documents can be used to analyze the evolution of the Ukrainian economy's system of public management of imbalances. This is the "Guidelines for Calculating Ukraine's Economic Security" (2013) (hereinafter referred to as the Methodology of 2013) [13] and the "Ukraine's Economic Security Strategy for the Period Up to 2025" (2021) [2]. According to the two documents, Figure 2 depicts some formal characteristics of the assessment (detection) of imbalances.

126 Indicators, according to the Methodology of 2013		35 Indicators, according to the Strategy of 2021
32	Financial Indicators	6
16	Production Indicators	11
11	Foreign economic Indicators	4
11	Investment and innovation Indicators	7
12	Macroeconomic Indicators	7
7	Demographic Indicators	0
10	Energy Indicators	0
11	Food Indicators	0
15	Social Indicators	0

**Figure 2. Approaches to assessing the level of economic security of Ukraine**

*Sources: authors' own based on sources [2], [13]*

Based on the information represented in Figure 2, the following generalizations about changes in the institutional design of economic security can be made:

a) reduction of areas of assessment (detection) of economic imbalances: from 9 in 2013 to 5 in 2021,

b) reduction of the number of indicators: from 126 to 35.

A more detailed analysis of the content of indicators within individual areas provides grounds for generalization about:

a) insufficient focus on the activity of the population in the labor market due to the lack of indicators to identify imbalances related to the duration of unemployment, etc.,

b) lack of attention to assessing the degree of current vulnerability of the population due to imbalances in wages, which increases the threat of labor migration.

Increased attention of public authorities to imbalances in the labor market and social sphere is explained by objective circumstances, namely the internal movement of Ukrainians, flows of refugees abroad, falling economic activity and broken production chains due to hostilities. All this causes large-scale losses of employment, product, and income. In particular, the International Labor Organization in a report dated May 11, 2022 [14] reported the loss of 4.8 million jobs in Ukraine, equal to 30% of employment that existed before the escalation of the military conflict in February 2022. It is assumed that these losses may increase to 7 million, respectively, to 43.5% of employees.

Changes in the systems of assessment (detection) of imbalances depicted in Figure 1 indicate a trend toward simplification. This will make monitoring and management decisions easier. This improves the institutional design of Ukraine's economic security management. These changes can be considered positive. They do not, however, address the overall vision for the imbalance management system, the need for which has increased in Ukraine in the aftermath of 2022.

The following fact is important in the context of our research. The Ministry of Economy of Ukraine evaluates the integrated indicator (index) of national economic security and its components - sub-indices. The state of these indicators in Ukraine for the last 10 years is shown in Table 2. According to the current 2013 Official Methodology, this is the only responsible body. According to the Ministry of Economy of Ukraine, the integrated index and sub-indices were at unsatisfactory or critical levels from 2010 to 2021. For example, the integrated index of national economic security ranged from the worst value of 44% (in 2015) to the best 49% (in 2011, 2018 and 2019). That is, the overall level of security did not even reach 50%. Furthermore, the worst security indicators were associated with investment and innovation security (ranging from 30% to 36%) [19].

**Table 2. Dynamics of indicators of the economic security level and its components in Ukraine for the period of 2007 - half of 2021, percentages**

	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	H 2021
<b>Integrated index of economic security</b>	46	49	46	47	45	44	48	48	49	49	48	48
<i>Weighted average subindexes of economic security:</i>												
industrial security	50	55	49	49	51	47	58	59	58	57	53	55
demographic security	47	56	45	46	45	43	46	40	41	39	40	39
energy security	35	32	34	39	47	45	58	54	53	49	51	52
foreign economic security	35	31	24	29	32	33	35	36	36	40	45	46
investment and innovation security	33	34	36	35	30	33	30	30	31	30	31	32
macroeconomic security	38	48	39	39	33	30	38	37	40	45	43	40
food security	90	92	93	86	94	92	92	91	90	89	86	85
social security	57	59	64	62	57	55	56	59	59	60	62	57
financial security	42	47	47	50	40	35	38	40	45	42	40	42
Optimal level												
Satisfactory level												
Unsatisfactory level												
Dangerous level												
Critical level												

Sources: authors' own based on source [19]

All of this regarding Ukraine's level of economic security is a convincing argument in favor of changes in the methods of identifying major macrofinancial imbalances in the Ukrainian economy. The accumulation of imbalances over the decade, despite reforms of public institutions and changes in economic policy, demonstrates the need for a new vision of the imbalance management system.

Aside from the devastating consequences of the war, the most important reason for changing approaches to managing macrofinancial imbalances was a more realistic prospect of Ukraine's EU candidate status and NATO membership. The Minister of Economy of Ukraine, in particular, emphasized the prospect of EU membership as an influential factor in the formation of a "road map" for Ukraine's restoration [20]. Naturally, Ukraine's new status will allow for closer alignment with EU requirements in terms of macrofinancial imbalances. The prospect of NATO membership is no less important for Ukraine. In particular, on May 18, 2022, the European Commission approved the "RebuildUkraine" reconstruction plan, which was developed with the participation of the National Council for Postwar Reconstruction of Ukraine. Among other things, the plan provides for the modernization of the system of state power and its individual institutions to ensure Ukraine's integration into the EU in various fields and areas [21].

**Discussion.** Given the three circumstances we mentioned:

- 1) probable (predicted) and already acquired critical imbalances caused by the war,
- 2) imbalances generated and accumulated by the current Ukrainian economic model, and
- 3) a genuine approach to EU membership - changes in the system of detection and management of macrofinancial imbalances could provide the following.

First, a gradual approach to the list of key indicators used by EU member states to assess (detect) imbalances. At the same time, it is critical to consider the differences between economic models as well as Ukraine's unique challenges. The process of such convergence should be carried out in cooperation with public authorities, research institutions, and experts in the process of public debates on the new vision of economic security and its assessment methods. Iterations in the approximation are likely to involve:

- a) reviewing the list of key indicators and aligning them with ancillary ones,
- b) substantiation of critical, optimal, etc. quantitative values of each indicator, to obtain accurate signals of deviations from the indicators targeted by the government.

Second, from the list of 28 auxiliary indicators for assessing imbalances in the EU, those could be chosen, their use contributing to an adequate policy response to imbalances in the Ukrainian economy in various circumstances. Indicators from the list of 28 auxiliary indicators of the EU, which, in the opinion of the authors, are relevant to the situation in Ukraine, are presented in Table 3.

**Table 3. The proposed list of auxiliary indicators for Ukraine**

The list of auxiliary indicators	Reasons for choosing specific indicators
1.Real GDP - 1 year % change	Catastrophic decline in GDP due to the war
2.Gross fixed capital formation in % GDP	Destruction of fixed assets as a result of hostilities
3.Gross domestic expenditure on R&D in % of GDP	The economic model is to blame for the lag behind developed countries in terms of the share of innovative products in the GDP structure.
4.Foreign direct investment in the reporting economy, flows in % of GDP	Lack of sources for domestic investment caused by the economic model
5.Net trade balance of energy products in % of GDP	Dependence of the Ukrainian economy on external supply of energy resources, including energy from the aggressor country, caused by the economic model
6.Labour productivity - 1 year % change	The economic model is to blame for the country's productivity lag behind that of the EU countries.
7.Gross non-performing loans of domestic and foreign organizations in % of gross loans	The economic model's inefficient use of credit resources
8.Residential construction as % GDP	Destruction of the country's housing stock during the war
9.Employment - 1 year % change	Loss of jobs due to the destruction of business facilities
10.People at risk of poverty or social exclusion - % of total population	Increasing social exclusion and poverty during the war
11.Unit labour cost performance relative to euro area - 10 year % change	Inconsistency between the level of income of Ukrainians and the level of resource prices in integration with the EU
12.Severely materially deprived people - % of total population	Significant reduction in the welfare of the population
13.People living in households with very low work intensity - % of total population aged 0-59	Loss of economic potential of households and prospects for local economic development due to war and destruction
14.Long-term unemployment rate - % of active population aged 15-74	Loss of jobs due to the destruction of business facilities and the prospect of long-term recovery

*Sources: authors' own based on source [15]*

The Table presents 14 indicators of imbalances selected from the list of EU auxiliary indicators. Some indicators relate to imbalances caused by the war (highlighted in the table by underlining). Instead, the rest of the indicators are related to imbalances caused by limitations (shortcomings) of the current economic model in Ukraine, which have accumulated in previous periods.

The institutions of public authority, with their inherent competencies and limits of responsibility, are an important component of the system of public management of macrofinancial imbalances. Changes in institutional design include, among other things, changes in the composition and content of these institutions' activities.

One of the issues in the process of changing institutions, in our opinion, is the need to combine in practice the "old" and "new" legislation, i.e. updated in

connection with the war. Another issue stems from the "old" legislation amorphousness, which did not provide a rational separation of functions, powers, and responsibilities among different institutions of power. As a result, it is critical to begin by identifying public institutions involved in the management of macrofinancial imbalances. There are reasons to single out such components in the system of these institutes:

- institutions whose activities in the field of macrofinancial balances are regulated by the Budget Code of Ukraine, namely: the Verkhovna Rada of Ukraine (including relevant committees), the Cabinet of Ministers of Ukraine (CMU), the President of Ukraine, the Ministry of Finance of Ukraine, local state administrations, local executive bodies, local financial authorities, Debt Agency of Ukraine, National Bank of Ukraine (NBU), National Security and Defense Council of Ukraine (NSDC), Ministry of Economy of Ukraine, Ministry of Social Policy of Ukraine [16],

- institutions, the managerial role of which in the formation of macrofinancial proportions is growing under the war conditions: military-civil administration [17],

- international institutions whose activities ensure Ukraine's rapprochement with the EU and NATO, in particular, the Interdepartmental Expert Group on Coordination of Ukraine's Cooperation with NATO in the Field of Economic Security (IEG) [22],

- civil society institutions, whose role is traditionally growing in Ukraine in a period of increasing threats and which, therefore, should have broader competencies than those that, for example, were implemented in the process of adopting the Security Strategy 2025 [18],

- institutes of Scientific Support of the Security Strategy, namely: National Institute for Strategic Studies, National Academy of Sciences of Ukraine [2].

**Conclusion.** We conclude that the actual scoreboard of significant macrofinancial imbalances is the first step towards creating a concept of the macrofinancial imbalances management. Identification and division of functions between public authorities institution is the second (derived from the first) step in creating this concept.

Future research should focus on the validation of changes in the content, algorithms, and interactions of the aforementioned public administration institutions involved in the management of macrofinancial imbalances.

**Author contributions.** The authors contributed equally.

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## STATE POLICY IN THE SPHERE OF ENTREPRENEURSHIP DEVELOPMENT UNDER MARTIAL LAW IN UKRAINE

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**Abstract.** *The article analyzes the state policy in the field of entrepreneurship development in Ukraine under martial law. The purpose of the study is to analyze the state of state policy in the field of entrepreneurship development in Ukraine under martial law. Determine priority areas for supporting entrepreneurship, summarize an integrated approach to the development of entrepreneurship, identify vulnerabilities in the economy and propose ways to solve them. The methodological significance of the study lies in the analysis of the declared policy in the field of small business development, existing programs to support small and medium-sized businesses. In particular, the essence, form, tasks, content and goals of the main areas of support are defined as the main categories. The provision of services, the competence of service subjects are analyzed as general categories. Basic principles, regularities and laws are summarized as categories of laws. The article uses the methodology for analyzing the areas of support for entrepreneurship, the regulatory framework and the method of generalization to draw conclusions. The structural-functional method was applied to characterize the strategic concepts of business development and support. Priority areas for supporting entrepreneurship have been identified, a comprehensive approach to the development of entrepreneurship has been generalized, vulnerabilities in the economy have been identified and ways to address them have been proposed. The methodological significance of the study lies in the analysis of the declared policy in the field of small business development, existing programs to support small and medium-sized businesses. In particular, the essence, form, tasks, content and goals of the main areas of support are defined as the main categories. The article uses the methodology for analyzing the areas of support for entrepreneurship, the regulatory framework and the method of generalization to draw conclusions.*

**Keywords:** *state policy, entrepreneurship, martial law, small business, government support, small and medium-sized businesses.*

**JEL Classification:** *E20, H10, H56, K23, K42, M20*

**Formulas:** 0; **fig.:** 0; **tabl.:** 1; **bibl.:** 29

**Introduction.** Ukraine has declared a state policy in the field of entrepreneurship development, which is experiencing instant additions when martial law is introduced in Ukraine in 2022. The goal of the state policy in the field of entrepreneurship support is to minimize the decline in GDP, curb the growth of unemployment, support the financial sphere of entrepreneurship, and ensure the logistics, infrastructure, and personnel sphere of doing business in the country.

**Literature review.** Relations related to the development of small business in Ukraine are based on the Constitution of Ukraine and are regulated by the Economic

Code of Ukraine No. 436-IV of January 16, 2003, the Civil Code of Ukraine No. 435-IV of January 16, 2003, the Tax Code of Ukraine No. 2755- VI dated 02.12.2010, the Law of Ukraine "On the development and state support of small and medium-sized businesses in Ukraine" No. 4618-VI dated 03.22.2012, other legislative acts and international treaties of Ukraine, the consent to be bound by which is provided by the Verkhovna Rada Ukraine [1-4]. In accordance with these regulatory documents, the concept of small business in Ukraine combines two categories: 1) small business entities - legal entities - business entities of any legal form and form of ownership, the average number of employees of which for the reporting period (calendar year) does not exceed 50 people and whose annual income from any activity does not exceed the amount equivalent to 10 million euros, determined at the average annual rate of the National Bank of Ukraine [1]; 2) microentrepreneurship entities - usually individual entrepreneurs, whose specified indicators do not exceed 10 people and 2 million euros, respectively [4].

Comparison with European practice shows a complete coincidence of indicators: the European Commission also divides the small business environment into parts of small business and microbusiness with the same indicators, but as an alternative to annual turnover, it introduces the currency of the annual balance - respectively, no more than 10 or 2 million euros [5].

**Aims.** The purpose of the study is to analyze the state of state policy in the field of entrepreneurship development in Ukraine under martial law. Determine priority areas for supporting entrepreneurship, summarize an integrated approach to the development of entrepreneurship, identify vulnerabilities in the economy and propose ways to solve them.

**Methods.** The methodological significance of the study lies in the analysis of the declared policy in the field of small business development, existing programs to support small and medium-sized businesses.

In particular, the essence, form, tasks, content and goals of the main areas of support are defined as the main categories. The provision of services, the competence of service subjects are analyzed as general categories. Basic principles, regularities and laws are summarized as categories of laws.

The article uses the methodology for analyzing the areas of support for entrepreneurship, the regulatory framework and the method of generalization to draw conclusions. The structural-functional method was applied to characterize the strategic concepts of business development and support.

**Results.** The state policy in the field of small business development has been declared in Ukraine, the purpose of which is named: - creation of favorable conditions for the development of small business; - ensuring the development of small businesses in order to form a competitive environment and increase the level of competitiveness; - stimulation of investment and innovation activity of small businesses; - assistance in the production by small businesses of activities to promote the goods (works, services) they produce, the results of intellectual activity on the domestic and foreign markets, and the following are highlighted as principles: - the effectiveness of supporting small businesses; - the availability of state support for



small businesses; - ensuring the participation of representatives of small businesses, public organizations representing their interests in the formation and implementation of state policy in this area; - creation of equal opportunities for small business entities that meet the requirements stipulated by national, regional and local development programs to participate in the implementation of such programs and receive state support; - efficient use of budgetary funds provided for the implementation of these programs; - openness and transparency of the procedures for providing state support; - availability of small business support infrastructure facilities for all small businesses [4].

The main areas of support in this case can be the following: 1) government projects to train those who wish to organize small businesses; 2) simplification of the organization, doing business, reporting; 3) preferential taxation; 4) concessional lending; 5) investment in specific areas; 6) consulting and legal support for business. Some of these areas have already been reflected in the main directions of state policy in the field of small business development in Ukraine [4]: - improvement and simplification of the accounting procedure for the purpose of taxation; - introduction of a simplified system of taxation, accounting and reporting for small businesses in accordance with the criteria established in the tax legislation; - involvement of small businesses in the implementation of scientific, technical and socio-economic programs, the supply of products (works, services) for state and regional needs; - providing financial state support for small businesses through the introduction of state lending programs, the provision of guarantees for obtaining loans, partial compensation of interest rates on loans; - assistance in the development of infrastructure to support small businesses; - guaranteeing the rights of small businesses in the implementation of state supervision (control) in the field of economic activity; - promoting the simplification of licensing procedures and procedures for state supervision (control), obtaining permits for small businesses and reducing the time for such procedures; - organization of training, retraining and advanced training of personnel for small businesses; - introduction of mechanisms to promote and stimulate the use of the latest technologies in production by small businesses, as well as technologies that improve the quality of goods (works, services) [6-9]. Some types of public policy to support entrepreneurship are representative in Table 1.

The President of Ukraine, on the basis of the proposal of the National Security and Defense Council of Ukraine, in accordance with paragraph 20 of the first part of Article 106 of the Constitution of Ukraine, the Law of Ukraine "On the legal regime of martial law" decided to maintain martial law in Ukraine. According to First Deputy Economy Minister Denis Kudin, our economy could shrink by 40 percent this year due to Russian aggression. "Russian aggression against Ukraine has fundamentally changed our economy. Our forecast for a decline in GDP in the first quarter of 2022 will be 16 percent, and the annual decline could reach 40 percent. Those industries in which remote work is impossible have suffered the most. These are, in particular, aviation, shipping, services, where the business works directly with consumers" [10].

**Table 1. The essence of state policy to support entrepreneurship in the martial law in Ukraine in 2022**

<b>Types of public policy to support entrepreneurship</b>	<b>Purpose of public policy</b>
Easing Barriers to Imports	achieving effects in a quick way to overcome key commodity shortages
Food security and agriculture	<ul style="list-style-type: none"> <li>- help all market players to evacuate funds (fertilizers, seeds, equipment, etc.) from war zones to relatively safe regions of the country;</li> <li>- facilitating the financing of business entities through the banking system;</li> <li>- lobbying and providing logistics routes in the international market</li> </ul>
The restoration of housing and infrastructure	attracts the local labor force to the maximum extent possible, creates a sales market for domestic enterprises
Simple forms of state order	priority is given to strategic enterprises and companies producing essential goods. In particular, there is a need to produce orders for certain goods and services without complex long-term contracts
State assistance in the evacuation of production facilities	facilities is a priority for those enterprises that can provide the defense capability necessary for the operation of critical infrastructure and food security, as well as small industries
Permitting and regulatory functions	<ul style="list-style-type: none"> <li>- individual entrepreneurs of groups I and II for the period of martial law and within a year after its completion will be exempted from paying single social contribution;</li> <li>- enterprises and individuals-entrepreneurs of the III group will be exempted from paying a single social contribution for employees drafted into the ranks of the armed forces of Ukraine, other armed formations (including territorial defense). The fee will be paid by the state;</li> <li>- the payment of taxes is deferred for all enterprises that are not able to pay them;</li> <li>- the introduction of the registrar of settlement transactions for all individual entrepreneurs is postponed;</li> <li>- all measures of market and consumer supervision on all issues will be canceled, except for price regulation and price control;</li> <li>- A moratorium has already been established on all types of inspections for businesses</li> </ul>

*Source: systematized by the authors*

It is also worth noting that at the end of March, the amount of losses suffered by Ukraine from the Russian invasion exceeded \$560 billion. The infidels caused the greatest damage to the domestic infrastructure - about \$120 billion, and the losses of enterprises and organizations amounted to another \$80 billion.

In such conditions, it is necessary to apply strategic concepts of business development and support. In particular, the government expanded the possibilities of the program "Affordable loans 5-7-9%", which made it possible to launch a program

of interest-free lending to businesses during the war, under which you can get up to UAH 60 million. After the end of hostilities, the loan rate will be 5 percent.

Business entities with a turnover of up to 10 billion hryvnias. were able to switch to a simplified taxation system as in the third group of individual entrepreneurs. Instead of a value-added tax on profits, they will pay 2 percent of turnover. Also during the wartime in Ukraine, tax audits for businesses were abolished. From April 1, enterprises receive UAH 6,500 from the state budget for each employed migrant.

At the same time, on February 24, the National Bank of Ukraine took a number of important steps both to simplify the conditions for banks to work in a full-scale war [11-13] and to further support their ability to lend. Here are the main ones:

- Banks were offered blank refinancing to maintain liquidity and compensate for possible outflows of household funds. Now there is practically no outflow of funds, the liquidity of banks is preserved and does not cause concern;
- amendments were made to the legislation, excluding the use of measures of influence for violation of standards by banks, in particular, capital adequacy and liquidity.

To alleviate the situation for Ukrainian borrowers during and after the war, the Verkhovna Rada of Ukraine adopted the Law of Ukraine No. 2120-IX "On Amendments to the Tax Code of Ukraine and other legislative acts of Ukraine regarding the validity of norms for the period of martial law" [14]. The new law changes a number of rules for the operation of banks and non-banking financial institutions, including those providing lending services [20-25]. The law provides that for the duration of martial law and within thirty days after the day of its termination or cancellation, the consumer will not be liable to the lender in the event of a delay in fulfilling obligations under a consumer loan.

Enterprise relocation programs have been launched in Ukraine. After making a positive decision to relocate, the company has the opportunity to receive a state support package that includes the following options:

- selection of location for the facilities of the enterprise;
- assistance with transportation to a new location;
- assistance in the resettlement of employees and the search for new employees;
- support in the restoration of logistics, the purchase of raw materials and the search for markets.

To resolve issues arising in connection with the implementation of the program, a working group was created in the Ministry of Economy with the participation of the Ministry of Infrastructure, the Ministry of Communities and Territories Development, as well as the Federation of Employers of Ukraine.

Additionally, Ukraine provides for the implementation of programs to support small and medium-sized businesses at the state level, which were adopted before the introduction of martial law. In particular, the Ministry of Agrarian Policy and Food of Ukraine is implementing the following programs:

- budget subsidies for the development of agricultural producers and stimulation of agricultural production;

- partial compensation of the cost of agricultural machinery and equipment;
- state support of farms;
- regional programs for the development of the agro-industrial complex.

**Discussion.** The State Employment Service is implementing a program to create its own business with the assistance of the State Employment Service. The State Agency for Energy Efficiency and Energy Saving of Ukraine provides a number of tax and customs benefits (More details at <http://bit.ly/2vWleTW>), obtaining a "green tariff" (More details at <http://bit.ly/2wq79lR>). The Antimonopoly Committee of Ukraine provides state assistance to business entities (more details at <http://bit.ly/2ijIQ2V>) and posts data on the state assistance portal [15].

In addition to the national ones, Ukraine has regional and local business support programs. In particular, the Lviv Entrepreneurship Development Assistance Program for 2020-2022 (hereinafter referred to as the Program) includes regulatory, socio-economic, innovative, investment, financial, resource, information and other conditions for the development of small and medium-sized businesses in Lviv, increasing the competitiveness of Lviv commodity producers; further development of a modern business support infrastructure [16-19]. The program defines goals, objectives, priority vectors for the development of entrepreneurship, includes a system of measures aimed at creating favorable conditions for the development of entrepreneurship in Lviv, attracting investment and ensuring economic growth. The activities of the program are formed taking into account the proposals of entrepreneurs, associative business structures and public organizations working in the field of entrepreneurship support, and are aimed at creating all the necessary conditions and for starting, running a business, its support and further development [26-29]. The goal of the Program is to create a favorable business environment by implementing measures to improve the business climate, develop business infrastructure, services and human resources, access to financial resources, and develop an entrepreneurial culture. Achieving this goal makes it possible to implement Priority No. 2 - a developed competitive and innovative economy, determined by the Comprehensive Development Strategy of Lviv for 2012-2025, approved by the City Council of October 20, 2011 No. 861.

**Conclusions.** Consequently, the delimitation of central and local authorities, their competencies created opportunities for a comprehensive rapid response to challenges in the field of entrepreneurship and provided quick solutions at all levels [16-18]. State support for small and medium-sized businesses in martial law is carried out in the following main areas:

- financial (loan programs, compensation programs, budget subsidies, financial support by industry, other activities);
- organizational (relocation programs, single platforms for registrations, filing applications, etc.);
- preferential programs by industry;
- employment of internally displaced persons;
- informational (development and support of online services, unified platforms, services);

- creation of entrepreneurial infrastructure (formation of centers, provision of information, consultations, other support).

**Author contributions.** The authors contributed equally.

**Disclosure statement.** The authors do not have any conflict of interest.

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## ANALYSIS OF THE USE OF INFORMATION AND COMMUNICATION TECHNOLOGIES IN PUBLIC ADMINISTRATION

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**Abstract.** The article examines the index of network readiness ranked among the countries of the world, which symbolizes the readiness of society to change in the implementation of information and communication technologies. The arguments became the basis for determining the purpose of the study as an analysis of the current state of use of information and communication technologies in public administration. To achieve this purpose it is necessary to solve the following tasks: to study the index of network readiness by rating among the countries of the world; to analyze the current state of use of information and communication technologies, in terms of receipt of appeals to the Government Contact Center. In most developed countries, information and communication technologies have been identified as the main means of modernizing government activities to improve governance, public services, including access to information on the activities of state and municipal authorities. Ukraine has all the prerequisites for the formation of information infrastructure and widespread use of information and communication technologies in all areas. The article analyzes the introduction of information and communication technologies in public administration in Ukraine. This will allow a comprehensive approach to the substantiation of the hypothesis, which is the assumption that the use of modern information and communication technologies in public administration is a key factor in effective communication at all levels of public administration. It is proved that effective communicative activity of local self-government bodies enables large-scale dialogue of government and civil structures, forms a favorable image of local self-government bodies, allows monitoring of social processes using feedback mechanism, and provides formative influence on state-society relations.

**Keywords:** public administration, information and communication technologies, digitalization.

**JEL Classification:** C81, H10, H79, K10, M10

**Formulas:** 0; **fig.:** 6; **tabl.:** 2; **bibl.:** 35

**Introduction.** In the period of reforming and developing many spheres of Ukrainian society, the issue of information and communication support for the effectiveness of public authorities of the state occupies a prominent place in the field of research in various fields of knowledge. The state is the main subject of information space development and information policy formation. The competence of state power as a subject of state information policy includes determining its essence, strategy and tactics of implementation, formation and development of legislation in the field of information activities - one of the main tools for its implementation.

Determining the state course for economic development according to the innovative model means that the main source of economic growth of the country should be new scientific knowledge and processes of their expanded production and

commercial use. At the same time, the state realized the need to intensify efforts to address this issue. This led to the legislative recognition of the need for scientific, technological and innovative activities, the approval of innovative models of economic development as one of the leading priorities of national security. In the context of information society development in Ukraine, the transition to priority scientific, technical and innovative development requires first of all the introduction of information and communication technologies (ICT) in all spheres of society and the state, directing efforts of public authorities to create favorable conditions for ICT development programs of Ukraine, involvement in solving the problem of information society development of a wide range of specialists from relevant fields and the public. The degree of introduction and use of ICT in various spheres of society is becoming a decisive factor in the progressive economic and social development of states.

**Literature Review.** Many Ukrainian researchers such as O. Amosov, N. Gavkalova, V. Hryshyna, N. Drahomyretska, S. Kvitka, N. Novichenko, N. Gusarevich, N. Piskoha, O. Bardakh, G. Demoshenko, etc. have studied information and communication technologies, their role in public administration, the use of the Internet, as well as promising areas of digital transformation of public administration. P. Bourdieu, L. Grossman, R. Dahl, N. Negroponte, H. Reingold, M. Hermann paid attention to the analysis of forms, mechanisms and prospects for the use of information and communication technologies in public administration. Given the important research of the above authors, it should be noted the need to analyze the current state of information and communication technologies in public administration.

**Aims.** The arguments became the basis for determining the purpose of the study as an analysis of the current state of use of information and communication technologies in public administration. To achieve this purpose it is necessary to solve the following tasks:

- to study the index of network readiness by rating among the countries of the world;

- to analyze the current state of use of information and communication technologies, in terms of receipt of appeals to the Government Contact Center.

**Methods.** In the course of the research the method of general scientific analysis was used for the analysis of scientific sources and state documents regulating communicative activity in public administration. Statistics and data processing methods were used in the processing of materials to reduce subjectivity.

**Results.** Transformation processes in public administration are accompanied by the use of information and communication technologies. Today, the development of information and communication technologies is perceived not only as a necessary condition for increasing the competitiveness of the domestic economy, expanding opportunities for its inclusion in the world economic system, but also as a means of improving public administration and local self-government. The peculiarity of public administration is that the population in this system acts both as a subject of government, participating in the management process, and as an object of



government, determining the need for public goods. E-government includes three main types of e-government: government-government (G2G), government-business (G2B) and consumer-government (G2C). The use of information and communication technologies lead to a qualitative transformation of society based on the principles of civil and information society, contribute to building new relationships, the formation of a new style of communication between society and government. The key to effective cooperation is to ensure the rights of citizens to freely search and receive information, the dissemination of technical and technological means that expand opportunities for public participation in public administration. At the same time, the government itself, its political structures and institutions are undergoing significant transformations. Government agencies are beginning to master PR communications and other modern methods of communicating with civil society, maintaining interaction with partners.

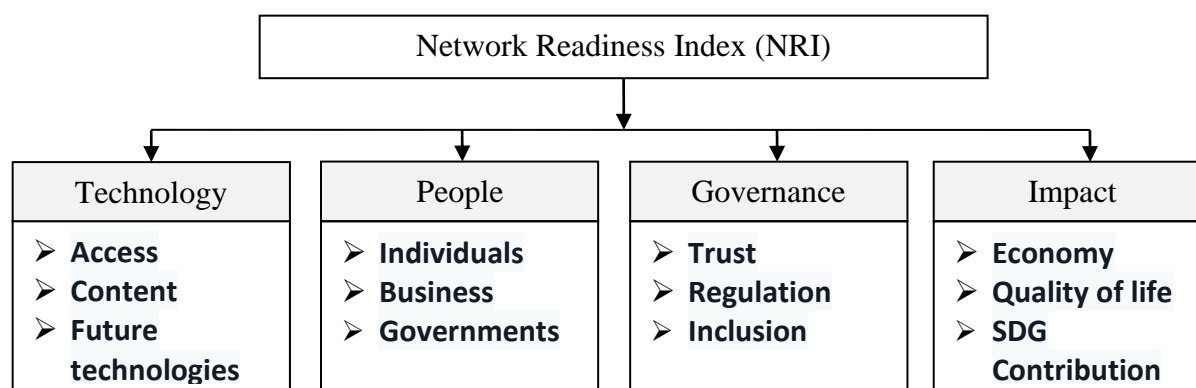
The interaction between public authorities, the public, business representatives are changing, with the advent of global Internet, traditional models of governance. The development of information and communication technologies has rapidly invaded people's daily lives, dramatically influencing the transformation of public administration in many countries. The main emphasis in the implementation of information and communication technologies in many countries, public administration is to achieve social unity as a whole of European society and its constituent entities [1]. At the same time, as the main danger, the representatives of the countries consider the disparity between the number of citizens of states that do not have the competencies and opportunities to use the Internet and the progressive young generation. The information society is now a means of preserving multinational wealth in the form of human capital.

Criteria for evaluating the activities of leading countries in the field of implementation of information and communication management technologies are:

- availability of public services in electronic form;
- user-friendliness (interface);
- providing feedback to consumers of information and communication technologies in the field of public administration;
- the principle of one window;
- design of the Web-portal, user-oriented [2].

Today, one of the world's leading indices of information and communication technology and impact on the development of the country as a whole is the Network Readiness Index (NRI). Since network readiness is a multidimensional concept, the Network Readiness Index (NRI) is a composite index constructed with three levels. The primary level consists of four pillars that make up the fundamental dimensions of network readiness. Each of the fundamental pillars divides into additional sub-pillars that constitute the second level. The third level consists of individual indicators distributed across the different sub-pillars and pillars of the primary and secondary levels. All indicators used within the NRI belong to a pillar and a sub-pillar. The first four pillars in the NRI include technology, people, governance and impact, each of

which has its own sub-indices, forming a second level of indicators. The third level consists of individual indicators, of which there are 60 indicators in total (Fig. 1).



**Figure 1. The Network Readiness Index model**

*Source: systematized by the authors*

The general index "Technology" is aimed at assessing the level of technology, which is a condition for the country's participation in the world economy. The People Index identifies the availability and level of technology in the country under study and identifies access, resources and skills for their productive use. The Management Index is carried out in the context of the network economy, regulation and coverage of public space by digital technologies. The Impact Index as a result of the readiness of the network economy is a means of improving growth and prosperity in general and economically. The new NRI model is based on the ability to assess not only the level of development and availability of digital infrastructure, individual perception of the implementation of a particular technology (public services, e-health tools, etc.), but also how to assess the level of harmonization of human and technological integration [3].

The Network Readiness Index is surveyed by the non-profit organization Portulans Institute in partnership with the World Information Technology and Services Alliance. The authors of the project assume that there is a close link between the development of digital technologies and economic prosperity, and therefore the impact of digital information and communication technologies on the economy, quality of life and achieving the UN Sustainable Development Goals is to be assessed.

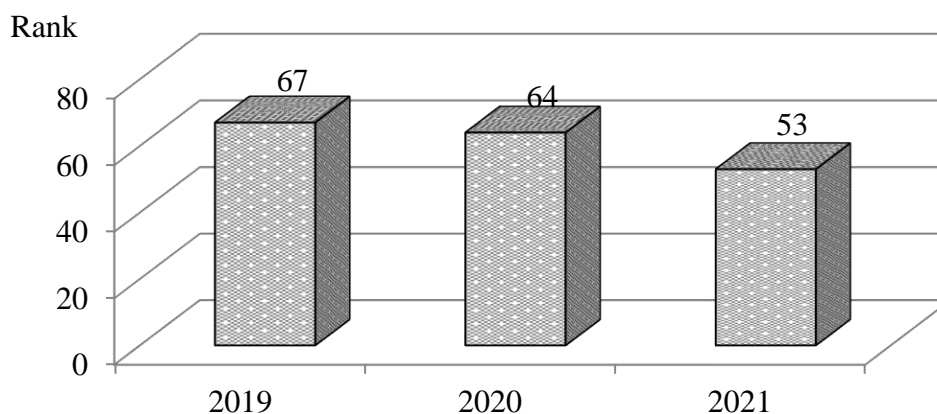
The latest results and rankings of the 2021 Network Readiness Index (NRI) show how countries around the world are using information technology to emerge from the COVID pandemic and become ready for the network. The Network Readiness Index for 2021 is estimated at a total of 130 countries, which together account for almost 95 percent of world gross domestic product (GDP). Among the leading countries that implement a significant number of programs and projects through the use of ICT and are among the three most "network-ready" companies is the Netherlands (82.06), which took 1st place and overtook Sweden, which was the leader in results in 2019 and 2020. In 2021, Sweden took 2nd place (81.57) and Denmark - 3rd place (81.24), which in 2020 rose from sixth place to second in the index this year, lowering Singapore and the Netherlands by one position to third and

fourth, respectively. This makes Europe (with eight countries in the top ten) the most productive region in the world in the Index. Succeeded by the United States (4th place), which rose from eighth to fourth place in the indexes this year, overtaking Singapore (7th place) and Switzerland (6th place) from the top five. The United States remains the world leader in technology. China, ranked 29th overall, is a leading player in areas such as artificial intelligence, e-commerce and 5G [3]. Ukraine is ranked 1st in the group of lower-middle-income countries in 2021 compared to 2020, ahead of Vietnam in 2021 (Table 1). In the overall calculations of the Network Readiness Index (NRI) rating in 2021, Ukraine ranked 53rd with a total of 55.70.

**Table 1. Top 3 Countries by Income Group in 2021**

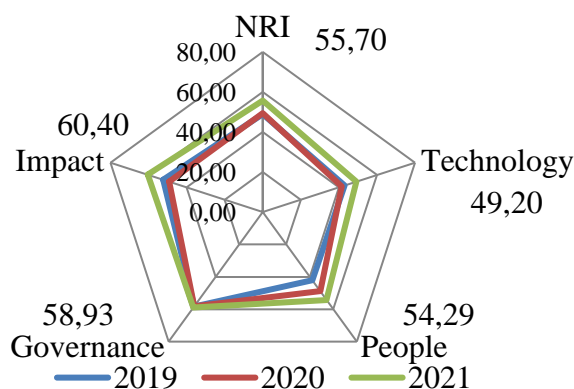
High Income Countries	Upper-Middle Income Countries	Lower-middle Income Countries	Low Income Countries
1. Netherlands (1)	1. China (29)	1. Ukraine (53)	1. Rwanda (101)
2. Sweden (2)	2. Malaysia (38)	2. Viet Nam (63)	2. Tajikistan (111)
3. Denmark (3)	3. Russian Federation (43)	3. India (67)	3. Gambia (113)

Countries ranged from 121 countries in 2019 to 134 countries in 2020 and 130 countries in 2021. Given that the Network Readiness Index in Ukraine in 2021 has risen significantly in positions compared to 2019 and 2020 (Fig. 2). Analyzing the index of network readiness in terms of four pillars, we note the presence of barriers to the development of information and communication technologies in the country (Fig. 3).



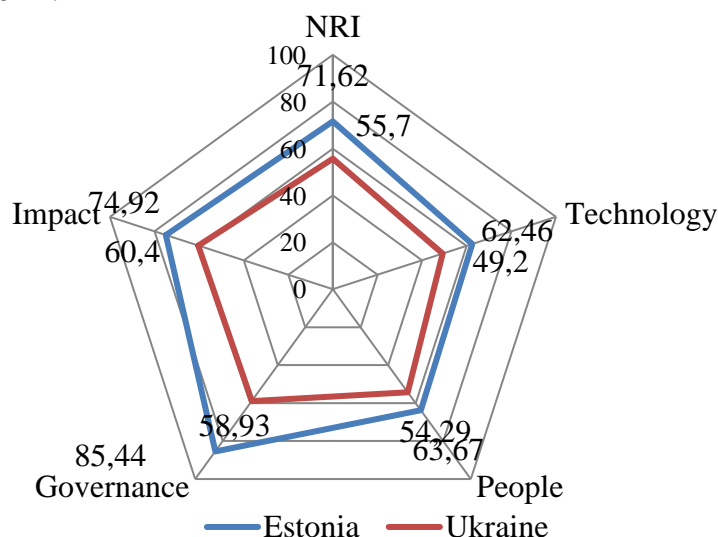
**Figure 2. Dynamics of Ukraine's rank according to the network readiness index for the period 2019-2021**

The explanation for this is certain indicators of the third level. Thus, the sub-index "access" of the "Technology" index contains low indicators in the categories "population covered by at least 3G mobile network" (97th place) and "phone prices" (103rd place), which characterize the inaccessibility and inability to use ICT by some groups population. Regarding the category "People", it is worth noting the positive indicators of the third level sub-index "individuals", the indicator "adult literacy level", which took 1st place.



**Figure 3. Dynamics of the network readiness index and sub-indices for the period for the period 2019-2021**

This indicates are the competence and readiness of the population for further implementation of information and communication technologies in the life of the country. An example of a developed country in the IT industry is Estonia, which is currently considered a country - a leader in digital technology by the government, has fully electronic and remote interaction with the state. Following the experience of Estonia, which has taken a course in IT and building an electronic society, Ukraine, at the initiative of the Ministry of Digital Transformation in October 2019 began cooperation with a private partner - IT specialists of EPAM Kharkiv region on a volunteer basis. The result of such cooperation is the introduction in 2020 of the application "Action", which is currently used more and more, thanks to the introduction of additional options and is popular with the population. Figure 4 presents, as a comparison, the network readiness index and the sub-index of Estonia and Ukraine for 2021.



**Figure 4. Dynamics of the network readiness index and sub-indices in Estonia and Ukraine in 2021**

Based on the indicators, we note the high level of network readiness index in Estonia., Estonia ranks 23rd in the world as a high-income country. Ukraine has only recently embarked on the path of intensifying the introduction of information and

communication technologies. Ukraine ranks the 71st in the world as a low-income country. Analyzing the interest of the government in the development of ICT, consider the indicators of the sub-index "Government", which, in turn, is part of the overall index of network readiness in Ukraine and Estonia (Table 2). Confirmation of the leadership in the field of digital technologies by the Government of Estonia is the ratings in the position "Public online services" (2nd place) compared to Ukraine (87th place) and R&D spending by governments and higher education (18th place) compared to Ukraine, which took 80th place in the overall ranking of 130 countries. Despite the fact that the development of digital technologies by the government in Ukraine is slow, there are areas where the country has achieved significant success. Thus, according to the indicator "Publication and use of open data" Ukraine took 45th place compared to 44th place in Estonia. Despite the fact that in Ukraine the development of digital technologies by the government is slow, but there are areas where the country has achieved significant success. Thus, according to the indicator "Publication and use of open data" Ukraine took 45th place compared to 44th place in Estonia. The positive dynamics is the encouragement of the state to invest in new technologies. Thus, in 2021, according to this indicator, Ukraine took 42nd place compared to 34th place in Estonia.

**Table 2. Top Comparative characteristics of the indicator of the sub-index "Government" for 2021 of Ukraine and Estonia**

Pillar: People	Ukraine	Estonia
	Score/Rank	Score/Rank
<b>Governments</b>	41,8/71	62,04/23
1. Government online services	67,2/87	99,39/2
2. Publication and use of open data	35,78/45	36,13/44
3. Government promotion of investment in emerging tech	47,89/42	52,01/34
4. R&D expenditure by governments and higher education	16,24/80	60,65/18

Along with the Network Readiness Index, there is the E-Government Development Index (EGDI) and the Electronic Citizens' Participation Index (EPI), which is key to measuring governance and one of the foundations of sustainable development. These indices characterize the state of development of e-government in the Member States of the United Nations. Along with assessing the country's website development models, the e-government Development Index includes access characteristics such as infrastructure and level of education to show how a country uses information technology to increase access and engage its population. The E-Government Development Index (EGDI) is a component of three important aspects of e-government, namely the Online Service Index (OSI) and the Telecommunication Infrastructure Index (TII) and the Human Capital Index (HCI).

According to the study, Ukraine in 2020 ranked 69th in the Index of e-Government Development, which is 13 positions higher than in 2018. The Electronic Citizens' Participation Index (EPI) is assessed by analyzing the level of development of national e-government portals or other government platforms related to providing

relevant information to citizens, public consultation and decision-making. According to the e-participation index, Ukraine ranked 46th in 2020, up 29 positions from 2018 [4].

The rapid penetration of information and communication technologies in the daily life of many people, the equipment of public administration, has led to the transition to the concept of e-Governance, which has strengthened the position of quality management. Recent achievements in the field of information and communication technologies, and, above all, the Internet, provide an opportunity to improve interaction between the state and citizens, the emergence of new forms and methods of this interaction, fully consistent with the goals of "quality management".

N. Gavkalova and N. Yushchenko will note that the factors of e-democracy development are interrelated but have different degrees of influence on the development of e-democracy depending on the stage of its development. The development and accessibility of ICT is a prerequisite for the implementation of e-democracy and e-government. In addition, the quality and level of information and communication support affects the efficiency of public administration and increases the economic potential of the country. At different stages of the development of e-democracy, various factors have a dominant influence [5].

According to the Law of Ukraine "On the National Informatization Program" [6], information technology is a purposeful, organized set of information processes using computer technology that provides high speed data processing, fast information retrieval, data dissemination, access to information sources regardless of their location.

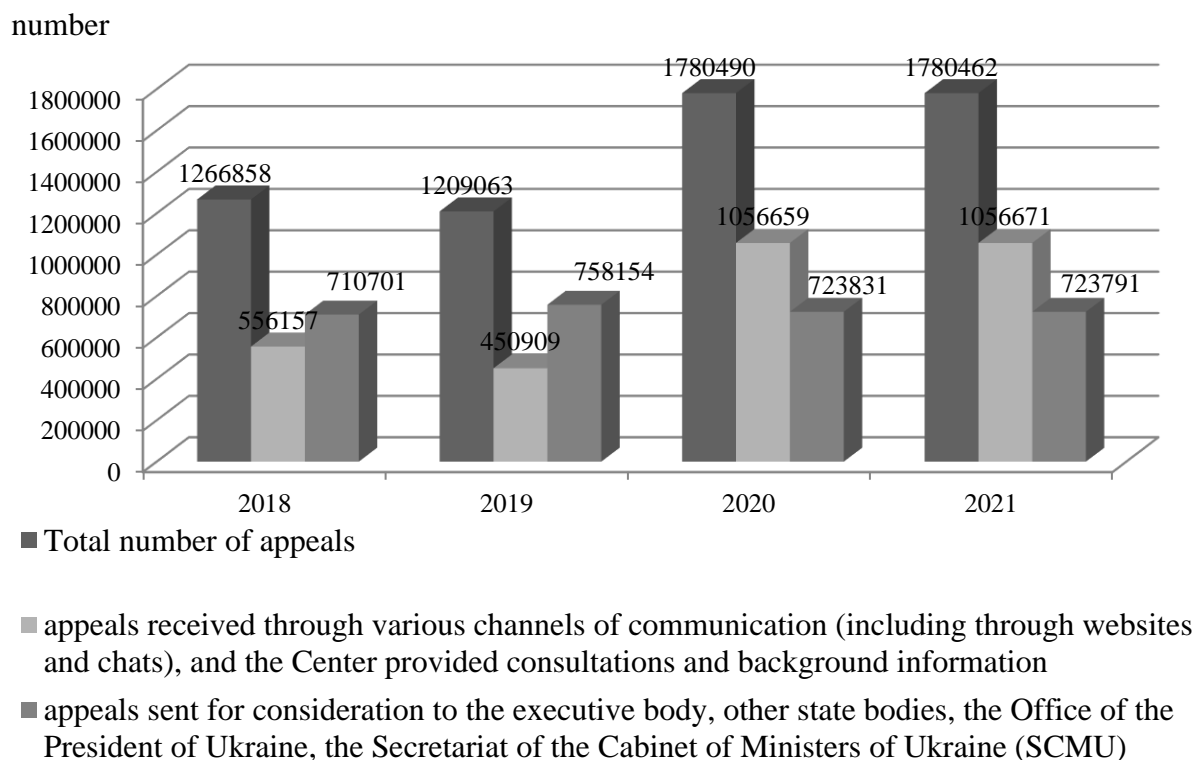
There are the following functions of information technology in public administration:

1. expanding and simplifying access to information and knowledge;
2. acceleration and, accordingly, simplification and reduction of prices of any economic, legal and other operations;
3. promotion of innovation processes, development of intellectual economy in the state;
4. promoting cooperation and communication between elements of infrastructure, public sectors, development of civil society. The use of information technology is the basis of sustainable development in the areas of public administration, economic activity, education and training, health care, employment, environment, agriculture and science.

Modern information and communication technologies, creating virtual spaces, offer the state and its partners new ways and methods of interaction. The key to effective cooperation is to ensure the rights of citizens to freely search and receive information, the dissemination of technical and technological means that expand opportunities for public participation in public administration. Today, a common way of interaction between public administration bodies and the public is appeals received through various communication channels and registered by the Government Contact Center [7].

According to the Resolution of the Cabinet of Ministers of Ukraine of November 27, 2019 № 976, the procedure for cooperation between the Office of the President of Ukraine, state collegial bodies, executive authorities, the Secretariat of the Cabinet of Ministers of Ukraine and the Government Contact Center to ensure proper response to appeals by telephone and to the government hotline and using the Internet through the website of the Government Contact Center, the Unified Web Portal of Executive Bodies, as well as the website of the Official Internet Representation of the President of Ukraine [8].

Figure 5 shows the dynamics of the number of general appeals to the government hotline for 2018 - 2021, with the share of appeals received through various communication channels processed by the Government Contact Center, as well as provided advice and clarifications to applicants and provides background information and the share of appeals that need to be considered by the executive authorities (OVV), other state bodies, the Office of the President of Ukraine, the Secretariat of the Cabinet of Ministers of Ukraine (SCMU).



**Figure 5. Dynamics of receipt of appeals to the government hotline for the period 2018-2021**

Based on the indicators by year, we note that over the past two years (2020-2021), appeals have increased significantly. This is primarily due to the rapid introduction of information and communication technologies, which has influenced the rapid decision-making of public authorities and facilitated rapid feedback, which is provided in the form of advice and background information [15-22]. A number of

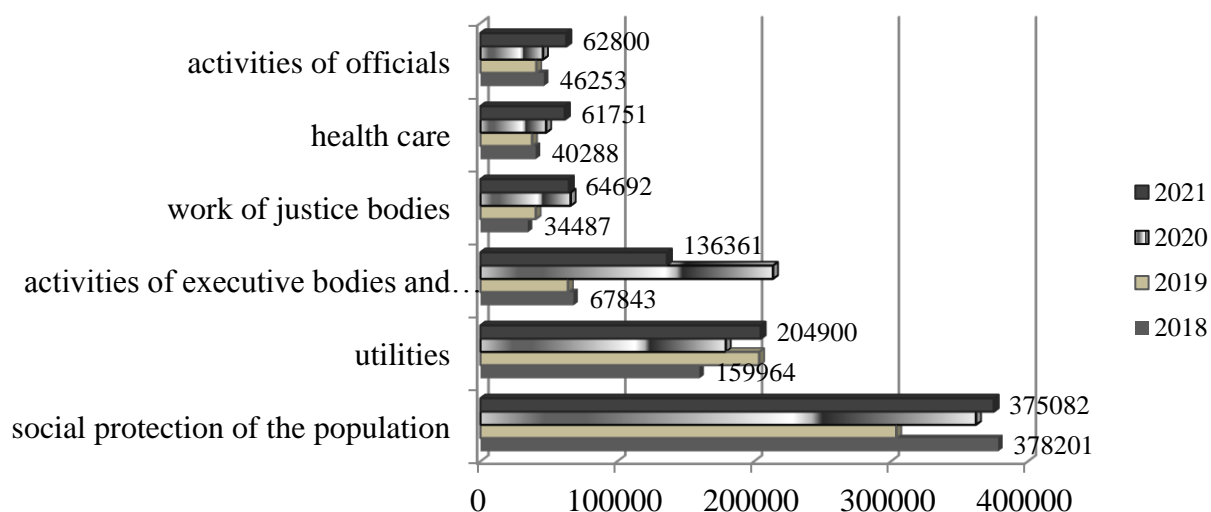


explanations were provided through the official page of the Government Contact Center on the social network Facebook.

It should be noted that appeals sent for consideration to executive bodies, other state bodies, the Office of the President of Ukraine, the Secretariat of the Cabinet of Ministers of Ukraine for the period 2018-2021 have almost the same indicators in terms of the number of appeals. Analyzing these appeals as a percentage of appeals submitted by applicants to the Government Contact Center, which did not require substantive consideration by executive authorities, other state bodies, the Office of the President of Ukraine, SCMU, in 2021 and 2020 the figure was 40.65% and 40, 7%, respectively, the highest figures in 2019, which amounted to 62.7% of the total amount of appeals, 56.09% - in 2018.

In recent years, starting in 2020, additional communication channels have been introduced, public awareness of new technological tools has increased, opportunities to process information have appeared, with additional chats for online consulting, a voice chatbot and a service to check the status of consideration appeals via messengers. This facilitated the timely response to the applicant's request.

The most relevant areas in the applicants' appeals for the period 2018-2021 (taking into account those processed by the Government Contact Center) were issues of social protection, which have the highest rates in the number of appeals in all years (Fig. 6).



**Figure 6. Dynamics of receipt of appeals according to the rating of urgency of received by the Government Contact Center the period 2018-2021**

The highest indicator is issues of social protection with a value of 378201 the number of appeals in 2018. The second topical issue, with the exception of 2020, is the issue of public utilities, where the highest rate of 204900 appeals was in 2021. In 2020, the second position in the current area was taken by the issue of the executive authorities and local self-government bodies with the highest value of 213792 appeals compared to other analyzed years.

It should be noted that the largest number of appeals in the last four years is due to the socio-economic situation in the country, which has affected all spheres of life.



The activities of public authorities are topical issues, especially with regard to executive authorities and local self-government, namely their competencies and competencies.

The most common means of receiving and processing messages is chat bots, where you can use instant messaging to contact public authorities such as the Ministry of Foreign Affairs, the Ministry of Digital Transformation (the Digital Power project through the Action application and Entrepreneurship Support), the Ministry of Social Policy - on social protection, the Ministry of Environmental Protection.

The analysis of appeals received by the Government Contact Center for the period 2018-2021 allowed us to conclude that the most popular method of appealing to citizens for the period under study is appeals received by telephone to the government hotline and specialized hotlines.

This can be explained by the shortcomings of interaction between public authorities and citizens through Internet resources, and therefore the ability to promptly receive feedback on calls through specialized hotlines remains a priority than through online services on the Internet. Secondly, there are unresolved issues regarding the accessibility of the Internet by citizens [23-25]. Confirmation is the indicator of the network readiness index, where in the second level of the sub-index "Technology", the indicator "households with Internet access" ranks 78th with a coefficient of 65.82 in the overall standings.

A positive moment for the last 2020 - 2021 is the development and implementation of the project "Action" within the project "Digital State", which, since its launch, namely in February 2020, has gained popularity among the population. This is confirmed by the statistics on 1129685 citizens' requests processed in 2020, received within the framework of the Digital State project through the Action mobile application, and 12234557 citizens' requests processed in 2021. This is 413039 fewer requests than telephone calls to the government hotline in 2021, indicating a small gap, especially given that the Action chat is a "young" tool for public administration and public, compared to others. The reason for such a rapid growth in popularity is its mobility, ease of use, and the ability to get feedback in a short time.

Thus, public administration is faced with the need for its modernization through the introduction and development of information and communication technologies, development of innovative technologies for managing public information resources and the development of communicative activities in public administration [26-29]. In the direction of implementing the e-government development program in Ukraine in 2018, the first strategic legal document "Concept of digital economy and society of Ukraine for 2018-2020" appeared, which identified areas of digital development of the country and in which a certain place was occupied by digital issues competencies that need to be taken into account when considering the skills needed to work in public authorities [9].

"Concept of development of digital competencies and approved action plan for its implementation" has approved by the Cabinet of Ministers of Ukraine in March 3,

2021 № 167-r, to identify the priority areas for improving regulatory and legal support, scientific and methodological support and information support [10].

The Ministry of Digital Transformation [11] is responsible for coordinating the implementation of the Digital Competence Development Concept.

Thus, the use of ICT in the public sector is increasingly changing the patterns of public service delivery. Technology has the potential to create new opportunities for people, promote participation and engagement, responsiveness, transparency, accountability, coherence, innovation and more sustainable policy outcomes. This can strengthen the overall legitimacy of governments. Scientific breakthroughs, innovations and advances in information and communication technologies in recent decades have proved indispensable for solving development problems [30-33]. Innovations in the provision of public services through ICT technology have allowed many governments to improve the quality and accessibility of public services, increase the competitiveness of the country as a whole. At the same time, good governance is not only influenced by technology and innovation, but also by technological development and innovation.

Countries that have an open and transparent public administration system have been able to promote better creativity, experimentation, learning and innovation. Technology and improved connectivity are seen as important tools for empowering people to hold governments accountable and to monitor progress towards the goal of development. The use of ICT in the public sector is increasingly changing the patterns of public service delivery.

**Discussion.** The formation of a digital government requires horizontal integration and interaction of state bodies at various levels of executive power [34; 35]. The implementation of structural and functional mechanism of information and analytical support of public administration requires a number of appropriate measures. Based on this, we propose to divide the tools for implementing the structural and functional mechanism of information and analytical support of local authorities into two groups: 1) means to ensure the appropriate organizational structure of public administration body, in particular, to ensure the functioning of a separate structural unit responsible for the implementation of information and analytical support of public administration; 2) funds aimed at the effective implementation of functions of information and analytical support of public administration. Although technology contributes to progress, the process of empowering people through the use of technology is not spontaneous. Many countries may need to invest in both infrastructure and human resources to benefit from capital. Technology can help countries leap forward in development, but it can also create a "digital divide", thus moving less developed societies and the poorest and most vulnerable people away from global progress [12;13].

Attention should be paid to minimizing information and communication barriers, which are considered to be persistent obstacles to the optimal flow of information procedures in communication management (collection, processing, accumulation, storage, retrieval and dissemination of information). Information and communication barriers are an inevitable side effect of the communication process,

which is consciously and rationally focused on the most efficient production, storage, distribution and use of information [14].

Ensuring physical access to technology is only one of the necessary conditions. Equally important are the skills of potential users and their ability to access, analyze and interpret information. In this sense, ICT should be seen as a means of empowering people, not as a goal. In addition, the development of ICT carries with it certain risks associated with the protection of private data and information. Taking advantage of information and communication technologies and the ability to involve people in governance processes, public administrations need to be as clear as they want and can involve people, balancing security, transparency, privacy and protection of personal freedoms

**Conclusions.** In public administration there is such an objective reality, when the introduction of information and communication technologies in the executive branch, the development of new forms of electronic communication with citizens and organizations became the basis for increasing the scale of information activities, the emergence of new directions, methods and methods, forms of implementation. The increased role of information resources produced by them and their demand from society became the basis for increasing the volume and scale of their communication activities, the emergence of new directions, methods and forms of implementation.

But the decisive factor in the effectiveness of communicative activities in public administration is a well-functioning public administration, staffed with highly qualified personnel to create a meaningful process of interaction with people. The communicative activity of public administration bodies carried out taking into account traditional methods and techniques, its traditional directions, is expanded through the use of modern information and communication technologies. Public administration is in need of new forms of interaction, namely on-line and e-government technologies. The importance of well-established communicative activity lies primarily in the fact that it leads to increased adaptation of its institutions to social change, and ultimately contributes to effective activities in public administration.

Widespread use of information and communication technologies in public administration through modern technologies such as online services, chat bots, "e-government", which effectively influences the formation of a new level and quality of communication activities of public administration, the interaction between public authorities and management, citizens and businesses.

**Author contributions.** The authors contributed equally.

**Disclosure statement.** The authors do not have any conflict of interest.

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## CHAPTER 2

### LEGAL RELATIONS: FROM THEORY TO PRACTICE

#### THE OBLIGATORY COMPLEMENTARY OATH IN JORDANIAN LAW AND COMPARATIVE LAW

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**Abstract.** *This study examines the subject of the obligatory complementary oath as a mean of proof in civil and commercial cases. The purpose of the article is to study the features of the obligatory complementary oath in Jordanian law and comparative law. The main research methods that were used in the article are general scientific methods of analysis and synthesis, as well as comparative analysis, which became the basis for obtaining research results. The first topic is about defining the complementary oath and distinguishing it from the decisive oath, and in the second topic about the forms of the obligatory complementary oath. As this study concluded that the Jordanian legislator did not put a detailed organization of the complementary oath, as is the case when he organized the decisive oath, and the study recommended that the legislator include other forms of the obligatory complementary oath and make detailed provisions for the obligatory complementary oath.*

**Key words:** *complementary oath, decisive oath, obligatory complementary oath, civil law, trial procedures.*

**JEL Classification:** *K10, K39, K40*

**Formulas:** 0; **fig.:** 0; **tabl.:** 0; **bibl.:** 40

**Introduction.** The Rules of Evidence are set out to protect the individuals' rights, so the right is an interest protected by the law, so that whoever claims a certain right resort to claim it before the judicial authorities, which are empowered by law to settle disputes between litigants, therefore the legislature seeks to provide the required guarantees, which would help the rights holders to prove their claims before the competent judicial authorities [1].

**Literature review.** The Jordanian legislator did not set a specific definition of the complementary oath, nor did he put special regulatory provisions for it, as he did when he organized the decisive oath provisions, therefore the legal scholars have tackled this task; as some jurists defined the complementary oath as: " *The complementary oath is an oath that the judge directs on his own to either of the two opponents when he deems that this opponent has provided insufficient evidence for his claim, so that the evidence is completed by the oath*" [2].

It is clear that the complementary oath is one of the methods of proof used by the judge to complete insufficient evidence to prove a legal fact that one of the litigants seeks to prove, so the complementary oath did not intend to resolve the dispute, but intend to forming convictions before the judge in the evidence presented to him, therefore it is a matter of subject for the judge who hears the dispute and is not subject to the oversight of the Court of Cassation [3].

The complementary oath enables the judge to complete the evidence and insufficient evidence and achieve a fair judgment between the litigants, hence the idea of this research is about organizing the Jordanian legislator for the obligatory complementary oath provisions, specifically what is stated in the Article (54) from amended Jordanian law of evidence No. (16) of (2005).

It is noted that Jordanian legislator has differentiate between two types of complementary oath, it is sometimes obligatory, that was clear from the Article (54) from law of evidence which provide: *"The court may, of its own accord, request the oath"* the phrase (*The court must*) means mandatory and obligatory, while in other Articles it came to change the permission as in the Article (70) from law of evidence which provide: *" The court may, of its own accord, request the complementary oath"*. So that he may use this means of proof and he may leave it if he wants.

The legislator gave the judge discretionary power to resort to the use the complementary oath, but it is better for the judge not to use this evidence except in the minimal, because it is contrary to the nature of the judge's work, it is not the judge's job to provide evidence for the litigants' evidence or to supplement their incomplete evidence, as the judge's work in this field is limited only to evaluate the evidence received from the litigants and giving preference to some over others, it is found to rid the judge of the obsessive conscience in the events in which he sees that the evidence is almost sufficient for a ruling, but it is not conclusive [4].

Some legal scholars have indicated that the complementary oath should be abolished, as the dignity available no need to take an oath to defense the opponent to claim undue right, if it abolished the opponent did not feel embarrassed in perjury, as the judge does not need an oath to enable reassurance, because he who fails to prove his claim is losing, and the judge does not feel embarrassed in the judiciary for his opponent against him, because in that he comes to the rule of law [5].

Although some legal scholars claim that the complementary oath is ineffectiveness, the researcher tends that is has a great benefit and it helps to justice, because it helps the judge in evaluating the evidence and reaching a fair judgment that is satisfying to the opponents.

**The legal nature of the complementary oath.** Some legal scholars argued that complementary oath is only a way to assist the judge when there is a lack of evidence, therefore it is not considered a legal act, nor to be evidence but it is just a procedure that the judge takes with the aim of reach a correct and complete judgment, rather, it is considered a deviate from the principle of the judge's impartiality, because the role of the judge is limited to assessment and evaluating the evidence and giving preference to some over others, then, the judge may have the absolute power in estimating the outcome after asking the complementary oath [6].

As a side of jurisprudence considers that the complementary oath is just a material fact that the judge resorts to complete the evidence of the lawsuit, thus, it is a method of proof and has a complementary role, and it is not a legal act [7].

Accordingly, we can say that the complementary oath is exercised unilaterally, and fall below minimum the level of legalaction, but it has a significant impact on the lawsuit, which is to resolve the dispute before the judge.



As the court of cassation in Jordan ruled that: *"it follows from Article No 70 from law of evidence that the complementary oath is not considered as a legal action, rather it is a mean of the means of investigation that would be asked by the judge by his estimate from any of defendant or plaintiff if he sees that one of the two litigants has presented evidence for his claim in the lawsuit or in the defense that is superior to the evidence of the other litigant, and besides that if he sees that this litigant with the most correct evidence is more trustworthy and reassuring, then he is asked him, without the other litigant, the complementary oath to complete his evidence [8].*

The researcher considers that the complementary oath is a procedure from investigation procedures that handle by the judge, so that it would be require from one of the litigants in the lawsuit before the judge, in order to establish his convictions in a particular topic and it is not binding on the judge, so he can take it or leave it.

**Aims.** The purpose of the article is to study the features of the obligatory complementary oath in Jordanian law and comparative law.

**Methods.** The main research methods that were used in the article are general scientific methods of analysis and synthesis, as well as comparative analysis, which became the basis for obtaining research results.

**Results.** The main results of the study were grouped in the following areas:

- Distinguishing between complementary oath and decisive oath;
- Kinds & nature of obligatory complementary oath;
- The nature of the obligatory complementary oath and its effects;
- Forms of the obligatory complementary oath in Jordanian and comparative law;
- Assessment (Adjustment) Oath;
- False Statements Oath.

#### **Distinguishing between complementary oath and decisive oath.**

Complementary oath differs from decisive oath in terms of the following:

1. The complementary oath is directed by the judge so that he directs it to one of the opponents, but the decisive oath is directed by one of the litigants of the case to his opponent, and the same applies to the formula of the oath, in the decisive oath, it is set by one of the litigants who requests it, but the complementary oath is the judge who determines its formula [9]. So do the Jordanian Court of Cassation states that: *"The court directs the complementary oath on its own to complete the evidence presented and to complete the deficiency in it [10].*
2. The decisive oath is a legal action issued by from a party of the lawsuit, and it is countered by another behavior by the other party, represented by swearing or not. As for the complementary oath, it is a method of judicial investigation in order for the judge to complete his convictions with the incomplete evidence [11].
3. The outlined options before who asked to take a decisive oath are either swearing, renunciation, or rejecting, as to whom the oath is directed may reject it from his opponent if the oath is focused on an incident in which the two opponents are involved, as the outlined options before who asked to take a



complementary oath are swearing or renunciation, and may not reject form his opponent because it directed by the judge [12].

4. The judge in the decisive oath does not have the discretion to direct the oath or not, but rather has the right to ensure that the conditions for giving the decisive oath are met, if the oath is made or renunciation is made, the dispute is settled and the judge is obliged to take the outcome of the oath, as for the complementary oath, the judge may have the discretion to direct it to any of the litigants in order to complete the incomplete evidence, if the oath is made or renunciation, so the judge is not binding to take the oath's outcome, he may rule – against who made the oath, and he may rule in favor of the party made the renunciation [13]. In that sense, the Kuwait's Court of Cassation has ruled that: "*It is established in the judiciary of this court that the judgment issued on the basis of the decisive oath has the force of a res judicata, and it is not acceptable to appeal against it in any way of appealing the judgments unless the appeal is based on invalidity in the procedures for taking the oath or made it*" [14].
5. It is not permissible for the one to whom the decisive oath has been *directed* to reject if the opponent accepts it. As for the complementary oath, it is permissible for the judge to withdraw from its directive before the person to whom it was directed takes an oath or renunciate it, and the judge may not rescind it after the person to whom it is directed has taken an oath [15].
6. Such take a decisive oath or renunciate it is completely settling the dispute that the subject of oath or renunciation. As for the complementary oath, its oath or renunciation does not settle the dispute and it is a means to supplement the incomplete evidence [16].

**Kinds & nature of obligatory complementary oath.** The Jordanian legislator dealt with this type of complementary oath in Article (54) of the Evidence Law, therefore, we will review in this topic two subjects, first subject is about the nature of obligatory complementary oath and its effects, and the second subject is about the kinds of obligatory complementary oath.

#### **The nature of the obligatory complementary oath and its effects:**

##### **1) Nature of Obligatory Complementary Oath.**

**- Definition of Obligatory Complementary Oath.** Article (54) of the Jordanian Evidence Law states: "*The court shall, on its own, ask to take an oath in any of the following cases:*

- a) *If someone proves his claim of his right to the inheritance, so the court ask him to take an oath from him that he did not fulfill this right by himself or through someone else with this right by the oath, did not waiver, did not transfer it to someone else, did not collect his debt from others, and the deceased did not have a mortgage in return for this right.*
- b) *If someone deserves money and his claim is proven, the court shall ask him to take an oath, that he did not sell this property, did not give it to anyone, and did not take it out of his possession in any way.*
- c) *If the buyer wants to return the thing sold because of a defect in it, the court ask him to take an oath that he did not return the defect explicitly or implicitly.*

d) *If the applicant of right of pre-emption proves his claim, the court may ask him to take an oath that he has not forfeited his preemption in any way".*

This corresponds to article No (83) from Jordan Civil Law which states: *"The oath is not made except at the request of the opponent, but the court ask him to take an oath for invocation, and when it is due and returns the sold item for a defect in it, and when rule for the preemption, even if the opponent did not request an oath".*

Articles (54) from Jordanian Evidence Law, and (83) from Jordan Civil Law, from Journal of Judicial Judgments, as it was obligated before enactment of the Civil Law No. (43) of 1976.

It is clear from the previous texts that the legislator did not define this oath, but it can be defined as: is an obligatory complementary oath that legislator imposes against the plaintiff, so if he takes it, he may success in his claim, by contrast, ruled against him, however, it has no effect on proof, proof of which is that it is directed after the plaintiff has proven his claim (Prove all the facts of the case) by legal evidences, so after the parties of the claim have finished their arguments, and the judge has convinced that the material fact before him determines the legal issue by which he will rule in settling the dispute, and end the litigation [17].

From this definition, we conclude that this oath is a kind of oath that the judge directs spontaneously to the plaintiff who proves his claim at maturity and returns the sold item to a defect in it and when ruling with preemption, if he take an oath, win his case.

- ***Who asks for the obligatory complementary oath.*** It turns out from Article (54) from Jordanian Evidence Law, that the one who asks this oath is the judge in the Governing Council, it is one of the duties of the court and it is obligatory for the judge to be obligated to ask it even if the opponent does not ask for it, so this oath would be asked from the plaintiff who has proven all the facts of his case with legal evidence in cases of merit, invocation, preemption and returning the sale for a defect in it, and that the law does not oblige the court to postpone the case when this oath is taken [18], if the judge did not direct this oath to the plaintiff after the latter proved his claim by establishing the legally required evidence, his judgment deemed defective and must be abolished or cassation, according to situations.

**2) To whom is the obligatory complementary oath asked to take?** The obligatory Complementary oath in accordance with Article (54) of the Jordanian Evidence Law is asked from the plaintiff who has established all the facts of his claim with legal evidence, and that the oath must be based on all the facts of the claim, and a court decision must be issued to ask to take an oath; Because taking this oath is one of the duties of the court, as I have referred, even if the opponents did not ask for it [19].

**3) When to ask for the obligatory complementary oath?** The obligatory complementary oath is asked after the plaintiff has proven the facts of his lawsuit with legal evidence, so after the two litigants have concluded their pleadings, after the judge has confirmed the proof of the case, and before issuing a ruling in it. If the judge neglects to ask it, his ruling is will be annulled by the court of the second instance, and the principle is that this oath is asked before the trial court, that is,

before the court of first instance, but there is nothing to prevent it from being asked before the court of appeal [20].

**4) Subject of the obligatory complementary oath.** As provided in Article (54) of the Jordanian Evidence Law, it becomes clear that the subject of this oath is the cases of invocation, entitlement, preemption, and the return of the sold item for a defect in it. Therefore, these claims were received exclusively, so, it is not permissible to compare it by asking this oath, bearing in mind that the oath must fall on deciding, and the judge does not have the power to change the wording of the oath stipulated by law to change its meaning and sense, accordingly, the Jordanian Court of Cassation with its decision No. (54) which states that: *"The wording of the oath that the court ask the plaintiff in accordance with Article (54) of the Evidence Law and not Article (1746) of the Code was for the validity of the oath being asked"* [21].

However, the fact on which the oath is made for must not be contrary to public order or morals or prohibited by law, as if the plaintiff had instituted his claim against the estate of the deceased claiming a poker debt, or as a result of an illicit relationship, in this case even if the plaintiff proves this debt, the judge may not ask him to take this oath [22].

**5) Effects of the obligatory complementary oath.** If the plaintiff proves the facts of his case with legal evidence and the judge decides to ask the plaintiff to take this oath, the plaintiff has no choice but to take an oath, if he take it, a judgment in his favor, or refuse it, in this case he loses his case and the plaintiff may not, in any way, reject it from defendant [23].

The plaintiff must also take this oath by himself, and he is not entitled to appoint another person to take it, because it is legally established for him alone, and this is explicitly stated in Article (54) of the Evidence Law.

Notably, the judgment issued with the obligatory complementary oath is subject to appeal, and the Court of Appeal may consider that the evidence of the plaintiff is incomplete and annuls the judgment and considers the oath as if it were not, and it may consider that the judgment is correct if the evidence of the plaintiff is sufficient to prove the facts of his case, and therefore this oath differs from the decisive oath, which resolves the dispute and ends the dispute after it is performed directly by the opponent [24].

This oath is an obligatory oath binding on the judge to ask to take the oath and take its result, and it is also obligatory for the plaintiff to take an oath, otherwise he will lose his case.

After taking an oath by the plaintiff according to the Article (54) of the Evidence Law, the judge does not have the right to rule in his favor, and this brings this oath closer to the decisive oath. Therefore, Dr. Al-Sanhouri considers this oath to be complementary with many permissiveness [25].

This oath is contrary the complementary permissive oath stipulated in Article (15) of the Jordanian Evidence Law, which the judge ask on his own to one of the two parties, whether the plaintiff or the defendant. In the interest of the oath, he also has the right to retract this oath after it was sworn by the litigant, if after that new evidence appears that completes or contradicts the missing evidence, he has the right

to withdraw from that because there is no longer a justification for directing this oath. Rather, he has the right to retract even if no new evidence appears in the case in which the judge re-examines the case file and before issuing his ruling in it. He looks at the evidence and finds it complete. He has the right to withdraw from asking this oath after he has asked it, and I have already explained that in detail.

**Forms of the obligatory complementary oath in Jordanian and comparative law.** In this topic, I will deal with the forms of the obligatory complementary oath stipulated in Article 54 of the Evidence Law, in five sections.

**1) Invocation Oath.** The oath of invocation can be defined as: the oath that the judge asks in accordance with the text of the law to the plaintiff who has proven his claim with legal evidence of his right to the deceased inheritance, provided that he did not fulfill this right himself or otherwise by take an oath in one way, nor acquit him, nor transfer it to others, nor fulfill it by anyone and not to the deceased in an interview this right is mortgaged [26].

This oath was stipulated in Article (54/2/A) of the Jordanian Evidence Law, and this oath was stipulated in Article (83) of the Jordanian Civil Code. As I indicated earlier that this oath was taken from the Journal of Judicial Judgments, which in Article (1746) of the Journal stipulated the following: *"The oath is not sworn except at the request of the opponent, but the oath is sworn by the judge in four places without request. The first: If someone from the estate claims a right and proves it, then the judge ask to take it that he did not fulfill this right himself or anyone else from the dead in a way and I will not heal him nor He transfers it to someone else, and it is not paid by anyone, and the deceased does not have to meet this right as a mortgage, and it is said that this is an oath of invocation .."*

This magazine has taken the oath from Islamic jurisprudence [27].

As revealed by from the Article (54) of the Evidence Law, Article (83) of the Civil Code, and Article (1746) of the Code of Judicial Judgments, that this oath is asked by the judge to the plaintiff in the Governing Council, and it is obligatory from the judge to the plaintiff, who is entitled to claim the inheritance of a deceased as an asset or a debt, and he proved it with legal evidence, then the judge ask him to take this oath that he did not fulfill this right or any amount of it, whether by himself or someone else, by way of authorization or by order of fulfill, and he will not release from all or part of the debt, nor accept an assignment to others in all or part of the debt, nor will he be paid all or part of it is from anyone, and the deceased does not have the mortgage to meet all or part of this right even if the deceased has acknowledged that right in his illness of his death. So, if the plaintiff takes the oath in the manner shown, then he is judged, and if he refrains from taking the oath, he loses his case [28].

This oath is one of the duties of the court, which it must direct to the plaintiff who has established the facts of his case with legal evidence even if the opponent did not request it. Accordingly, the Jordanian Court of Cassation ruled in its decision No. (97/56) as follows: *"The oath of invocation is directed by virtue of the law without the need for a request by one of the two parties, in order to reinforce the debt remaining in the hands of the debtor or not. Therefore, the interest of the debtor is affected by*

*the failure to direct this oath to the creditor and directing it is considered productive"* [29].

And this oath is a right of the inheritance and not a right of the heirs, as it is possible that there is a creditor of the estate or the appearance of a legatee, so the judge must be careful to protect the rights of these even if the deceased's heirs request not to take an oath from the plaintiff, he must take it, but more than that, the plaintiff must swear this oath even if the heirs acknowledge the right the defendant [30], and in application of this, the Jordanian Court of Cassation ruled in its decision No. (81/1976) as follows: *"The oath of invocation should be directed even if the opponent did not request that it be directed, because the oath is not for the heirs, but rather for the inheritance, because it is possible that there is another creditor of the estate or a legatee for him, so the judge must protect the rights of these people"* [31].

Finally, the court does not have the power to change the wording of the oath of invocation. As for the passive oath, the court sets the formula it deems appropriate [32].

**2) Oath of Entitlement.** The oath of entitlement is the second of the four the complementary and obligatory oaths stipulated in Article (54) of the Jordanian Evidence Law, Article (83) of the Jordanian Civil Code, and Article (1746) of the Code of Judicial Judgments, which stipulates the following: *"The oath is only taken at the request of the opponent, but by swearing an oath by the judge in four places without demanding... The second: If someone deserves money and his claim is proven, the judge ask him to take an oath that he did not sell this money or donate it to anyone and did not take it out of his possession in any way..."*.

The oath of entitlement is an obligatory oath to asked by the court to the claimant of entitlement on a right or money after he establishes the evidence required by law to prove the entitlement of this money [33].

Asking the oath of entitlement is not considered a waiver of other evidence, because this oath is asked by the court on its own when proving the case, and is not made at the request of the opponent, accordingly, the Jordanian Court of Cassation ruled in its decision No. (148/72): *"The oath that is deemed a waiver of other evidence is the oath that may not be made except at the request of the litigant, and directing the oath of entitlement does not depend on the request of the litigant, but rather the court directs it on its own when proving the case. Therefore, directing this oath is not considered a waiver of other evidence"* [34].

As a side of the jurisprudence goes to the fact that the oath of merit is an oath of proof that the judge swears by a personal fact, and it reinforces the original evidence that he extracted, and took it from the evidence presented to him, therefore it is not considered evidence in the judgment and the judge does not ask it from the claimant of merit until after the merit is established [35].

Therefore, the judge resorts to ask this oath from the applicant of entitlements, in order to complete the missing evidence, because the Jordanian legislator considered the evidence presented by the applicant of entitlements as incomplete evidence because it is possible that the applicant of entitlements has taken this money

out of his possession or endowed it, which makes the claimant's evidence incomplete, therefore, to complete this incomplete evidence, and to reinforce the judge's certainty of it, the person claiming this entitlement takes this oath [36].

It should be noted that the oath of entitlement is one of the court's duties, which it asks to the applicant of entitlements after establishing his right to the money he is allegedly entitled to, and in the event that it is not asked, its ruling is subject to cassation.

Accordingly, the Jordanian Court of Cassation ruled in its decision No. (377/72) as follows: "Article (54) of the Evidence Law and Article (1746) of the Code, obligate the court in entitlement lawsuits to ask the plaintiff to take the oath of entitlement, and without the need for a request from the defendant nor it is said that this oath is not obligatory from the plaintiff on the grounds that the money claimed to be due is money seized from under the plaintiff's hand in particular, since the law requires asking the oath of entitlement in every lawsuit of this type [37].

**3) Oath of the return the sale is defective.** The oath to return the sold item for a defect in it [38], is the third obligatory oath stipulated in Article (54) of the Jordanian Evidence Law, Article (83) of the Civil Code, and Article (1746) of the Code of Judicial Judgments, which states as follows: *"The oath is only taken at the request of the opponent, but he swears an oath by the judge in four places without a request.. Third: If the buyer wants to return the thing sold for its defect, the judge asks him to take an oath, that after learning of the defect he did not accept it in word or sign like his behavior, the owner acted according to what was mentioned in Article (344)".*

It is clear from the text of the previous Articles, that this oath is an obligatory oath that the court asks the buyer to take it if he wants to return the thing sold for a defect in it, and the seller denied him this defect, but the buyer proved this defect, so the judge ask him to take the oath before the delivery that he did not accept this defect explicitly or implicitly, because it is from this is because it is possible that the buyer was satisfied with this defect after the seller had informed him of it, and the buyer disposed of the sale as the owner, in this case his option to return the sold has forfeited due to a defect in it, this is what was stated in the Article (54) of the Jordanian Evidence Law, and Article (344) of the Code of Judicial Provisions provides.

Ali Haider mentions that if he mentions that he knows that the buyer did not forfeit the option of his fault and that he does not wish to swear an oath on this side, then it appears that the buyer does not take the oath [39].

The Jordanian legislator considered that the evidence provided by the buyer to prove the defect constitutes incomplete evidence, therefore it must be completed by swearing by the buyer that he did not accept the defect verbally or implicitly as his disposition of the sale as the owner did [40].

It is noteworthy that this oath is one of the duties of the court, which it must ask after the buyer proves the defect, even if the seller did not ask the buyer to swear this oath, if the court neglects to ask it, its judgment is subject to cassation.

**4) Preemption Oath.** The oath of preemption: It is the fourth of the obligatory complementary oaths stipulated in Article (54) of the Evidence Law and Article (82) of the Civil Code. The Jordanian legislator took this oath from the Code of Judicial Judgments, which stipulated in Article (1746) the following: *"the oath is only taken except at the request of the opponent, but the oath is taken by the demand of the judge in four places without request.. Fourth: The judge's asking to take an oath when ruling from applicant of pre-emption is that he did not invalidate his preemption, meaning he did not lose the right of his intercession in any way"*.

From the previous texts, it is clear that the pre-emption oath is asked by the court to the pre-emption plaintiff after he establishes the evidence required by law to establish the right of pre-emption, because it is possible that the pre-emption plaintiff has forfeited his right to pre-emption, so he must reinforce his claim with an obligatory complementary oath that is The oath of preemption is that he did not forfeit the right of preemption in any way.

According to Ali Haider, if the buyer mentioned that the preemptor did not forfeit the right of his intercession in any way and asked not to take an oath, then it appears that the preemptor does not take the oath of preemption.

The court may not ask the oath of preemption to the minor, because he is not charged with it, accordingly, the Jordanian Court of Cassation ruled in its decision No. (276/80) as follows: *"The minor does not take the oath of preemption because he is not charged with it"*.

Also, swearing an oath of preemption is one of the duties of the court even if the opponent does not request it, and that the law does not obligate the court to postpone the case when the oath of preemption is directed, and in implementation of that, the Jordanian Court of Cassation ruled in its decision No. (85/100): *"The court asks the oath of preemption without a request from the litigants, and that the law does not obligate the court to postpone the case when making the oath of preemption"* [46].

Finally, the pre-emption oath has the same characteristics as the oath of entitlement, invocation, and return of the sale for a defect in it, and it is similar to the complementary oath stipulated in Article (15) of the Evidence Law, as both of them complete incomplete evidence and are directed by the judge, but the pre-emption oath differs from the complementary oath, stipulated in Article (15) of the Evidence Law has the same differences between the complementary oath and the oath to return the defective sold oath, which has been previously explained and there is no need to repeat it.

The Jordanian law has not been provided this oath, whether in the Evidence Law No. (30) for the year (1952), the Civil Law No. (43) for the year (1976) or the Commercial Law No. (12) for the year (1966), and the Egyptian legislator who A text on this oath did not define it, but it was defined doctrinally as: *"An oath that the judge asks to the opponent, to support or confirm evidence in the case that he is clear of his liability, which the legislator considers is not sufficient to rule in the interest of this opponent on the basis of it"*.

The Egyptian legislator stipulated this oath in three cases:

- First case: As stipulated in the second paragraph of Article (378) of the Egyptian Civil Code.
- Second Case: As stipulated in Article 194 of the Egyptian Commercial Code.
- Third Case: As stipulated in Article 14 of the Egyptian Law of Evidence.

The Establish oath stipulated in Article 194 of the Egyptian Commercial Code.

Article 194 of the Egyptian Commercial Law states: *“The papers issued for commercial businesses forfeit the right to file a lawsuit with them after five years, but the defendants must confirm their acquittal by taking an oath that they did not owe anything of the debt if they were called to swear. His position is for their heirs to take an oath that they believe that there is nothing left due from the debt.”*

**Assessment (Adjustment) Oath.** This oath is one of the complementary forms that the court spontaneously ask the plaintiff to take it when it is not possible to pass judgment on the defendant to recover in kind, and it is not possible to estimate its value in another way, such as inspection and experience. And that often happens when the things that are deposited by guests in hotels or the like are lost or destroyed during the period of their stay there (the emergency deposit), as well as the traveler’s deposit, also in the event of the termination of a sale or lease contract. In these and similar cases, the plaintiff has no choice but to demand the value of the thing, if there is no way to assess its value, then the judge resorts to the claimant’s obligation by asking this oath to base his ruling on the value of what he has ruled.

**False Statements Oath.** The oath of false statement is defined as: the oath that assumes an acknowledgment issued by the defendant with a paper present by the plaintiff, then the defendant’s dispute with the plaintiff in the truth of what content of this paper, i.e. it assumes that the defendant acknowledges that the paper was issued by him or the person attributed to him, but he denies that what the contents of the paper match the truth of reality.

This oath is also defined as: the oath that a person swears before the judiciary that his opponent, who admitted something to him on the basis of a deed, was not false by his acknowledgment. For example, if someone gave to another a statement in which he had borrowed a sum of money, then he said: Even if I gave this bond, but I did not receive this amount until now, the acquaintance swears to him that it is not a liar by admitting it but I did not receive this amount until ah, so he must swear that he is not a liar by his acknowledgment.

**Conclusion.** The researcher outlines the most important Findings of the study:

1. The Jordanian legislator did not define the complementary oath, nor did he organize its provisions as the decisive oath, but rather referred to it as a passing reference in some texts of the law regulating evidence.
2. The Jordanian legislator has given the judge a positive role in proof through the complementary oath, in the cases in which it is permissible to ask this oath.
3. The complementary oath is not a legal act, but rather it is one of the investigation procedures owned by the judge, so that he asks it on his own to one of the litigants in the Judicial Council when the litigant's evidence is incomplete or missing.
4. The complementary oath is distinguished from the decisive oath in that the former is not a legal act, and it is not required in the fact in the place of the complementary



oath with the conditions for the decisive oath, and that it is possible to withdraw from asking this oath, the opponent may not return the complementary oath, and that it may be proven false. Finally, the result of the complementary oath is not binding on the trial judge.

5. The Jordanian legislator's requirement to take the complementary oath that there be no complete evidence in the case, or the case will be devoid of any evidence.

6. The Jordanian legislator did not regulate other forms of the obligatory complementary oath, and that the Egyptian legislator dealt with in the organization, and lies in: Establish Oath, Adjustment Oath, and oath of false statement. As I mentioned earlier.

### **Recommendations:**

1. The Jordanian legislator recommended that the provisions and procedures of the complementary oath be regulated in detail, as is the case with the decisive oath, and to expand the concept of the complementary oath, as it is not limited to civil and commercial disputes in which one of the parties to the litigation is required to be a merchant, and that the subject of the lawsuit or dispute is goods or supplies, in addition to the merchant returned it to a non-merchant, but in every civil and commercial dispute in which the evidence is incomplete, so that the judge can rule on the merits of the case, or to determine the value of what he decides.

2. The Jordanian legislator recommended that the establish oath and the assessment oath be organized as two forms of the obligatory complementary oath, as the Egyptian legislator did; Because of its importance in proof, as did the Kuwaiti legislator in Article (67) of the Evidence Law regarding the oath of assessment.

3. Although the Jordanian judiciary still takes the False Statements Oath in judgments issued in some cases, based on the Code of Judicial Judgments, since there is nothing in this oath that contradicts the provisions of the civil law, I still recommend that the Jordanian legislator to regulate this oath by the law of evidence.

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## EXTERNAL FUNCTION OF THE HUNGARIAN STATE AS A CONSTITUTIONAL AND LEGAL CATEGORY

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**Abstract.** *Most states implement their main activities through internal and external functions, which serve as a guarantee of peaceful and secure coexistence. However, in order to understand what is the basic basis of Hungarian success, in our opinion, it is necessary to analyze the external function of the Hungarian state under the main legislative – constitutional basis. The issue of state formation today is one of the most common problems in Ukraine inside and outside. It requires a clear definition of the functions of the modern state given the impact of globalization and integration processes in the modern world. This scientific article examines the issues of external functions of the state as a constitutional and legal category with an emphasis on the theoretical and legal aspect of the practice of Hungary. Particular attention is paid to the analysis of different approaches of native and foreign scholars to the external functions of the state from the foundation of modern theory of state and law. It is noticed that the Ukrainian scientist O. Andrusenko offers several sub-functions of the syncretic external function of the modern state: foreign policy (diplomatic); defense of the state from external military aggression; foreign economic; establishing international humanitarian relations; environmental, or ecological (participation in international environmental protection). It is with the help of this division, which is taken as a basis, that we analyze Hungary's invaluable experience in this area. It has been researched that each of these activities of Hungary has its deep roots, the Golden Bull, which created a strong strengthening of the state system in the state, the Tripartite - the first Legal Code, and of course the Constitution of the Republic of Hungary. It is noticed by us the main external directions of the Hungarian government, which have been unchanged and relevant for many years, a key external direction of Hungary even today. We also mention in the same context the above-mentioned sub-functions of different directions of the Strategies of the Hungarian government.*

**Key words:** *External functions, Hungary, foreign policy, strategic directions, Constitution of the Republic of Hungary, fundamental legal documents of Hungary.*

**JEL Classification:** K10, K19, K40

**Formulas:** 0; **fig.:** 0; **tabl.:** 0; **bibl.:** 10

**Introduction.** The state-building has always been a topic of discussion among scholars of various scales, namely its underdevelopment and the possibility of its renewal to the requirements of the time. In the theory of state and law, state functions are classified according to various criteria: “quintessence and tasks”, “direction of functions”, “methods of their implementation”, “spheres of state activity”, “social weight of functions”, their “time frame” and so on. Each of these scientific classifications has a right to exist, we support the opinion of those scholars who include in this classification the division of internal and external functions of the state. The activities of the state in the implementation of its external functions, as the main directions and activities of the state are interconnected and interdependent. However, these two areas are not sustainable and are vulnerable to the least changes. For Ukraine, which was in a state of hybrid war with the Russian Federation before February 24 and after has bloody war, the issue of effective implementation of the external function of the state is vital, and most importantly be able to develop a strategy to adapt to the smallest possible fluctuations, the first of which shows all its

weakness and inability to resist. Therefore, studying the experience of those countries that have a similar path of political and economic transformation with Ukraine is an extremely important task. For our study, we have chosen Hungary, a country that has managed, despite its socialist past, to enter the European economic and security space quickly. At the same time, it should be noted that from the beginning, Hungary tried to be far-sightedly, more of it with the arrival of new political forces in Hungary there was no radical change in legislation, their repeal, completely or separately, it is a pretty good example to follow. In the Ukrainian scientific literature this question was practically not studied in a complex. Especially from the standpoint of analysis of theoretical and legal aspects of Hungarian practice. However, in fairness, it should be noted that some issues of Hungarian foreign policy, Ukrainian researchers still analyzed in some scientific works.

**Lirerature Review.** This area of research can be observed among such researchers: O. Andrusenko, M. Piskotin, M. Derzhalyuk, D. Tkach, A. Kolodiy, V. Kopeychikov and S. Lysenkova.

**Aims.** The main aim of this research is to define the external functions of the state as a constitutional and legal category with an emphasis on theoretical and legal aspects of Hungarian practice to develop further recommendations for improving Ukrainian approaches.

**Methods.** Scientific research is a difficult and controversial process at the same time is the highest level of cognitive activity. Methodology of scientific knowledge - a specific historical phenomenon. Philosophical methodology combines all general scientific methods into three major groups. The first includes: observation, comparison. To the second: idealization. To the third: analysis and synthesis, induction and deduction, abstraction, and modeling. In this scientific article we use all three groups of methods and in addition we highlight the historical method of cognition. At the beginning we use the method of analysis and synthesis based on the sub-functions proposed by O. Andrusenko: foreign policy (diplomatic); defense of the state from external military aggression; foreign economic; establishing international humanitarian relations; environmental, or ecological (participation in international environmental protection). Based on these positions, we try to explore the external function of the state as a constitutional and legal category, namely the theoretical and legal aspects of Hungarian practice. The next method we used is historical. In this context the Golden Bull issued in 1222 during the reign of King András II. This document did not contain any provisions on Hungary's foreign policy but created the conditions for strengthening the state system in the country and thus created the conditions for successful international activities. The next legal document that defined Hungarian jurisdiction for many years to come was the Tripartite (Code of Customary Law of the Kingdom of Hungary in three parts) – a legal code compiled by the royal protonotary Istvan Verbeci. Further on the text of the research article we see the method of observation and comparison, in the context of the Constitution of 1949 and before its new adoption in 2012, here we observe and compare legislative changes adopted by the Republic of Hungary, caused by time. To this we add the 1990 elections and the allocation of Hungary's main foreign directions

for many years to come, namely integration into European and Euro-Atlantic structures; development of good relations with neighboring countries; protection of the rights of the Hungarian minority living abroad. Using the method of induction and deduction, we analyze the provisions of the foreign economic sub-function and the Szechenyi Plan of 2015, which contains five parts, the main idea of which was planned to create one million new jobs in Hungary for 10 years. This was facilitated by the growth of small and medium-sized enterprises in foreign markets, which in addition to a positive impact on the balance of payments, had a positive impact on employment (and, of course, on the revenue side of the budget). Of course, investment by foreign investors has also helped create jobs. The method of abstraction and modeling is seen in the issue of Hungarian humanitarian policy in the context of foreign policy, which we study through the prism of the Orbán government's desire to make Hungary a leader in Central Europe and spiritually unite all territories formerly part of the Carpathian Kingdom. region. The game of nostalgia is firmly present in the Hungarian public consciousness, namely the idea of "Greater Hungary". This means that today's Hungarian leaders do not seek to regain lost territories, but rather promote Hungarian political and cultural influences on the Hungarian national minority living in neighboring countries, turning this task into a special area of national interest. The method of idealization is present in the context of the order № 1691/2013. (X.2.) On the approval of the seven-year political strategy for the Internal Security Fund. It is a new, complex, comprehensive instrument created in the 2014-2020 budget cycle, covering external border management and, in this context, EU visa policy, preventing and combating crime and terrorism. redistribution of EU funds in solidarity to this end. The Foundation adopted the National Program of Hungary for 2014-2020. In turn, this document is consistent with the National Strategies for Combating Corruption, Combating Trafficking in Human Beings, Combating Drugs, Cybersecurity, Crime Prevention, and Strategic Guidelines on Migration. In addition, the National Program was designed to suit relevant EU agencies such as Europol, Eurojust, Interpol, international organizations such as GRECO, GRETA.

**Results.** The scientific literature is consisting of a lot of criteria for the separation of external functions today. In our opinion, the most successful is the division into external and internal. According to Ukrainian scientist O. Andrusenko, the external functions of the state are defined as the main activities of the state, revealing its essence, lie in the sphere of its foreign policy and due to the most favorable external conditions for the existence and development of the state [1]. To the external functions of the state, their modern researchers usually include primarily the functions of defending the country from external threats, maintaining international peace, economic cooperation [2]. At the same time in the modern theory of state and law regarding the external functions of the state there is a different approach M. Piskotin identifies as part of a single external function of the state two main aspects: defense and economic, political, and cultural ties with others. states [3]. Returning to the understanding of the problem of external functions of the state, we take as a basis the approach proposed by Ukrainian scientists O. Andrusenko. He

believes that at the present stage there is one common external function of the state, which acts as a broader scientific abstraction. Within this general external function, separate external functions subordinate to it can be distinguished, or sub-functions of the external function of the state, which are the means of implementing the general external function, in fact is a condition for its implementation. These sub-functions of the external function are also a kind of abstract categories that correspond to more specific homogeneous areas of external state activity compared to the general external function and are part of the general external function as an element of its internal structure.

The scientist identifies the following sub-functions of the syncretic external function of the modern state:

- foreign policy (diplomatic);
- defense of the state from external military aggression.
- foreign economic.
- establishing international humanitarian relations.
- environmental, or ecological (participation in international environmental protection);
- countering international terrorism and international organized crime [4].

It is from these positions we will try to explore the external function of the state as a constitutional and legal category, namely the theoretical and legal aspects of Hungarian practice in this area.

Let's start as suggested by O. Andrusenko in the foreign policy diplomatic subfunction. In Hungary, over a thousand years of history, there have been a few fundamental legal documents that have had a significant impact on foreign policy, including several constitutions. Among them is the Golden Bull issued in 1222 during the reign of King András II. This document did not contain any provisions on Hungary's foreign policy but created the conditions for strengthening the state system in the country and created the conditions for successful international activities. The next legal document that defined Hungarian jurisdiction for many years to come was the Tripartite (a set of customary law of the Kingdom of Hungary in three parts) – a legal code compiled by the royal protonotary Istvan Verbeci. He was presented to the so-called Wild Sejm in 1514 and approved by the king. Having received official sanction in 1517, it became the basis of the jurisdiction of the Kingdom of Hungary (until 1848). This document also did not concern Hungary's foreign policy, but systematized customary law and royal laws with some borrowings from Roman and canon law, which strengthened the country's international prestige.

In 1949, the Constitution of the Republic of Hungary was adopted, which defined the role of all branches of government in the implementation of foreign policy. Section II, paragraph 19/3 of the Basic Law defines the following powers of the National Assembly: (f) concludes international agreements which are of particular importance from the point of view of the external relations of the Republic of Hungary; g) decide on the declaration of a state of war and the conclusion of peace. Section III, President of the Republic, paragraph 30 / A states that the President of the Republic: a) represents the Hungarian state; b) concludes international agreements on

behalf of the Republic of Hungary, if the subject of the agreement belongs to the sphere of legislation, the prior consent of the National Assembly is required for the conclusion of the agreement; c) appoint and receive extraordinary and plenipotentiary ambassadors. Section VII, paragraph 35 defines the following powers of the Government in international affairs: j) participates in determining foreign policy, concludes international agreements on behalf of the Republic of Hungary [5].

In 1990, thanks to the victory of the democratic forces in the parliamentary elections, Hungary abandoned socialist ideas and set out to build a democratic country based on a market economy. From the first days of the existence of democratic Hungary, the main foreign policy strategic directions of its activity were determined, namely:

1) integration into European and Euro-Atlantic structures.

2) development of good relations with neighboring countries.

3) protection of the rights of the Hungarian minority living abroad [6, p. 376].

All this required significant changes in the legal framework to ensure the external function of the Hungarian state, especially changes in the fundamental provisions of the Constitution.

Finally, on January 1, 2012, the Basic Law came into force, which considered all the legislative activities of the National Assembly in the post-Soviet period, as well as supplemented the provisions on Hungary's international activities as a member of the EU and NATO. Namely: Hungary recognizes universally recognized norms of international law, promotes democracy and freedom, achieves high living standards and the unity of the European continent. As a member of the EU, Hungary operates based on the provisions of the Constitution (hereinafter Basic Law) of the country and the founding treaties with the EU, ensures domestic and foreign policy by harmoniously combining the provisions of national law with international instruments adopted in the EU [7].

The Basic Law also defines the powers of the National Assembly, the President, and the Government to participate in the foreign policy functions of the state. The dramatic centuries-old history of the Hungarian states has many examples when, because of external aggression, it ceased to exist as a subject of international relations. This is what prompted the leadership of modern Hungary to develop a foreign policy that would ensure the country's independence and sovereignty.

The Basic Law of Hungary, Article Q) (1), states that Hungary seeks to co-operate with all the peoples and nations of the world in the interests of establishing and maintaining peace and security and ensuring the development of mankind. Article 45 of this law is devoted to the Hungarian Army. According to paragraph (1), the Hungarian Armed Forces are the Hungarian Armed Forces. Main task

The Hungarian Army consists in the military protection of the inviolability and integrity of the territory and state borders of Hungary, the provision of common and peacekeeping tasks arising from international treaties, as well as the implementation of humanitarian activities in accordance with international law.

Hungary's Basic Law of 2012 also flexibly harmonizes national and international law on the use of Hungary's armed forces as a NATO member. Article

45, paragraph 1 of the Basic Law states that the main task of the Hungarian Army is to defend Hungary's independence, its territorial integrity and inviolability of borders, to ensure the implementation of common tasks arising from the international treaty on peace protection and humanitarian to the provisions of international law [8].

In accordance with these constitutional provisions, on 22 February 2012, Hungary's new National Security Strategy entered into force, setting out the main objectives, commitments, and advocacy of its national interests as a member of NATO and the EU. It is in Hungary's strategic interest to maintain a close alliance between the United States and Europe, to promote constructive development and to strengthen the EU-US strategic partnership; active participation in the planning and implementation of joint anti-crisis measures implemented between the EU and the US; pursuing a coherent policy to ensure increased NATO and EU attention to Central and Southern Europe, which will help strengthen one's own national security and develop good neighborly relations in the region [9].

**Discussions.** Hungary is a small country with an open economy, the ratio of exports of goods to GDP exceeds 60%. Geographically, a significant part of Hungarian exports goes to EU member states, and four / fifths of Hungarian exports belong to large companies. The weight of Hungarian small and medium-sized enterprises owned by the majority is very small, accounting for only 12% of total exports.

That is why foreign economic activity is necessary for Hungary, and all governments of the country, without exception, to which coalitions they belong, have paid, and continue to pay special attention to this area.

On January 15, 2011, the Orbán government adopted the New Plan of Szechenyi, according to which a New Foreign Economic Strategy was established in mid-2011. The main purpose of this document is to promote the government's goals of growth, balance, and employment by setting foreign economic policy priorities and refining its instruments in the period from 2011 to 2015. Its main task is to promote the growth of exports, modernize its structural composition, stimulate the expansion of domestic enterprises in international markets, promote investment by foreign investors in Hungary. Regarding foreign direct investment, three / quarters of the capital came from EU member states, mainly from Germany. The main investment sectors are the automotive industry, electrical machinery, finance, and trade.

According to the New Plan of Szechenyi, it was planned to create one million new jobs in Hungary within 10 years. This was facilitated by the growth of small and medium-sized enterprises in foreign markets, which in addition to a positive impact on the balance of payments, had a positive impact on employment (and, of course, on the revenue side of the budget). Of course, investment by foreign investors has also helped create jobs.

In 2015, the Hungarian government adopted a foreign and foreign economic strategy. This document consists of five sections. The first section describes the new Hungarian foreign policy. It is emphasized that the international economic and financial crisis caused by globalization has led to radical changes in the nature and importance of foreign policy. As a result of the changes taking place in the world,



foreign policy and foreign economy have become interdependent: there is no successful foreign policy without a successful foreign economy and vice versa. The annual volume of Hungarian exports is almost equal to the value of gross national product. Hungary's foreign policy strategy must stand on two legs, namely, to continue to strengthen the traditional system of European and Euro-Atlantic relations and at the same time to build mutually beneficial economic relations with the countries of the East. Central Europe, Visegrad cooperation, and good relations with its neighbors remain important areas of Hungary's foreign policy. Hungary also has geopolitical interests in the Central European region: peace and stability in the region, development of trade relations, investment activities, as well as the creation of long-term security of energy supply.

The second section analyzes the conditions and prospects of the global economy.

The third defines the goals of Hungary's economic policy, namely: the creation of jobs in accordance with the country's foreign economic interests. All this work is carried out under the direction of the Ministry of Foreign Affairs and Foreign Trade, as the only integrated system of foreign economy, foreign affairs, and cultural diplomacy. In this integration, the Ministry, foreign missions, and basic institutions work closely with each other, using the tools of foreign and cultural diplomacy to ensure Hungary's foreign economic interests.

The fourth section identifies ways to implement the Strategy, such as: general strategic goals and objectives, export expansion and rebalancing its structure, investment incentives and "reindustrialization", measures to ensure the success of implementation, the relationship between economic policy and its objectives, toolkit, and institutions.

The fifth section is devoted to those areas that are priorities in the foreign economic sphere, namely: food industry, agriculture, computer science, water management, environmental protection, services, automotive, pharmaceutical industry, health care.

In March 2018, the Hungarian National Assembly passed Law LVII on the Control of Foreign Investments that may harm Hungary's Security Interests. This document consists of seven sections which clearly define the obligations of a foreign investor to report to the Ministry of the designated government, the Minister's work with investors, including the scope of permitting procedures, defines certain legal consequences of the Minister, regulates the payment of fines, as well as the financial obligations of the government and the rules related to the implementation of this law to the EU Regulation.

In April 2019, the Hungarian government adopted the National Export Strategy for the period 2019-2030, which states that its main task is to diversify the export market and increase the share of Hungarian exports outside the European Union.

In the structure of Hungary's exports, trade with the European Union is about 80 percent, Hungarian products supplied there are competitive, of high quality and technical content. It also aims to increase the share of Hungarian small and medium-

sized enterprises in exports of their own products and services by 50 percent by 2030 compared to 2018.

The strategy also identified key sectors to focus on Hungarian exports, namely the healthcare economy, food industry, construction and creative industries, IT technologies, and geographical areas, including the Western Balkans and Eastern markets.

The next sub-function is to intensify Hungary's humanitarian policy both at home and abroad, which is closely linked to the protection of the rights of the Hungarian minority living in neighboring countries. The reasons for the intensification of Hungary in this area are the role of the former Hungarian lands in the establishment of national consciousness and identity; common history, language, national traditions, cultural domination, pride in belonging to "Greater Hungary".

The right-wing conservative conception of the Orbán government about a strong and active state resonates with a certain statism that has historically formed in the minds of Hungarian society. The concept of the Hungarian ethnic nation is being implemented, an important component of which is the support of Hungarian minorities living abroad, helping them to preserve their identity.

Article D) of the Hungarian Basic Law of 2011, which states that Hungary, considering the unity of the entire Hungarian nation, is responsible for the fate of Hungarians living abroad, contributes to the preservation and development of their community, supports their aspirations to preserving Hungarian identity, exercising individual and collective rights, prosperity in the Homeland, and promoting their cooperation with each other and with Hungary. The problem of actualization of the humanitarian issue reflects all the most difficult aspects of Hungary's "central-eastern policy". These include the historical, cultural, and socio-psychological aspects of this problem: the need to overcome the national trauma and the "Trianon complex" from the loss of Hungarian territories after the First World War; seeking the support of the diaspora and the use of dual citizenship to increase support for Hungarians abroad in elections to the National Assembly; preservation of the Hungarian historical and cultural heritage in neighboring countries. The issue of Hungarian humanitarian policy in the context of foreign policy should be explored through the desire of the Orbán government to make Hungary a leader in Central Europe and spiritually unite all territories formerly part of the Kingdom of Hungary in the Carpathian region. The game of nostalgia is firmly present in the Hungarian public consciousness, namely the idea of "Greater Hungary". This means that today's Hungarian leaders do not seek to regain lost territories, but primarily to promote Hungarian political and cultural influence on the Hungarian national minority living in neighboring countries, turning this task into a special area of national interest.

The next sub-function: environmental, or environmental (participation in international environmental protection). During the years of independent Hungary, five National Environmental Programs (hereinafter NEP) have been adopted. The first was approved in 1996-2003, the second in 2003-2008, the third in 2009-2014, the fourth in 2014-2020, and the fifth in 2021-2026. The latter Program defines the country's environmental goals, as well as the tasks and tools needed to achieve them,

to ensure environmental protection in the country that will meet the long-term interests of society and the goals of its future development. All these activities must ensure that Hungary fulfills its global obligations and commitments to the EU in the framework of international cooperation. The analysis of the implementation of the fourth NEP showed that the environmental situation in Hungary has changed favorably. Emissions of pollutants into the atmosphere have decreased; the chemical quality of drinking water has improved; waste recycling rate increased; increased area of agricultural land cultivated by organic farming; the share of residential buildings connected to the sewerage network and properly treated wastewater has increased significantly; the network of ecotourism facilities has been expanded. The ecological education of young people of all ages (from preschool to higher education, its content and teaching methods appropriate for their age) has greatly improved.

The overall goal of the Fifth Program is to promote sustainable environmental conditions for the country's development. Among the strategic goals of NEP are:

- improving environmental health and quality of life, reducing the effects of negative environmental impacts.
- protection, restoration, and rational use of natural resources.
- improving the efficiency of resource conservation and greening of the economy.
- increase environmental safety.

Its horizontal objectives are to raise environmental awareness and increase adaptability in the fight against climate change, all sectors of the environment are tangential – the nature, first, we are talking about green energy, which in addition to environmental benefits, helps reduce dependence on resources, increase competitiveness and employment.

The main strategy of the Program is the European Union Action Plan for the Environment for 2030. It is based on the National Framework Strategy for Sustainable Development adopted by the National Assembly. NEP is based on the European Union's environmental development funds for the period 2021-2027, EU grants and international grants and public funds. Implementation of the Program - requires coordinated, efficient, targeted use with less cost. In addition, measures in many cases create additional resources (efficiency of new materials and renewable energy reduces production costs) and increase employment (green energy crops). Significant measures and investments related to the economy and development of environmental infrastructure (through the creation and preservation of jobs) [10].

Another sub-function that is very important in Hungary's foreign policy is the fight against international terrorism and international organized crime. In 2013, the Hungarian government issued an order № 1691/2013. (X.2.) Approved a seven-year policy strategy for the Internal Security Fund. It is a new, complex, comprehensive instrument created in the 2014-2020 budget cycle, covering external border management and, in this context, EU visa policy, preventing and combating crime and terrorism. redistribution of EU funds in solidarity to this end. The Foundation adopted the National Program of Hungary for 2014-2020. In turn, this document is consistent with the National Strategies for Combating Corruption, Combating

Trafficking in Human Beings, Combating Drugs, Cybersecurity, Crime Prevention, and Strategic Guidelines on Migration. In addition, the National Program was designed to suit relevant EU agencies such as Europol, Eurojust, Interpol, international organizations such as GRECO, GRETA.

**Conclusions.** This scientific article states that in different periods of its existence, Hungary sought to pursue a foreign policy that would ensure the country's accession to the existing system of European states, independence, sustainable development, and protection of its territories. In Hungary, over a thousand years of history, there have been a few fundamental legal documents that have had a significant impact on foreign policy, including several constitutions. Among them is the Golden Bull issued in 1222 during the reign of King András II. In 1949, the Constitution of the Republic of Hungary was adopted, which defined the role of all branches of government in the implementation of foreign policy. In 1990, Hungary identified the main foreign policy strategic directions of its activities, namely: 1) integration into European and Euro-Atlantic structures; 2) development of good relations with neighboring countries; 3) protection of the rights of the Hungarian minority living abroad. On January 1, 2012, the Basic Law entered into force, which considered all legislative activities of the National Assembly in the post-Soviet period, in the foreign policy sphere, and supplemented the provisions on Hungary's international activities as a member of the EU and NATO. Regarding legal documents that significantly influenced foreign policy, it should be noted: People's Law № V on the independent administration of the Ministry of Foreign Affairs adopted in 1918, the Constitution of the Republic of Hungary in 1949, Government Decree 45/1990. (IX. 15.) on the tasks and powers of the Minister of Foreign Affairs of the country approved in September 1990. In September 1990, the National Assembly decided to accede to the Statute of the Council of Europe and the General Convention on the Privileges and Immunities of the Council of Europe and to sign the European Convention on Human Rights, Law XLVI 2001 on Consular Protection Government Decree 104/2003. (VII. 18.) on permanent foreign service of civil servants.

Based on the conducted scientific research, we can say that today in scientific circles this area is practically not studied and has not been studied in the complex, only partially or by some general provisions, due to the difficulty of drafting relevant Hungarian legislation for their detailed analysis and development. possible recommendations for improving the identity of Ukrainian statehood, both internally and externally.

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## CHAPTER 3

# THEORETICAL AND PRACTICAL ASPECTS OF MODERN PSYCHOLOGY

### THE PECULIARITIES OF INTERPERSONAL COMMUNICATION AND FAMILY EXPERIENCE REPRODUCTION IN CRISIS FAMILY SYSTEMS

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**Abstract.** The article under review identifies the crisis family phenomenon as a crisis family system. It presents the structural-functional model of communication in crisis family systems, which consists of five components: stabilizers of family interaction (family norms and values); configurations (patterns) of family interaction; modes of family relations and attitudes; factors and mechanisms of family relations reproduction and assimilation of family interaction patterns; types of family experience reproduction. The article analyzes and empirically confirms the models of family experience reproduction in crisis family systems with different type of interpersonal interaction organization both within this system and outside it. The research shows that the crisis family has a bipolar nature and, despite its inherent dysfunction and suboptimal configurations of family interactions, it is an institution of socialization that provides the child with ample opportunities to gain new social experiences other than those produced within it.

Crisis family systems in the aggregate of the structural and functional components we have identified are considered in this article in comparison with normal (ideal) family systems in the empirical field of research. At the same time (and this is especially important), the main attention is paid by us not to the quantitative and not qualitative composition of the family, not to whether this family is "complete" or "incomplete", but to the features of the psychological and, above all, emotional ties between its members, as well as the patterns of their interaction with each other.

Empirically understood in the course of the study, these components are described in some way in the article. It has been determined that in a problem family there is a violation of the system of intra-family communications, a worsened psychological atmosphere, distorted family functions and socializing influences. It is established that the problem family is a bipolar phenomenon, which on the one hand, has dysfunction, is characterized by conflict, difficulties in implementing educational functions, etc., and on the other - gives the child more opportunities to gain social experience, promote independence and adaptability. The analysis of the results of the study concludes that the key mechanism of socialization is the assimilation of patterns and configurations of interaction that can be implemented in three types of reproduction of family experience: replication (full reproduction of the parental pattern of behavior), partial reproduction; implementation of opposite (those that are present in the family experience) patterns of behavior. It is proved that the choice of the type of reproduction of experience is determined by the level of criticality, which means a set of cognitive and emotional processes that allow the child based on the unity of analysis (cognitive component) and emotional reflection (emotional component) to make judgments about the appropriateness or inexpediency of family experience. It is shown that the

*crisis family has a bipolar nature and, despite its inherent dysfunction and suboptimal configurations of family interactions, it is an institution of socialization, which not only gives the child an "ideal" family experience, but also creates opportunities for alternative social experiences. different from that produced within a particular family system.*

**Keywords:** crisis family systems, configurations of family communication, replication of family experience, socialization in crisis family systems.

**JEL Classification:** I31, J11, Z10

**Formulas:** 0; **fig.** 0; **tabl.** 6; **bibl.** 13

**Introduction.** In modern post-information societies (let's call them "societies of global changes"), which have obvious signs of uncontrolled transformations, instability, turbulence and crisis, the number and range of social actors (individuals, social groups, communities, institutions) is growing with adaptation and functioning violations. This is reflected in the informational spaces and, accordingly, in the discourses of the description of these societies, where well-known markers such as "social crisis", "crisis society", "crisis of power", "crisis of public institutions", "information crisis", "family crisis", "crisis family systems", etc have become established. And it is not coincidence that the research of crisis social systems is becoming increasingly important.

One of the social actors that is extremely sensitive to any socio-cultural, socio-economic and other social changes (especially if these changes unfold in a crisis scenario) is the family institution. At the empirical level, this institution is personified by many family systems, each of which in its own way experiences a crisis and either adapts to it, overcomes it, or acquires signs of an maladaptive, dysfunctional, crisis family system.

The most important sign of a crisis family system is the lack of necessary and sufficient internal and external communications. According to the researchers of inculturation processes, in particular, J. Mead (1934) and M. Mead (1988), communication is the main tool of biological, social and psychological reproduction of social experience through the mechanisms of inculturation and socialization. Lack of communication prevents normal intrafamily interaction and is manifested in such features as: 1) deficient or non-ecological relationships within the family system, which prevents optimal exchange of knowledge, emotions, interactions, experiences, and ultimately its effective and coordinated functioning; 2) deficient and low-quality relationships of the family system with the external social environment (higher order systems), which makes it difficult to properly exchange resources with this environment.

Many attempts to structure and describe interpersonal communication as a tool for intra-family interaction have been made. One of such attempts, borrowed from the works of T. Gehring (2001) and described by K. Siedykh (2017), A. Skliaruk (2018), is the explanation of intrafamily communication through the concept of "configuration of family interaction", i.e. the assigned symbolic model of the type of interaction, which is transferred from the interindividual (family) space in the intraindividual (personal) reality of family members. Assimilated configurations of family interaction are, according to these authors, an intrapsychic mechanism of



reproduction of family and social experience, and these configurations are different in healthy and crisis families.

**Literature review.** At various times, some researchers from around the world, who were supporters of various psychological areas and socio-psychological schools, offered their approaches to the analysis of numerous problems associated with family socialization – as a metamechanism of humanity sociocultural, social and psychological universals transmission from generation to generation necessary for its self-reproduction and development (Mead & Wolfenstein, 1955; Mead & Morris, 1967; Kon, 1988; Moskalenko, 2009; Petrunko, 2010). A significant contribution to the development of this issue was made by representatives of the school of behaviorism, who actively studied the relationship of social learning with cognitive development and behavior of the individual. Thus, B. Skinner (1965) formulated the idea of "behavior management", according to which social teaching (and not only of children but also of any other social being) of certain behavioral acts is carried out on the basis of demonstrated patterns of behavior. Much attention is paid to the issues economic and gender identification and socialization, the origins of which are in the family (Broderick, 1993; Kon, 1988; Moskalenko, 2009; Petrunko, 2010; Allen & Moore, 2016; Agllias, 2017; Camisasca, Miragoli & Di Blasio, 2019), including those factors that allow to assess the success of children's adjustment, social teaching and inculturation of the subject of socialization and its communicative competence.

Intrafamily communication in crisis family systems has its own specifics, which is that the configuration models of family interaction, internalized in the minds of its participants, a priori reflect the crisis family situation and set appropriate patterns of behavior for the practical reproduction of such a crisis situation (on physiological, psychological and social levels), and secondly, these configurations not only represent the family experience inherent in this family system, but also determine the type of its social and psychological reproduction. These ideas need further understanding and empirical verification, and this is, in our opinion, a very important issue that has not yet been properly explored.

**Aim.** The purpose of the article is to analyze and empirically verify models of family interaction configurations in crisis family systems.

**Methods.** Our study of interpersonal communications and configurations of family interaction in crisis family systems is based on a five-dimensional structural and functional model of family communication by T. Gehring (2001), which represents: 1) semantic aspects of the family system: stabilizers of family interaction (family traditions, customs, myths, stories), typical family problems, family norms and roles, family alliances and coalitions, patterns of internal and external family interaction, etc.; 2) structural aspects of the family system: configurations of family relationships, emotional distance between family members, personal boundaries of family members and the boundaries of the family system as a whole, etc.); 3) modes of family relations: positive (relative autonomy and independence of each family member, comfortable psychological climate, a wide range of behavioral strategies and the possibility of their free choice, etc.) and negative (disintegration of relations

between family members, rejection, alienation of parents and children, self-isolation of parents, etc.); 4) factors and mechanisms of appropriation of configurations of family relations and assimilation of patterns of family interaction; 5) types of reproduction of family experience (reduplication, partial replication, assimilation of alternative, "foreign" experience, not inherent in this family system).

The empirical research aimed at verifying the above model was carried out using the semi-structured interview developed by K. Siedykh and A. Skliaruk and aimed at identifying the semantic aspects of the child's socialization in both normal and crisis families (content and peculiarities of family rules, stories, myths, etc.), and the Spatial sociogram of the family method, developed by T. Gehring on the basis of the above model.

The semi-structured interview provided an opportunity to recreate the semantic space of describing internal and external family communications in healthy and crisis families. According to the results of content analysis of the reproduced semantic space, 45 semantic constructs were identified, which were further subject to the procedures of correlation, factor and cluster analysis. The isolated clusters fairly comprehensively represent the semantic aspects of internal and external family communications in a healthy and crisis family. Fisher's  $\phi$ -criterion (angular distribution criterion) was used to assess the statistical significance of the differences.

The application of the Spatial sociogram of the family method made it possible:

1) to identify the parameters of the crisis family system, which, on the one hand, are the criteria for its dysfunction, and on the other – are important factors influencing the quality of external and internal communication that determine ways to reproduce family experience and, accordingly, the content and quality of family socialization;

2) to analyze the peculiarities of intrafamily and external social communications of the family, taking into account the relationships and interactions not only within the family, but outside it, in its immediate social environment (friends, teachers, neighbors, etc.);

3) to identify the features of the structure of contacts, emotional connections and configurations of interaction in crisis and in "healthy", adaptive family systems.

The Center for Social Services for Families, Children and Youth of Zaporizhzhia region (hereinafter – CSSFY) became the experimental basis of the research, in which "crisis" families were selected for the experimental sample. The so-called "problem families" and "families at risk", which were recognized as such by experts of district and local social and psychological services of the region are registered in CSSFY. Based on a number of socio-economic and psychological indicators used to participate in the experiment, an experimental group, consisting of 275 families, qualified by us as dysfunctional, crisis family systems, was formed. In addition, to compare the nature of family communications and the nature of models of configurations of family interaction in crisis and healthy families, we formed a group of 250 families, defined by us as "healthy", those who do not have problems with the functioning of socio-economic, social and psychological nature.

**Results.** As empirical research has shown, the leading stabilizers of family interaction in healthy, adaptive family systems are normative type stabilizers – family traditions, family myths, habits, rules, etc. and focus on generally accepted and socially recognized family values and norms of interaction ( $\phi^*=10,89$ ,  $p\leq 0,01$ ). In contrast, in crisis family systems, the most powerful family stabilizer is family problems, which in these systems are either solved in unconstructive, non-ecological ways, displaced, delegated to the external environment or not solved at all, not discussed, hidden, etc., and therefore problems become obsolete, chronic, become total and essentially determine the quality of functioning of the family system as a system of crisis. During the interview it was found that members of crisis families have an inadequate awareness of real family problems, which they often shift onto the near and far social environment ( $\phi^*=7,5$ ,  $p\leq 0,01$ ); onto adverse life circumstances ( $\phi^*=5,4$ ,  $p\leq 0,01$ ); onto the government and other state institutions ( $\phi^*=3,4$ ,  $p\leq 0,01$ ). And the most typical explanations of family problems in these families are “lack of money”, “lack of basic necessities”, “numerous and complex household problems” ( $\phi^*=1,65$ ,  $p\leq 0,05$ ) etc.

The analysis of semantic indicators of functioning of healthy and crisis family systems gave the chance to reveal peculiarities of husband and wife family roles performance in healthy and crisis family systems. In particular, it was found that the distortion of the role of a mother and, consequently, the violation of maternal functions in a crisis family leads to the chronization and generalization of family socialization, and violations related to the family role of a father lead to a coalition of a mother and children and the creation of a system of specific relationships directed against the father as a “carrier of a negative symptom”, an “identified author” of family troubles, in particular his devaluation, distancing and alienation from him and ultimately lead first to emotional and then to complete disintegration of the family system. Thus, it is empirically confirmed that problematic family systems are characterized by the predominance of coalitions of a mother with children against a father, who is positioned as a carrier of deviant behavior, bad habits, as a person “self-removed” from family affairs ( $\phi^*=5,41$ ,  $p\leq 0,01$ ) and the coalition of a husband and a wife against other family members, which rejects any other family ties and emotionally separates from them ( $\phi^*=5,11$ ,  $p\leq 0,01$ ). Any family alliances and coalitions (between different family members) are aimed at not accepting and rejecting certain family members against whom these alliances are formed, distancing themselves from them – and this is one of the serious problems characteristic of crisis family systems (Table 1).

In the case of rejection and isolation on the initiative of a family coalition, the alienated family member may choose the path of self-isolation, which is evidently recorded in our empirical study. Self-isolation is a specific psychological phenomenon in which self-isolated members of the family system, based on certain social and family myths, accept their own helplessness and inability to fulfill their family (e.g., parental) function for a number of “important” and “objective” reasons. However, in crisis families, such behavior is often based on infantilism,

irresponsibility, addictive instincts and urges, distorted motivation, neglect of family values, and so on.

**Table 1. Types of family coalitions in crisis and healthy families, %**

Types of family coalitions	Crisis families	Healthy families	$\phi^*$
Mother and children against father	25	8	5,41**
Father and children against mother	2	2	0
Spouses against other family members	15	3	5,11**
Parents and children against others	7	19	4,19**
Child with grandmother against parents	12	13	0,36
Mother and grandmother against father	8	11	1,16
There are no family coalitions	26	40	3,42**

Sources: statistical significance of differences 0,01

The analysis of structural indicators of functioning of healthy and crisis family systems gave the chance to state that for crisis systems three types of configurations of family interaction from five most widespread – “Indirect”, “Conflict” and “Alliance-coalition” are most characteristic (Table 2).

**Table 2. Patterns of family interaction in troubled and healthy families, %**

Types of family interaction configurations	Crisis families	Healthy families	$\phi^*$
«Dependent»	0	18	10,021**
«Symbiotic-conflict»	0	2	3,25**
«Stellar»	0	37	14,96**
«Indirect»	27	17	2,78**
«Conflict»	58	7	13,67**
«Alliance-coalition»	15	0	0
«Harmonious»	0	4	4,61**

Sources: statistical significance of differences 0,01

Thus, “Conflict” (58% of the studied crisis families) is the most common type of configuration of family interaction. This type of interaction is characterized by conflicting relationships between its members that penetrate into different substructures of the family. In particular, conflict can be traced both in the parental dyad (this is exacerbated by the fact that a significant number of such families are divorced – 47%) and in parent-child relationships. Conflict is also recorded in the relations of the parent dyad of the older generation. The specificity of such relationships in such families is both a strong emotional color of the relationship and their conflict (negative emotional color), i.e. family members have a strong emotional attitude to each other, which, however, is expressed negatively. This configuration of relationships in the family leads to a violation of socialization in the form of assimilation of the negative and conflicting pattern of interaction with loved ones, the tendency to confrontation and the lack of emotional connection.

For 27% of the studied crisis families, the configuration of interaction by “indirect” type is typical. The specificity of relationships and interactions in such

families is their indirect nature. That is, the relationship between some family members is mediated by a third party or a certain factor. A typical situation in such a family is the presence of a father with severe alcohol dependence, which mediates his relationship with his wife and children. In particular, children are seen as interfering with the addictive desire for alcohol (“extra burden in life”), and the wife makes it impossible to satisfy the addictive tendency (“takes money away”, “prevents friendships with other addicts”). In this case, mediation distorts the process of socialization in the form of consolidating stable behavioral patterns of mediation of alcohol relations, the attitude to the father or mother as to a source of problems in life.

The “alliance-coalition” configuration of relations is characteristic for 15% of the crisis families we studied. The specificity of the relationship in such troubled families is the presence of coalitions – the union of several family members against others. A typical coalition in troubled families is a coalition of a mother and children against a father, who is identified by them as a source of conflict and family problems (this is recorded in 62% of families in this group). At the same time, family relations are broken due to the uneven socializing influences of a mother and a father, where a mother replaces the paternal influences. As a result, the child's socialization is distorted. Other divisions of coalitions are possible, when, for example, the father and children oppose the mother (15%) or the children oppose the parents – in this case it is an intergenerational coalition (23%). The formation of coalitions in the family reflects the disruption of emotional ties between children and parents in the scenario of integration with one parent and separation from another.

Diagnostically important for understanding the essence of the crisis family system and the socialization of the child in such families is that such configurations of family interaction as “Cobweb” and “Sun” are not inherent in them. These interaction configurations are characterized primarily by strong or overwhelming emotional bonds and parental care, which either infantilize children (which is typical of the “Cobweb” type) or become the center of family interaction (the “Sun” type).

The emotional distance obvious differences between members of a healthy and a crisis family have been empirically found. Thus, problem families are characterized by a far distance between its members ( $\phi^* = 8.77$ ,  $p \leq 0.01$ ) and unequal, i.e. clearly differentiated distance in relation to different family members – close to some members and very far from others ( $\phi^* = 11.726$ ,  $p \leq 0.01$ ). The predominance of a long distance with a mother ( $\chi^2 = 15.32$ ,  $p \leq 0.01$ ), a father ( $\chi^2 = 13.26$ ,  $p \leq 0.01$ ), brothers ( $\chi^2 = 8.94$ ,  $p \leq 0.05$ ), sisters ( $\chi^2 = 9.22$ ,  $p \leq 0.05$ ) and grandfathers ( $\chi^2 = 11.95$ ,  $p \leq 0.01$ ) is obvious and equally characteristic for children from crisis families, and only grandmothers are exceptions on this list (Table 3).

The characteristic of family systems boundaries – as open or closed systems – is one of the important indicators that can serve as a sign of a family crisis. The traditional view is that any family with signs of dysfunction is a closed family system that is not optimal for any “living” biopsychosocial system. However, based on our empirical research, we can say that the boundaries of the crisis family system are

quite open to individual, selective social and psychosocial influences. Still, this openness is specific.

**Table 3. Indicators of emotional boundaries between members of troubled and healthy families, %**

Family members	Group	Emotional distance			absent	$\chi^2$
		close	medium	far		
Mother	CFS	29	33	32	6	15,32**
	HF	79	16	5	0	
Father	CFS	11	18	46	25	13,26**
	HF	63	23	12	2	
Brother	CFS	29	17	3	51	8,94*
	HF	12	22	20	46	
Sister	CFS	27	18	2	53	9,22*
	HF	4	26	19	51	
Grandfather	CFS	10	26	31	33	11,95**
	HF	34	31	19	16	
Grandmother	CFS	29	34	22	19	5,332
	HF	38	24	24	14	
Aunt	CFS	3	14	11	72	6,89
	HF	11	18	5	66	
Uncle	CFS	2	6	9	83	2,65
	HF	4	12	3	81	
Cousins	CFS	0	3	5	92	1,36
	HF	4	6	2	88	
Distance with close social environment (not with family members)						
Friends	CFS	34	26	6	34	9,42*
	HF	12	32	5	51	
Coach, teacher	CFS	12	23	13	52	9,86*
	HF	3	16	18	63	
Another significant adult (regardless of occupation)	CFS	14	15	5	66	12,63**
	HF	0	5	6	89	

\* – significance of differences 0,05; \*\* – significance of differences 0,01; CFS – crisis family systems; HF – healthy family systems

Unlike healthy, harmonious systems, the boundaries of which are open for the exchange of experiences and resources in order to integrate them into the family experience and their optimal development, crisis family systems are open on the principle of “survival” due to the lack of balanced exchange within the family (so because of the breakdown of emotional ties with the parents, the child instinctively seeks them outside the family system, just as a husband seeks the emotional support he needs elsewhere, if he does not receive it in his family) (Table 4).

**Table 4. Indicators of the external boundaries of troubled and healthy families, %**

Group	Boundaries		
	Open	Closed	Diffuse
Crisis families	39	26	35
Healthy families	12	39	49
$\phi^*$	7,34**	3,19**	3,718**

Sources: statistical significance of differences 0,01

The main modes of family relations in crisis family systems are modes of negative character: destruction of relations in the family due to unworthy behavior of the father ( $\varphi^*=8.39$ ,  $p\leq 0.01$ ); destruction of family relations due to unworthy behavior of the mother ( $\varphi^*=5.16$ ,  $p\leq 0.01$ ), violation of the normal functioning of the family system due to the behavior of the child ( $\varphi^*=6.96$ ,  $p\leq 0.01$ ), violation of family relations due to the fact that family members try to make their own adjustments ( $\varphi^*=2.53$ ,  $p\leq 0.01$ ) and some others. Instead, in healthy family systems, modes of a different nature predominate (Table 5).

**Table 5. Modes of family interaction in troubled and healthy families, %**

Mode of family relations	Crisis families	Healthy families	$\varphi^*$
Parental involvement in family life	9	0	9,96**
Excessive control, too many restrictions	6	5	0,5
Modern children are difficult to raise	3	18	6,04**
Lack of time for family due to work	7	21	4,76**

*Sources: statistical significance of differences 0,01*

However, it should be noted that in an empirical way we have identified and described not only negative but also positive modes of family relations in a crisis family, which, on the one hand, gives grounds to consider such family systems bipolar, and on the other – it changes views on family socialization in crisis family systems. The generalization of the results of the empirical study allowed to state that the negative mode is first of all broken interpersonal relations, distorted emotional distance between family members, no stable emotional ties between parents and child, alienation of children from parental dyad. In this mode, the crisis family acts as a dysfunctional one, unable to ensure effective socialization of the child.

The positive mode of family relations and family interaction in crisis family systems describes a certain potential of these systems. The point is that the lack of emotional contacts, disruption of the child's relationship with parents, their self-isolation from upbringing lead to the need for the child to show independence, make own decisions and put them into practice. In this case, the evaluation of the results of the effectiveness of such decisions, expressed in certain behavioral programs, is carried out by the child not in accordance with a given pattern of parents (“right” or “wrong”), but in accordance with the behavior that meets the immediate needs. The child is forced to change behavior in case of its inconsistency with the goal, which is expressed in increasing the flexibility and adaptability of the child. That is, we have identified a situation where in a troubled family, the violation of the relationship between parents and a child leads to a positive consequence – the stimulation of the child's independence and increase of the adaptability of his/her behavior.

Factors and mechanisms for assigning configurations of family relationships and family interactions in both types of families include, first of all, those that have been tested by socialization processes and guarantee a perfect reproduction of family experience – both “healthy” and “crisis”. In other words, healthy families tend to reproduce themselves as healthy family systems, and crisis families reproduce themselves almost perfectly as crisis family systems. In crisis families, the



reproduction of themselves as crisis is facilitated, in particular, by such family beliefs (and these beliefs have the force of factors and mechanisms of family socialization) as: “parents did so, and we do so” ( $\varphi^*=3.21$ ,  $p\leq 0.01$ ), “parents did so, and therefore I will do so” ( $\varphi^*=6.39$ ,  $p\leq 0.01$ ), “if the parents do not take too much care of the child, he/she decides everything himself/herself, and therefore grows independent” ( $\varphi^*=13.95$ ,  $p\leq 0.01$ ), “the lack of normal upbringing makes the child more tempered for life, more adaptive” ( $\varphi^*=16.55$ ,  $p\leq 0.01$ ), “the word of parents is the law” ( $\varphi^*=3.56$ ,  $p\leq 0.01$ ), “we survive as we can” ( $\varphi^*=4.67$ ,  $p\leq 0.01$ ), “we are hostages of circumstances” ( $\varphi^*=7.59$ ,  $p\leq 0.01$ ), “if they don't help us, we won't be able to cope” ( $\varphi^*=6.19$ ,  $p\leq 0.01$ ), etc.

**Discussion.** All the described empirical indicators represent the relevant crisis conditions and the crisis empirical environment in which the life of the crisis family unfolds, the configurations and patterns of family interaction are assimilated and worked out, and family socialization takes place. In our study it is shown that members of the family system (primarily children) learn and use life family experience in accordance with the leading type of its reproduction, predetermined by the configurations and patterns of family interaction. According to the results of our study, there are three types of reproduction of family experience in a crisis family:

1) reduplicative, when perfectly and completely reproduces the model of the parental family – both healthy and crisis – on the principle of “adult is the ideal testator, and it is not subject to discussion and criticism, and the child is the ideal successor, whose main task is to appropriate and reproduce the family and social experience”;

2) partially replicative, when one or another family member (primarily a child) has a negative attitude to family experience, but due to the lack of desired behavioral patterns and personal resources to find these models and build another, own model of interaction with family members and others, of alternative, uncharacteristic patterns of behavior, family and social experience is partially reproduced;

3) type of implementation of opposite family configurations of interaction and patterns of behavior, when the child is overly critical of family experience, because he/she has an example of other acceptable alternative behavioral models and appropriate extra-family resource support for them because he/she implements the opposite strategy, builds interaction in the family according to other criteria (Table 6).

**Table 6. Distribution of types of reproduction of family experience in crisis and healthy families, %**

Type of experience reproduction	Crisis families	Healthy families	$\varphi^*$
Reduplication	38	51	3,01**
Partial reproduction	50	45	1,14
Reproduction of alternative experience	12	4	3,47**

We consider critical thinking, presence of alternative patterns of behavior and emotional (positive or negative) attitude to the carriers of certain patterns of behavior, which means a set of cognitive and emotional processes that allow the child on the basis of the unity of analysis (cognitive component) and sensory reflection (emotional component) to make judgments about the appropriateness or inexpediency of repeating family experiences, to be important factors that determine the choice of a type of reproduction of family experience.

### **Conclusions.**

1. The system of interpersonal intrafamily communications – as a tool for family experience reproduction – in crisis family systems has a number of features that can be described using a five-component structural-functional model, where the structural elements are: 1) the content of family interaction, especially its stabilizers (family norms and values, family problems, etc.); 2) types of organization, or types of configuration of family interaction (including learned patterns of behavior); 3) modes of family relations and attitudes; 4) factors and mechanisms of reproduction of family relations and mastering of configurations and patterns of family interaction; 5) types of reproduction of family experience.

2. According to the results of the empirical research, interpersonal interfamily communications in a crisis family are deficient (quantitatively insufficient) and low-quality (distorted), which disrupts the exchange of necessary information, emotions and interactions within the family and the exchange of family with reference social environment and creates the basis for serious family dysfunctions. The main stabilizer of family interaction in crisis families is not norms and values, but family problems that are hidden or solved in an unconstructive, non-ecological way. Modes of family interaction and family roles (primarily the role of a mother and a father) in these families are distorted, emotional ties and family boundaries are significantly disrupted, and there is a pronounced tendency to form intrafamily alliances and coalitions “against each other”. These indicators testify to a degree of disintegration of the family system, in which its subjects act as a separate and unconsolidated set of persons, not united by common views, interests, experiences, actions, which negatively affects the psycho-emotional well-being and overall development of each member of a crisis family system.

3. Reproduction of family experience in crisis family systems is based on three main types of configurations of family interaction (alliance-coalition, conflict and mediated by third parties or external factors) and is implemented in three main scenarios: 1) reduplication of family experience, or complete parental model and parental behavior reproduction, in which healthy and crisis family systems perfectly reproduce themselves just as healthy and crisis; 2) partial replication, or partial reproduction of family experience – both positive and negative, both purely family and alternative, borrowed from outside; 3) anti-replication, or assimilation of “foreign”, alternative experience, not inherent in their family system, and in this case, members of the crisis family learn and reproduce a more acceptable, alternative experience of family communications, borrowed from outside.

The issue of psychological support of a crisis family, which we understand as a wide range of measures aimed at improving the functioning of a dysfunctional family system and expanding the social experience of children growing up in these families by providing them with acceptable alternative models of social behavior, remains important, relevant and in need of further research.

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## PSYCHOLOGICAL CONDITIONS FOR THE IMPLEMENTATION OF A COMPETENCY-BASED APPROACH TO THE TRAINING OF SPECIALISTS IN THE ORGANIZATION OF TOURIST ANIMATION

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**Abstract.** This work is devoted to the study of certain aspects of restoration and revival, activation of the regional tourism sector, protection of jobs and business. Tourism policy has been analyzed, and it has been recognized that it needs to be more responsive and, in the long run, move to more flexible systems that can adapt more quickly to changes in policy orientation. The categories "vacation", "leisure" and "recreation" are considered, which should be filled with various activities in the field of sports and recreation, culture and entertainment. The essence of animation activity and preconditions of its origin are determined. The conditional typology of directions and programs of tourist animation is specified. In the practice of animation in order to design animation programs it is necessary to distinguish the following functions of tourist animation: adaptive, compensatory, stabilizing, health, health, development, information and advertising. It is emphasized that in order to prepare and implement animation programs, a tourist animation specialist must have a wide range of personal abilities and professionally important qualities. The paper also considers a set of important qualities without which an employee of the tourism industry cannot be considered a professional. The concept of professional competencies of future tourism specialists is defined, which determines the readiness and ability to carry out and consciously organize activities to create recreational and animation programs based on knowledge, skills, experience, improving professionally significant qualities, systematized elements of psychological characteristics. tourism specialists. It is confirmed that the implemented system of developmental influences, socio-psychological techniques and innovative technologies is an effective means of forming the professional competencies of future tourism professionals. Forms of work with students in the process of forming a competency-based approach to the training of specialists in the organization of tourist animation are revealed.

**Keywords:** leisure, recreation, competence approach, tourist animation, professional competencies, health-preserving competencies.

**JEL Classification:** I20, L82, M13

**Formulas:** 0; **fig.:** 0; **tabl.:** 3; **bibl.:** 10

**Introduction.** Tourism remains one of the sectors most affected by the coronavirus pandemic, and its prospects remain very uncertain. The tourism sector will be very different in the near future from what it was in 2019. The longer the crisis lasts, the more businesses and jobs will be lost, the stronger the consequences for travelers' behavior and the more difficult it will be to restore tourism. This creates problems for the sector, but also creates opportunities to encourage innovation,

introduce new business models, explore new niches / markets, open new areas and move to more sustainable models of tourism development.

Tourism is at a crossroads, and the measures taken today will determine the tourism of tomorrow. Governments need to take into account the long-term effects of the crisis, benefiting from digitalisation, supporting the transition to low-carbon technologies and promoting the structural transformations needed to create a stronger and more sustainable tourism economy.

**Literature review.** Problems of preparation of the future specialist in tourism for the organization and carrying out of actions of tourist animation are covered in researches of the following scientists: Bulygina I.I., Garanin M.I., Zorin I.V., Kilimisty S.M. etc.

However, despite the considerable attention of scientists to the training of tourism specialists, the problem of studying the psychological conditions of the competence approach to the training of specialists in the organization of tourist animation is not covered, which led to the choice of research topic.

**Aims.** The purpose of the study is to identify the psychological conditions for the implementation of a competency-based approach to the training of specialists in the organization of tourist animation.

**Methods.** To achieve the goal of the study used a set of research methods:

- theoretical: analysis, synthesis, comparison of modern scientific and empirical research on the implementation of the competence approach to the training of specialists in the organization of tourist animation, as well as their generalization, classification and systematization;

- empirical: observations; conversation; method of expert assessment to determine the features of adaptation, motivation, awareness, readiness for health-preserving competentness of specialists in the organization of tourist animation; indicators of development of their professionally important qualities.

**Results.** Ukraine is a tourist attractive country and has all the opportunities for the development of domestic tourism as a priority sector of the economy. In the Strategy for the Development of Tourism and Resorts for the period up to 2026, the field of tourism is identified as one of the main industries that affect the general state and trends of the world economy.

Domestic tourism helps mitigate the impact, at least in part, and a number of immediate recovery and revitalization measures have been taken, revitalizing the regional tourism sector, protecting jobs and businesses. Many countries are also now developing measures to build a more sustainable tourism economy after COVID-19. These include the preparation of plans to support the sustainable recovery of tourism, promoting the transition to digital technologies and the transition to a greener tourism system, as well as rethinking tourism in the future [8].

Travelers' behavior will be influenced by the development of the crisis, as well as long-term consumer trends that are changing the way people travel. This may include the emergence of new niches and market segments, as well as greater attention to security protocols and the experience of contactless tourism.

Safety and hygiene have become key factors in choosing destinations and tourism activities. People are likely to prefer "private solitude" when traveling, avoiding large crowds and giving priority to private vehicles.

Tourism policy needs to be more responsive, and in the long run it will move to more flexible systems that can adapt more quickly to changes in policy orientation. Particular attention will be paid to crisis management, as well as security and health policy.

The challenges of today require the sphere of ordinary tourist services to become an ever-widening sphere of cultural leisure, a platform for the self-realization of the creative and spiritual potential of man and society as a whole. Given the general physiological and psychological abilities of man, leisure organizers create such activities, which include programs of recreation, self-development and creativity.

When considering the category of "recreation", as a rule, use two concepts: "leisure" and "recreation". The first is invested in commercial and entertainment content, in the concept of "recreation" - social (recovery and recovery). Both of these components are in close cooperation, a clear example of this is the organization of the animation service [3].

Tourist stay should be filled with various activities in the field of sports and recreation, culture and entertainment. Tourism animation is the most important way to fill visitors' free time. All services, especially animation in tourism, should be managed efficiently and rationally, and the guest should be as satisfied as possible. This is the only way to expect profitable tourism.

The term "animation" was used in the early XX century. in France in connection with the introduction of the law on the establishment of various associations and was interpreted as an activity aimed at increasing interest in culture, artistic creativity. In tourism, animation invigorates, activates, inspires tourists.

The purpose of animation activities is to support (direct) human recreation to physical recovery (physical recreation) through a sense of joy and satisfaction (entertainment) and meeting the needs of creative reproductive activities (development).

There are the following areas of animation:

1. Recreational animation - develops mainly in the tourism business.
2. Pedagogical animation grew out of pedagogical detachments and pioneer leaders.
3. Socio-cultural animation - a branch of pedagogical animation in specific entertainment. These are mainly city holidays and children's entertainment centers for leisure, holidays and birthdays.

In the Encyclopedia of Tourism, recreation is defined as: expanded reproduction of human forces (physical, intellectual and emotional);

- any game, entertainment, etc., which are used to restore physical and mental strength;

- the fastest growing segment of the leisure industry, associated with the participation of the population in outdoor activities, which fall mainly on the weekend;

- restructuring of the organism and human populations, which provides the possibility of active activity under different conditions, the nature and changes in the environment "[2].

The main purpose of recreation is to make active recreation an organic, integral part of everyday life.

In a complex program animation influence on the person during his rest in one way or another solves a problem of formation, development, preservation and restoration of his health: somatic, physical, mental, moral (tab. 1).

**Table 1. Typology of animation activities**

Types of health	Types of tourist animation	Forms of animation classes
Somatic	Tourist and health	Hike, takeoff, tourist competitions
Physical	Sports and wellness	Sports competitions, fitness, relay races, sports contests
Mental	Spectacular and health-improving	Holiday, competition, festival, carnival, fair, disco
Moral	Cognitive and health, educational, amateur	Excursions, lectures, conversations, quizzes, competitions of experts, etc. Training in sports, dance, crafts, etc.
	Complex	Combined excursion, weekend hike, participation in the show program, etc.

*Sources: authors' own*

These components of health and determine the appropriate conditional typology of areas and programs of tourist animation:

1. Sports, sports and health programs; sports and entertainment.
2. Spectacular-entertaining, adventure-game programs.
3. Cognitive; sports and cognitive; cultural-cognitive, excursion, educational, amateur and creative-labor programs; for each of these areas can be identified characteristic forms of animation activities.
4. Sports, sports and health programs; sports and entertainment.
5. Spectacular-entertaining, adventure-game programs.
6. Cognitive; sports and cognitive; cultural-cognitive, excursion, educational, amateur and creative-labor programs; for each of these areas can be identified characteristic forms of animation activities.
7. Complex programs combined with homogeneous programs.

Animation activities provide a wide range of services that are designed to provide more than expected for tourists (Table 2).

In the practice of animation for the purpose of designing animation programs it is necessary to identify the following functions of tourist animation:

- adaptive, which allows you to move from everyday to free, permissive;
- compensatory, which frees a person from physical and mental fatigue in everyday life;
- stabilizing, creating positive emotions and stimulating mental stability;
- health, aimed at restoring and developing physical strength;
- information, which allows you to get new information about the country, regions, people, etc. ;

- educational, which allows you to acquire and consolidate new knowledge about the world around you as a result of vivid impressions;
- improving, which brings intellectual and physical improvement;
- developing, which leads to personal intellectual, moral and physical improvement;
- advertising, which makes it possible through animation programs to make a tourist a carrier of advertising of the country, region, tourist complex, hotel, travel agency.

**Table 2. Types and kinds of animation events**

Animation type	Characteristic	Type of animation activities
Sanatorium type	Corresponds to the state of health	Special health programs in the form of games, health trips, etc.
Natural and recreational type	Located in accordance with the location chosen by the tourist	Outdoor picnic with elements of recreation, communication with pets and exotic animals and wildlife observation, zootherapy, etc.
Sports and entertainment type	Consistent with hobbies	Playing sports and observing sports competitions, sports dances, etc.
Cultural and developmental type	Meets the desire to know the world through works of art	Historical, cultural, museum tourism - appeals to works of art, acquaintance with monuments, visits to international film festivals, theater and entertainment events, etc.
Spectacular and entertaining type	The desire to distract from everyday life	Types of event tourism, such as carnivals, festivals, shows, etc.

*Sources: authors' own*

The purpose of organizing animation programs today is to form a favorable image of the country and its regions, attracting tourists, especially in low season, in regions with weak or no tourist potential, for example, based on the use of actual historical events [8].

Thus, animation is increasingly becoming an important mechanism for the study, preservation and promotion of national tourism resources, and consequently a significant component of training for domestic tourism.

To prepare and implement an animation program, a specialist in tourist animation needs personal abilities and professionally important qualities:

1. Abilities - intelligence, prudence, knowledge, ability to express their thoughts.
2. Personal characteristics - adaptability, dominance, independence, originality, self-confidence.
3. Attitude to tasks - work motivation, responsibility, initiative, perseverance, focus on production tasks.
4. Social abilities and skills - willingness to cooperate with others, popularity, communication skills.

Another necessary skill for the preparation and implementation of an animation program is the ability to tell interesting and exciting stories, ie to professionally use monologue and dialogue forms of information and animation activities.



As a result of these time requirements, based on the process of integration of the latest technologies in the field of tourism, innovative technologies emerge and develop, including animation of tourist services and animation of tourist leisure. The purpose of animation technologies is to "breathe the soul" into tourist programs, update them, revive them, and thus attract participants to them.

In the development of programs are, in particular, the following goals:

- meeting the need for self-expression;
- encouraging tourists to develop their skills;
- the direction of entertainment and skills in a creative direction;
- psychological relief from the burden of problems and stress;
- image change, relaxation, stress relief;
- acquisition of additional knowledge in the field of culture.

Particular attention is paid to the means of animation - art (theater, art therapy, choreography, cinema and others), games, folk traditions, tourism, museum opportunities and library components of the socio-cultural sphere. These tools are non-standard, just the ones that modern youth need.

The use of animation programs in educational tourism promotes the active involvement of tour participants in various types of cultural and leisure activities, if the creation and organization will take into account the following conditions:

- differentiated approach to identifying and accounting for socio-cultural needs and interests of different groups of students;
- inclusion in the animation programs of tours of popular among the youth forms of leisure activities;
- stylistic unity between the main tourist and excursion program and its animation part.

The main requirements for candidates for the vacancy of animator of the tourist complex are: activity, emotionality, empathy, friendliness and openness, the ability to create a positive atmosphere in the hotel [7].

There are a number of professionally important qualities, without which an employee of the tourism industry can not be considered a professional:

1. Professional competence - a high level of education and culture, awareness of a wide range of professionally significant issues, ie knowledge in economics, pedagogy, psychology, law, etc.

2. Qualities that can be described as a friendly attitude to people, to their problems - kindness, love for people, desire to help, sensitivity, compassion and mercy, sympathy for others and altruism.

3. Qualities that can be described as organizational and communicative abilities - high sociability, sociability, social courage, initiative, ability to manage people, influence their positions and beliefs, the ability to inspire confidence and support a person in a difficult moment for him.

4. Qualities that characterize a high moral and ethical level - selflessness, honesty, decency, responsibility, high morality.

5. Properties that are inherent in people with a sufficient level of neuropsychological endurance - efficiency, energy, perseverance in achieving the goal and willingness to feel psychological discomfort.

6. The attitude of a tourism specialist to himself. According to psychologists, if a person does not know how to treat himself properly, does not know how to solve their own psychological problems, it is unlikely he will be able to solve the problems of others [10].

According to E. Klimov, representatives of the helping type are characterized by: developed communication skills; emotional stability; the ability to quickly switch attention; empathy; observation; organizational skills. Summarizing the above, we have listed the professionally important qualities of a tourism specialist table. 3.

**Table 3. Elements of the psychological characteristics of the personality of a tourism specialist**

Quality	Properties	Skills	Abilities
Intellectual and cognitive	knowledge	level of psychological knowledge	skillfully build your relationship with the client
	thinking	generalization, abstraction	the ability to abstract, to consider the facts as if from the side, to depart from personification, personal evaluative judgments, produces independence in the performance of professional functional duties
	memory	a set of blocks and processes of memory	high speed and accuracy of memorizing information, its storage, the ability to quickly extract the necessary information from memory
	warning	concentration	promotes rapid and sustained concentration, the ability to cover a large number of factors simultaneously
	mental adequacy	literacy in the use of their capabilities	ability to make adequate and verified decisions
	humanism	decency, humanity	desire to understand the other
	emotionality	positive psychological mood	positive emotional perception of society, positive attitude to professional activity
		empathy	positive attitude to the subject and object of the professional process
		emotional stability	self-control, endurance, calmness, stress resistance. self-confidence
	the will	responsibility	conscious attitude of a person to the requirements of social necessity, responsibilities, norms and values.
		tolerance	respect, acceptance of the diversity of cultures of our world, forms of self-expression
		initiative	ability to put forward new ideas, proposals
		discipline	obligatory and conscious submission of their behavior to the established norms of public order
motivational and value	motivation	sociability, sociability, desire for approval, honesty,	strengthening the role of socio-psychological and motivational factors in the hierarchical motivational structure of the individual
	dynamism	reaction, creativity, a sense of humor	the ability to quickly change the dominant motives

Sources: authors' own

Criteria according to which the efficiency of the animation employee is evaluated:

- level of knowledge (knowledge acquired during training in an educational institution and as a result of advanced training);
- practical skills (not related to direct job responsibilities, such as car ownership);
- appropriate physical shape, energy, stress resistance, reputation.

The problem of increasing the level of professional competence of the future bachelor of tourism, able to think freely and actively, to model the production and technological process, independently generate and implement new ideas and technologies in professional activities is relevant in today's socio-economic environment.

First, a professionally competent bachelor has a positive influence on the formation of their creative abilities and skills; secondly, will be able to achieve better results in their professional activities; thirdly, promotes the realization of their own professional opportunities.

The principal feature of the animator is that knowledge of sociology, economics, political science, law, management theory, basics of directing and a number of other, socially significant and very prestigious sciences today acts not as an end in itself, but as an essential means of implementing the leading metafunction of socio-cultural activities - human involvement in the achievements of world culture, comprehensive development of his creative potential.

Important is the tendency to leadership, namely: the ability to show initiative, attract and direct the attention of others, offer them solutions, the ability to speak the language of their supporters.

The work of an animation specialist is associated with solving a variety of tasks and requires him to master a large number of competencies. These competencies can be organizational and managerial, technical, moral and psychological and more. The competency model should be understood as a set of knowledge, skills, abilities, qualities and attitudes to work. That is why such a model should have a multi-role professional profile. When building a multi-role professional profile of a specialist in tourist animation, it is necessary to identify the following aspects:

- many key "areas of responsibility" of a specialist in recreation and animation;
- criteria for the effectiveness of its activities for each key function;
- a block of basic abilities, skills and abilities necessary for the quality of each key function and achieve a high result;
- current and future trends in the development of external and internal environment, which can significantly affect the functional characteristics of the specialist in tourism recreation and animation;
- behavior specific to the activity of the tourism manager, in which his competence is manifested.

Need "soft skills" for a career in hospitality and tourism:

**1. Compassion and emotional intelligence.** It goes without saying that the digital transformation brings the future of the hospitality and tourism industry, but

this does not mean that the industry will become impersonal. On the contrary, investing in human capital is the key to finding innovative solutions in an ever-changing scenario. People determine the success of an organization, and if this is true in all areas, it is even more important for service areas such as the hotel business and tourism.

Employees with high emotional intelligence are very important for travel organizations when working with clients, as they differ not only in professionalism and a high degree of intuition, but also the ability to empathize - empathy, understanding of what is happening to another person, the ability to put themselves in his place. withstand and accept the destructive emotional reactions of others, directing them to solve specific problems. Employees with emotionally developed intelligence are observant and therefore clearly distinguish the emotions of tourists, extracting important information from them, as well as evoking the desired emotions when necessary, and therefore achieve better results in working with clients [6, 9].

**2. Teamwork.** This competence is closely related to emotional intelligence, flexibility, ability to interact with different personality types, tolerance for other cultures, religions, worldview. Among the specific qualifications required by a wide range of hosts and organizations, the ability to integrate into an existing team is often considered important when selecting a candidate.

A successful team player is one who:

- quickly adapts to the team and easily adapts to the overall rhythm;
- always remains objective, constructive, non-conflict;
- is able to listen to others, be flexible, competently convince colleagues of the correctness of their position;
- is not afraid to criticize, can admit his wrongness and support the idea of a colleague;
- creates an atmosphere of respect, mutual assistance, inspires team members;
- helps others and is able to accept help;
- avoids destructive disputes, is able to smooth out conflicts, ready to compromise;
- manages his emotions and abstracts from personal likes and dislikes;
- builds the schedule and plans loading according to the general plans and taking into account all terms;
- does not put his ambitions above the interests of the company.

**3. Stress and time management.** Hospitality managers often work on multiple tasks at once, quickly coping with a significant workload. It is easy to let emotions play out when you are asked to do several things at once for a short period of time and you are forced to solve unexpected problems. For a career in hospitality and tourism, you must be prepared for multitasking and keep a cool head. For successful animation activities it is extremely important to be proactive and innovative, constantly self-improvement, as tourism professionals prefer interesting projects and innovative technologies for their implementation.

**4. Problem solving.** Whether you are dealing with a difficult client or facing internal problems, the ability to think on your feet and offer possible solutions to

problems is one of the most valuable "soft skills" for a career in hospitality and tourism and, of course, a determining factor when it comes to professional success. Strategic decision-making is very important when using innovative technologies; ability to work in conditions of risk, to plan the activity and activity of animation crew, ability to delegate powers. You need to be able to manage the crisis, from identifying the problem to assessing how well the planned goal has been achieved and what can be improved in the future.

**5. Strategy and innovation.** Animator - a specialist who develops individual and collective leisure programs, which orients a person in a variety of leisure activities, organizing full-fledged leisure.

The manager of recreational and animation activities uses the whole arsenal of design tools: from script development to technical design; from functional analysis - to the organization and implementation of the intended program.

Among the professionally significant competencies should be noted:

- ability to analyze and determine the requirements for the project of recreational and animation program and synthesize a set of possible solutions to problems or approaches to the implementation of developed and ready health and entertainment activities;

- ability to make a detailed specification of requirements for recreational and animation programs and prepare a complete set of documentation of health and entertainment activities, with the basic economic calculations for their implementation;

- the ability to apply research methods in the creation of games, health programs and prove the novelty of their conceptual solutions.

The acquisition of competencies at the appropriate level occurs only in the process of practical activities, during which the necessary actions are carried out and the results of their implementation are analyzed [4].

Therefore, the purpose of the educational institution is to create the necessary conditions for the development of students' ability to independently solve communicative, organizational, ideological, moral, cognitive and other tasks. Students prepare themselves for successful professional activities, using social experience and gaining their own [5].

The competence of health-preserving is understood as an integral characteristic of the personality of the specialist, which determines his ability and willingness to solve professional problems related to the implementation of health activities in the process of providing assistance using knowledge, skills, professional and life experience. values of health and professionally important personality traits.

For the effective implementation of professional activities in the field of health-preserving competentness of a tourism specialist must be characterized by professionally important personal qualities (personal component): self-control and self-criticism; high level of creativity and professional self-awareness; stress-resistant qualities (physical fitness, self-adjustment, ability to control their emotions); optimism; the desire to improve their health.

Formed health competencies include not only knowledge, skills and abilities to effectively manage personal lifestyle, healthy environment management, but also the development of such professional and personal qualities as empathy, tolerance, self-control, culture of communication, adaptation to changing living conditions, ability to navigate. and self-determination in various spheres of life, adequate behavior in various life situations.

Skills and abilities related to a healthy lifestyle and safety of life require multiple implementation, so the organization of their application in practice is dominated by practical exercises and game situations, individual and group activities [5].

**Discussion.** The main task of a higher education institution in the process of education is a positive change in the attitude of students to their own health. To do this, the team of teachers and administrative staff of the university works closely with student government. The following measures are effective for cooperation with these cells:

- organization of various competitions: the best work on valeological topics;
- advertising of anti-nicotine propaganda;
- improvement of the health and sports base of the educational institution and dormitory for students;
- observance of health norms in the educational process;
- focusing young people on the personal and social importance of health and health culture;
- choice of motives for awareness of the need for a healthy lifestyle, health culture.

One of the conditions in the process of forming health-preserving competencies of students' personality is to ensure the integration of educational and extracurricular activities.

We determine that such methods as game, competitive, specific, problem, research, training, sports and health, group discussions allow to optimize the process of education and acquisition of the necessary theoretical and practical knowledge and skills, to apply innovative health technologies in the educational process, and also determine the openness, flexibility, variability and dynamism of the process of forming health-preserving competencies of future tourism professionals.

**Conclusions.** Therefore, in order for the future specialists in tourism to acquire health-preserving competencies in the process of professional training, it is necessary to create such an environment in a higher education institution that: will have an educational, formative impact on students; will promote the development of self-education of future specialists in health care, active participation of students in various types of health care activities; provide an opportunity for productive interaction between teacher and students.

Students' knowledge, skills and abilities in the field of tourist animation increase psychophysical readiness for professional activity, form professionally important competencies and contribute to the improvement of professional training for domestic

regional tourism, as well as effective development and implementation of animation programs based on domestic folklore and ethnographic potential.

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