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PERCUSSION TO TEACH PRONUNCIATION IN ENGLISH

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The article presents a step-by-step description of an activity that demonstrates how learners at all levels and all ages can use percussion and percussion instruments to support their learning of English pronunciation.

Introduction. One of the main problems is lack of confidence among teachers as to how to teach pronunciation, stemming from their own lack of training in this area. Many teachers really wish to be able to help learners with this crucial aspect of language [1, p. 50]. When we introduce new vocabulary, it is important to teach our students how to pronounce the word. In beginner and elementary stages we can devote whole lessons to training specific sounds or intonation patterns [2].

The main part. English has a particular role as the language of communication between people who are speakers of English as the second language. They want to be able to apply their acquired knowledge of English by participating wherever English is used. The goals of pronunciation teaching are to practice syllable identification, word stress, and rhythm in spoken English. The students should be able to recognize musical elements in the English language. A more realistic goal, and one that more and more teachers and researchers recommend, is intelligible pronunciation – speaking in a way that most listeners, both native and nonnative speakers, can understand without too much effort or confusion [4, p. 6-7].

The use of percussion is a fast and effective way for teaching English pronunciation. It caters for all learners, from young learners to adults. Apart from that the time required is about 10-20 minutes. The teacher prepares the following materials for the lesson: pictures of animals or cards with animal names written on them; sticks, pencils, drumsticks, or any objects that could serve as percussion instruments.

The learning process begins with the teacher and students look at the pictures of animals, using either the handouts or pictures on display. As the students look at each picture, he asks them to identify the animals by name. For example, the teacher can point to the picture of the elephant and ask learners the name of the animal. If they identify it, the teacher says the animal's name again and asks the class to repeat it, using gestures if needed to make this instruction clear. The teacher says, "Elephant." They students, "Elephant." In this step, the emphasis is on sound and rhythm. The students focus on listening, hearing the word clearly, and repeating it. This process continues for all the target vocabulary items.

Then the teacher prepares students to make music with the sounds of each animal word. First students move into a semi-circle. If possible, they sit on the floor with the pictures still in view. If sitting on the floor is not practical, the students can stand. The goal is to vary the classroom routine and energize students by getting them up and out of their seats. And after that, the teacher asks the student volunteers to hand out a pair of sticks or other percussion instruments to each student. It is possible to use alternative percussion instruments such as drumsticks, chopsticks, and pencils, or the learners can use their hands to clap or feet to stomp. Essentially, a percussion instrument can be anything a student can tap, clap, hit, or use to keep time with a given rhythm.

If everything is ready the students tap the sticks together to match the different sound parts of each word. These parts are called syllables. The teacher can choose whether or not to use the word syllable in an explanation, based on the students' level. If the students are already familiar with syllable identification, the teacher can reduce the amount of time he spends on this part of the activity [3, p. 43-44].

As an example, the teacher starts with the word animal. He uses their own sticks, taps them together for each syllable in the word: an/i/mal. This requires three taps of the sticks. Then he asks students how many taps they hear. And after that, the students say "animal" while tapping along with the three parts of the word that they hear. The teacher demonstrates the tapping and does it along with the students repeatedly until they feel comfortable with the rhythm.

It is necessary to model and practice additional words with different numbers of syllables so that students can hear how the number of taps changes accordingly. The students start with the three-syllable word elephant. They repeat it while tapping their sticks in time. Then they answer how many parts they hear in the word. Again, they should be tapping three times. Then the students repeat the process with the word dog, which requires only one tap. And they finish modeling with a two-syllable word such as dolphin.

The way to teach English pronunciation must be fun, interesting and simple. So the teacher can break the class into groups of three or four students. The learners continue the activity on their own with the remaining animals. The teacher assigns each group one or two animals, perhaps by distributing the animal-word cards.

Then the teacher asks groups to tap out the word for their animals and identify the number of syllables in each. They have time to practice tapping. Only after that the groups bring back together as a large group. Each group teach the rest of the class their taps. For example, each group could come to the front of the room, then say and tap the group's word. The group can then ask the rest of the class to say and tap the word. This exercise can last until all the animals have been presented.

Teaching syllable stress in words is important. The students need to be taught how to pronounce words correctly. As for when to teach stress, it is likely that most students will need some work on it, so it is worth starting with stress for all learners. Let's look now in some detail at a possible 'recipe' the teachers can use for teaching word stress with percussion instruments [1, p. 52-54].

The teacher says the word animal slowly while stressing the first syllable naturally but loudly: AN/i/mal. He repeats the word, tapping the sticks loudly for the stressed syllable and softly for the unstressed syllables: TAP/tap/tap.

It is necessary to reinforce the idea by asking students which sound is the loudest. The teacher repeats saying and tapping the syllables with the emphasis on the stressed syllable. Then the students join the teacher in saying the word and tapping the sticks to the stress rhythm.

The teacher and students try another word, such as cheetah, together as a class. They start by saying the word together in a natural way at a normal pace. The teacher asks students, "which is louder, the first part [syllable] or the second part [syllable]: CHEE/tah. CHEE/tah. CHEE/tah." After the answers of the students, the teacher says the word and tap it out with their sticks. The first tap should be louder and the second tap quieter. It is important to model a one-syllable word such as dog. The teacher explains that in one-syllable words, like dog, the stressed syllable is the only syllable [3, p. 44-47].

This activity can be ended here. But to make this type of pronunciation activity as effective as possible, the teacher and students should do it often and vary the language used as new vocabulary words are presented in class.

Conclusion. We find it important to know that there is an effective method to teach pronunciation in English with percussion instruments. It must be noted that using the percussion in the process of teaching does not only increases participation and the general enjoyment of classes but also contributes to learning, fosters interactions. This method can also be used as reference by second language teachers and learners to enhance educational performance in the language classroom.

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***SIMILAR IMAGES IN NOVELS OF W. COLLINS 'THE WOMAN IN WHITE',
M.E. BRADDON 'HIS DARLING SIN' AND THE STORY BY E. WOOD 'THE MYSTERY AT NR. 7'***

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The article deals with some similar images of writer of 'sensational novel' school. The writers have general themes and deal with problems common for that time. They create quite similar characters. But after analyzing these images, we can find the distinctive features.

The appearance of the school 'sensational novel' in the 1860s brought some changes in the literature of the second half of the XIX century. Some critics and writers of that time were very supportive of such innovations (H. Mansel). The others have reacted to such innovation with skepticism and even fear (M. Oliphant, J. Butterworth).

The term itself was first used by W.M. Thackeray in his own Cornhill Magazine. The peculiarity of 'sensational novel' is that the authors put the figure of woman in the centre of the narration. In the novels there can be found different types of female main characters: a criminal, a victim and a detective. Khotinskaya notes, that irrespective of heroine's character she is 'always either the centre to which all characters' actions are directed or she becomes a generator of dramatic events' [1, p.11].

As mentioned above, we distinguish several female images. The first image, which goes back to the traditional Gothic novel, is a beautiful, innocent and defenseless heroine.

In the novel by W. Collins 'The Woman in White' (1860), it is Laura Fairlie, who goes through different challenges (deception, kidnapping, placement in a lunatic asylum), but eventually finds her happiness, as in the traditional Gothic novel.

Laura Fairlie is defenseless and helpless before her despotic husband and Count Fosco. She is sincere and does not have a strong character. But her sister notices the changes in Laura while reading her letters during the honeymoon, 'I only see a sad torpor, an unchangeable indifference, when I turn my mind from her in the old character of a sister, and look at her, through the medium of her letters <...>' [3, p.177].

The character of the heroine changes throughout the novel and we can see 'the formation of personality'. From an innocent and sweet girl, she turns into a serious and silent woman who patiently endures the husband's jeers. Marian recalls Laura before her marriage: "There was in the old times a freshness, softness, an ever-varying and yet ever-remaining tenderness of beauty in her face, the charm of which it is not possible to express in words, or, <...>, in painting either' [3, p.190].

But, in spite of this, kidnapping and placement in a psychiatric hospital are serious blows for her. After all sorrows, Laura Fairlie becomes like Anne Catherick. She faces with the difficulties in restoring her name: 'The outward changes wrought by the suffering and the terror of the past had fearfully, almost hopelessly, strengthened the fatal resemblance between Anne Catherick and herself. <...> how the likeness, striking as it was when viewed generally, failed in many important points of similarity when tested in detail' [3, p.391].

In the story of E. Wood, 'The Mystery at Nr. 7' (1877), there are two female images - Matilda Valentine and Jane Cross. Jane is 'she was always so lively and pleasant-mannered' [5, p.148], was killed as a result of Matilda's fit, because of jealousy of the milkman, Thomas Owen.

Matilda was a good friend of Jane and 'she had never thought to kill Jane Cross, hardly to harm her, she liked her too well: but in those moments of frenzy she had not the slightest control over her actions' [5, p.174]. She suffers from a mental disorder, which is very similar to Anne Catherick's. But if Anna's illness manifests itself in the protection of her loved ones (mother, Laura), Matilda becomes very aggressive and has fits, during which she does not control herself. She is both an innocent heroine and an insidious villain. She is afraid of a ghost, but she easily comes up with a plan how to escape punishment. But the feeling of guilt greatly affects her health and reason.

In the novel by M.E. Braddon 'His Darling Sin' (1899), also two female figures are on the forefront - Lady Grace Perivale and Miss Kate Delmaine. Like in Collins's work, part of the narrative is tied to the similarities of both women, which creates one of the conflicts in the novel.

The next similar image can be identified as a kind of defender, or beloved of the main heroine (against which various kinds of atrocities are committed). This image helps the heroine to restore justice and punish offenders. Characteristic features of this image are modesty, disinterestedness and complete self-giving, for the

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benefit of the main character. He spares no time, effort or money to help, and uses all ways and means to find those who are guilty.

In the novel by Collins, this is Walter Hartright, an ordinary teacher of drawing. He falls in love with Laura Fairlie at first sight, but leaves, when he finds out the wedding of Laura and Percival. Walter is the first, who meets the woman in white and begins to investigate this case, as a real detective. He is helped by a smart Marian Halcombe.

However, he has to leave with an expedition abroad, where he gets himself in various situations, and is on the verge of death: 'Death by disease, death by the Indians, death by drowning – all three had approached me; all three had passed me by' [3, p.366].

After all these tests, he still helps Marian and Laura. He earns money for the trial of restoring Laura's name, looking for clues in the deceit of Count Fosco and Sir Percival, and ultimately provokes Fosco, thanks to his friend Pesca.

In the novel 'His Darling Sin', Arthur Haldane can be called a defender. A young man, a popular writer, is in love with the main character. When she gets into a trouble (almost all the noble estate turns away from her, thinking that she secretly married the most unworthy person and traveled in his company), he tries to bring the offender to responsibility: 'he had thought of going to America in quest of Colonel Rannock, with the idea that he, the man with whose name Lady Perivale's had been associated, should himself set her right before that little world which had condemned her' [2, p.174]

The next figure is the figure of the antagonist. The collective image of the villain in works by the writers of the 'sensational' school is a man who can seduce people with his manners. He is well versed in various spheres of life (music, science, medicine), treacherous and ruthless.

Count of Fosco is a typical villain in the novel 'The Woman in White'. The Count not only comes up with all his clever plans, but also helps Sir Glyde to implement them (to hand out Anne Catherick for Laura Fairlie, to remove Marian Halcombe from the game for a while, to fake Laura Fairlie's death).

Count Fosco creates the impression, according to Marian, of 'a man who could tame anything' [3, p.192]. And this is really so, in opposition to Sir Percival (another antagonist), he is cheerful, good-natured, very gallant and incredibly intelligent: 'He has that quiet deference, that look of pleased, attentive interest in listening to a woman, and that secret gentleness in his voice in speaking to a woman, which, <...>, we can none of us resist. Here, too, his unusual command of the English language necessarily helps him' [3, p.194].

This character loves animals, but more exactly to train them. He did the same with his wife, who ' <...> was always talking pretentious nonsense, and always worrying the unfortunate men with every small exaction which a vain and foolish woman can impose on long-suffering male humanity' [3, p.191]. And now, after getting married, she becomes quiet and silent, afraid to say a word without her husband's permission. She performs his orders religiously and humbly (to follow Marian, or copy the letter from the maid, or leave to prepare everything for the kidnapping).

Collins creates a very cunning and clever villain. Count Fosco was a member of a secret society (which he betrayed and because of that is wanted), has extensive knowledge in various sciences. Despite his completeness, he has a quiet gait, which helps him to follow Marian and Laura easily. But in contrast to him, Collins puts a worthy opponent in the face of Marian. Count Fosco openly admires her and even tries to help her (the case when Marian got seriously ill).

Another anti-hero is Sir Percival Glyde. He is the exact opposite of Count Fosco. Unlike the Count, Sir Percival is very quick-tempered and makes decisions without thinking about the consequences. Sir Percival initially appears before us as a gallant and man in love who will do everything for the happiness of his future wife. However, during and after the honeymoon, he shows his real face: a rough, sullen and not sparing feelings of his wife. He mocks her, ruining all her maiden dreams of a caring husband, becoming a man who married her only because of her dowry: 'If I do build you a tomb <...> it will be done with your own money <...>' [3, p.230]

If we consider the negative image in Braddon's novel, we can notice similar features with Count Fosco. Colonel Rannock 'was a reprobate, a man who had long been banished from the holy of holies in the temple of society, <...> ruined other men, <...> who had admired and trusted him ; he was known to have lived in the company of vicious women, to have said to evil...' [2, p. 51-52], but with all his negative qualities, he was ' was the man's personal charm—that subtle, indescribable charm of a high-bred Scotchman who has lived in the best Continental society, and is also a cosmopolitan <...>' [2, p. 52].

The next similar image is the image of the detective. In the narrative a detective can become anyone regardless of sex, age, or occupation. For example, in the story of E.Wood, it is the milkman Thomas Oliver. He wants to restore his good name and wash off the stigma of the murderer: "I told you, sir, as I daresay you can

recall to mind, that I should do what lay in my power to unravel the mystery – for it was not at all agreeable to have it laid at my door' [3, p.170]. He himself was looking for a clue and constantly gave various assumptions about the murder. Thomas independently found out that Matilda was lying at the inquest. She framed Thomas deliberately, lying, that she did not hear him ringing the door.

In the 'The Woman in White' there are two detectives: Walter Hartright and Marian Halcombe. Marian can be called Laura's defender and is a full-fledged detective: she has to crawl on the cornice to hear insidious plots against her, then bribe the nurse to help Laura escape from the hospital. Marian Halcombe is on an equal footing with Walter, unlike Gothic and detective novels, where only a positive hero or detective should. Count Fosco admires her and writes in her diary the following: 'The tact which I find here, the discretion, the rare courage, the wonderful power of memory, the accurate observation of character, the easy grace of style, the charming outbursts of womanly feeling, have all inexpressibly increased my admiration of this sublime creature, of this magnificent Marian'[3, p. 302-303].

If we talk about the novel 'His Darling Sin', then we are presented, Mr. John Faunce - retired detective, engaged in amateur private detective. He is somewhat like Sherlock Holmes, he notices and remembers everything to the smallest detail. But there is one difference, which is not typical for either Collins's detectives or Wood. Mr. Faunce uses false evidence (places a slanderous article on Lady Perivale), so that there is a basis for the trial. In the narrative at first this is not explicitly stated, but in the novel there are enough tips from the author: ' - <...> But if there is no libel—if people go on talking and talking, and nobody ever publishes the slander? - Make your mind easy. Lady Perivale. When we are ready for it there will be a libel!' [2, p.109] or 'Then I hope I shall have the pleasure of horsewhipping the writer, and the editor who publishes it' said Haldane, hotly. 'If you please, Mr. Haldane,' cried Faunce, earnestly, 'nothing of that kind.<...>'[2, p.219]

So, we can say that despite the presence of the same in nature of images, each author modified them in accordance with what they wanted to achieve at the end. But still the authors retained one thing in common, they brought the female image to the forefront and it does not matter whether it's a negative or a positive hero. The whole story unfolded from the beginning to the end around the female image.

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**COMPOSITIONAL AND STYLISTIC ANALYSIS OF THE LITERARY GENRE OF «FANTASY»
(BASED ON THE NOVEL, «THE LORD OF THE RINGS» J.R.R. TOLKIEN)**

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The article reviews the work of J.R.R. Tolkien and conducts a content analysis of his novel «The Lord of the Rings». The author reveals the compositional and stylistic specificity of construction of the work in the genre of «fantasy» and the role of chronotope in the novel «The Lord of the Rings», analyzes the binary opposition in the novel, based on the research of the first professional Tolkienist S.Koshelev.

The English writer of the early twentieth century, John Ronald Ruel Tolkien is known to be the founder of the genre of «fantasy». He wrote the trilogy «The Lord of the Rings» in the forties of the twentieth century. This is not just a fairy-tale story about exciting adventures and mythical creatures. It covers ethical issues of Good and Evil, justice and compassion. There are heroic deeds, the unification of people for the common cause, true love, triumph of Good over Evil in the trilogy. Professor of Oxford University, linguist and philologist in an original manner was able to convey to his contemporaries deep philosophical ideas and thoughts, religious and humanistic views. Tolkien, a philologist by education, not only studied languages, but also created them. He developed a language that later became known as «Quenya», the language of the elves.

There is no direct reference to any particular religion in «The Lord of the Rings». Both readers and characters can choose in what to believe. It would be wrong to say that only fools have gathered under the banner of Evil... The main Evil in Tolkien's opinion is the absolute power that destroys people, devastating their souls. The enemy is insidious and inventive, and only unity, sincerity and kindness can cope with it.

One of the central ideas of the fantastic epic is the idea of forgiveness. Tolkien is a humanist to the core, he rejects any thought of revenge, even of a fair but brutal punishment. «What a pity that Bilbo did not stab that vile creature, when he had a chance!» – says the hobbit Frodo, who is one of the main characters in the book [4, P.10]. Tolkien expresses his opinion of the justified anger through the words of the wizard Gandalf: «Pity? It was Pity that stayed his hand. Pity, and Mercy: not to strike without need. And he has been well rewarded, Frodo. Be sure that he took so little hurt from the evil, and escaped in the end, because he began his ownership of the Ring so. With Pity» [4, P.10].

An important role in the novel «The Lord of the Rings» is played by the chronotope, a Greek word, which in the Greek language literally means time and place. The commonly used concept of «chronotope» is a natural connection of the space-time coordinates of the system. A person, a work of art and literature, culture, society, history, system of views, knowledge, all have their own chronotope. The chronotope, according to Bakhtin, is the interrelation of temporal and spatial relations in literary works. [1]. In literary criticism the term chronotope was introduced by Mikhail Bakhtin to describe characteristic ways of describing the relationship of temporal and spatial relations in works of art of different genres, different historical periods and by different authors [2].

Mikhail Bakhtin [1] writes in his book «Forms of time and chronotope in the novel» that «In the literary and artistic work there is a compression of space and time which becomes a meaningful and concrete whole. Time here is thickened, compacted, it becomes artistically visible, space is intensified, drawn into the movement of time, plot, history. The signs of time are revealed in space, and space is comprehended and measured by time. This suppression of rows and mixing will be characterized by the artistic chronotope».

There is the opposition of good and evil in all mythologies. In the novel «The Lord of the Rings» there can be about 5 binary spatial oppositions: native – foreign; vertical – horizontal; West – East; North – South; top – bottom. Let's consider them.

1) *Native – foreign:*

The creatures inhabiting Middle-earth – the world created by Tolkien are diverse, but to all inhabitants everything that is outside their territory seems to be a bad, threatening disaster. Going beyond your territory is dangerous, because it is regarded as penetration into foreign lands. Only «native» is considered to be the only right and undeniably good, and everything «foreign» should be treated with caution, and often with hostility.

2) *Vertical-horizontal:*

It reflects the structure of Middle-earth: on the vertical line there are the forests of Lorien – the abode of elves (good) and Mordor – the abode of the Dark Lord Sauron (evil). On the horizontal line Middle-earth is divided into four parts of the world and is surrounded on all sides by the sea.

3) *West-East*:

On the «Uttermost West» there are the Undying Lands of Valinor, light, safety, hope (good), and in the East there is Mordor which is fear, darkness, danger (evil).

4) *North-South*:

The North in the novel is nobility, courage, it is a quieter direction (good), the South is ignorance, betrayal, instability, danger (evil).

5) *Top-bottom*:

At the bottom, in caves and undergrounds, inhabited by servants of the Dark Lord Sauron: the orcs, the wargs, Barlog, the giant spider Shelob (evil). Top is inhabited by representatives of the light forces – giant eagles (good).

Time in «The Lord of the Rings» flows according to the *linear-cyclic model*. It is characterized by the connection of historicism with the myth of eternal return. Here there is the problem of death and immortality. Only the elves are endowed with immortality, it gives them the wisdom, the love of the world, the understanding of its problems. But it makes them weak, makes them unable to fight Evil. In the elven forest Lorien time is directed to the ideal past, at a time when the world had just emerged: «where days bring healing not decay». [4, P.66].

In «The Lord of the Rings» there is also a *ritual time* in which the burial ritual of Boromir is performed: «... Now they laid Boromir in the middle of the boat that was to bear him away. The grey hood and elven-cloak they folded and placed beneath his head. They combed his long dark hair and arrayed it upon his shoulders. The golden belt of Lorien gleamed about his waist. His helm they set beside him, and across his lap they laid the cloven horn and the hilt and shards of his sword; beneath his feet they put the swords of his enemies.... Sorrowfully they cast loose the funeral boat: there Boromir lay, restful, peaceful, gliding upon the bosom of the flowing water. The stream took him...He floated by them, and slowly his boat departed, waning to a dark spot against the golden light; and then suddenly it vanished. ...The River had taken Boromir son of Denethor...» [4, P.55]. The ritual of Boromir's funeral is accompanied by a funeral chant: the heroes sing songs in turn, in which dialogue with the Western, Southern and Northern Winds, they are asked to tell something about Boromir, but he is no more in this world, he crossed the line of land, where there is no return.

The next type is *historical (linear) time*. Tolkien used it in the Chronicles, which are part of the work. They contain information about the people of Middle-earth. «The Lord of the Rings» is being created based on the Chronicles. Also there is a *prognostic time* in «The Lord of the Rings». Penetration into the future occurs either in a dream or with the help of artifacts. Frodo sees the sea, which will become for him a place where he will heal both the soul and body: «Eventually he fell into a vague dream, in which he seemed to be looking out of a high window over a dark sea of tangled trees. Down below among the roots there was the sound of creatures crawling and snuffling. He felt sure they would smell him out sooner or later. Then he heard a noise in the distance. At first he thought it was a great wind coming over the leaves of the forest. Then he knew that it was not leaves, but the sound of the Sea far-off; a sound he had never heard in waking life, though it had often troubled his dreams» [4, P.16]. Arwen – Elf, wife of Aragorn – at the end of the novel gives Frodo her place on the ship, sailing over the Sea, to Valinor: «If your hurts grieve you still and the memory of your burden is heavy, then you may pass into the West, until all your wounds and weariness are healed» [4, P.127]. The future opens to Sam when he looks in the Mirror of Galadriel – the elven Lady of Lorien. He sees what will befall the Shire during his absence: «But now Sam noticed the Old Mill had vanished, and a large red-brick building was being put up where it had stood. Lots of folk were busily at work. There was a tall red chimney nearby. Black smoke seemed to cloud the surface of the Mirror» [4, P.48]. Prognostic time is only available to selected heroes. Predictions are also associated with prognostic time. The white wizard Saruman predicts: «The Elder Days are gone. The Middle Days are passing. The Younger Days are beginning. The time of the Elves is over, but our time is at hand: the world of Men, which we must rule...» [4, P.35]. And Elrond – Half-elven, the Lord of Rivendell – predicts: «But maybe when the One has gone, the Three will fail, and many fair things will fade and be forgotten...» [4, P.36].

Sergey Koshelev – one of the first professional Tolkienists in Russia – became the first scientist in the country who defended a candidate's dissertation «on Tolkien». In the article «The genre nature in «The Lord of the Rings» of J.R.R. Tolkien» [3] he identifies *three types of artistic time*: the time of fairy-tale areas, epic time, novel time.

The first type is the time of the fairy-tale areas (Rivendell, Lorien). Koshelev characterizes it as «standing», frozen. Sometimes these fabulous areas generally fall out of the flow of time.

The second type is associated with Aragorn, he defines the epic time: «It seems that you are come on the wings of song out of the forgotten days » [4, P.67], – says the guard in the residence of the king of the country

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Rohan – Theoden. Theoden's nephew Eomer also says: «These are indeed strange days... Dreams and legends spring to life out of the grass» [4, P.57].

The third type is «the time of the road, within which the spiritual development of heroes occurs and the subject of the picture» is the novel time. At that time, there is one, two, four and the beginning of the sixth book «The Lord of the Rings».

Also Sergey Koshelev identifies [3] *three types of artistic space*: the conditional household, a fantastic and epic.

The first kind is the conditional household. As an example, Koshelev mentions Bilbo's birthday scene at beginning of the novel. This type is characterized by descriptions of everyday life, details from everyday life. The heroes of this space are hobbits.

The second kind is fantastic, fabulous. Koshelev describes this type: «The old forest, the path to which leads through an underground tunnel; Rivendell, where crossed by wading through Bruinen; Lorien, for penetration into which it is necessary to overcome the underground tunnels of Moria, and ford Nimrodel; Mordor, where again fall after passing through the tunnels and the pass through the mountain range. These are the signs of the transition to «another world» fixed by folklore tradition». Heroes of this space are orcs, elves, dwarves.

The third kind is the space of «military heroics or epic space. Here, the hobbits are either completely absent or play the secondary role of vassals and warriors of proud lords. Reality is given mainly in the author's perception, and Aragorn becomes the central hero, with an image of an independent plot motif with a lot of battles and demonstrations of military courage, will and power, both the protagonist himself and his entourage. Rohan and Gondor – the localization scene of the epic space». The main characters of this space are people.

The metaphorical image of the road plays an important role in the novel. «Tolkien has a space in which the internal development of hobbits takes place. The road can be called the «novel» space of the book, the space in which psychological development takes place». In general, S. Koshelev [3] points out that «The Lord of the Rings» affirms the independent value of space. «The space gets several directions, multiple related story lines match. This is not a thread, but a whole plane. But the dimensions of this space are not only horizontal». It is deployed deep (the caves of Moria) and up (Caradhras peak and other mountains).

Three types of space and three types of time are characterized for the different types of heroes inhabiting Middle-earth.

Koshelev connects the image of the hobbits with the conditional household space. That's how Tolkien describes the hobbits: «They are (or were) a little people, about half our height, and smaller than the bearded Dwarves. Hobbits have no beards. There is little or no magic about them, except the ordinary everyday sort which helps them to disappear quietly and quickly ...They are inclined to be fat in the stomach; they dress in bright colours (chiefly green and yellow); wear no shoes, because their feet grow natural leathery soles and thick warm brown hair like the stuff on their heads (which is curly); have long clever brown fingers, good-natured faces, and laugh deep fruity laughs (especially after dinner, which they have twice a day when they can get it)» [5, P.1].

Hobbits are not heroes, they are small, funny, slightly stupid, but hardy, when needed, they are brave and faithful. For them, their cozy home small world is important. The image of the hobbit was invented by Tolkien himself.

Elves, dwarves, orcs, trolls are part of fantastic, fairy-tale type of space.

Elves are beautiful, noble, spiritual and immortal. The dwarves are born miners, the most skillful among mortals stone-cutters, jewelers and blacksmiths. Orcs are evil, barbaric people. They are hostile, prone to vandalism and cannibalism. *Vandalism* is the spirit or conduct of the vandals; ferocious cruelty; hostility to the arts and literature, or willful destruction or defacement of their monuments. *Cannibalism* is the act or practice of humans eating the flesh or internal organs of other human beings. [6; 7]. Trolls are angry, hard-thinking creatures of huge sizegrowth and strength.

People are connected to the epic type of space. The people of Tolkien in most of their characteristics are similar to Homo Sapiens. They are weaker than elves, inferior to them in beauty, power. People have less developed sense organs. Unlike the elves, are gifted with mortality. The central character among the people is Aragorn. He is characterized by intellect, will power, physical strength and longevity.

Thus, Tolkien's works are complex and interesting, they have a unique compositional and stylistic logic. They are permeated with ideas about Good and Evil, about God and the devil. They teach humanity and the basics of Christianity; set the right orientation in life; force the reader to reflect on the essence of the main categories of morality. Tolkien presented his ideas about justice and compassion, sincerity, forgiveness and selflessness

in such a figurative and metaphorical language that they were available to the reader of any age. Tolkien's works will be admired by many generations.

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LINGUISTIC IDENTIFICATION OF PERSONALITY

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Linguistic personality is a personality expressed in language (texts) and via language, a personality reconstructed in the general terms on the basis of linguistic means.

Physiologists, psychologists, philosophers and linguists have been studying human personality for centuries. Hundreds of books and articles devoted to human thoughts, feelings and speech acts, have been published in the last two or three decades [1, p.37].

Linguistic personality is the concept that goes through all language aspects and breaks the boundaries between the disciplines that study human personality. Obviously, it is impossible to study personality apart from his/her language.

Linguistic personality is not a novel object of study in linguistics. Some new research into this problem has been done recently. Linguistic personality has been considered 'from the bird's eye view' and the researcher is only able to see and note the most common features that describe a person as a species, as a talking being, as a homo loquens [2, p.3-4].

Any speaker is a linguistic personality, a person who exists in a language space, in communication, behavioural stereotypes, recorded in language, in its linguistic units and texts meanings. The study of the linguistic personality in native linguistics is undoubtedly related to Yu.N. Karaulov. He defines the term 'linguistic personality' as a set of person's abilities and characteristics that determine their speech (texts) production [3, p.7].

The value plan of a communicative personality is demonstrated in conduct standards fixed in a language.

Conduct standards generalize and regulate a variety of communication situations, that is why they are of especial importance. They are recorded in word meanings and phraseological units. These standards are not homogeneous. Their linguistic research is of particular interest in both theoretical and practical aspects. Practical interest helps to understand foreign culture values through language and teach the adequate communicative behaviour in a foreign society.

The theoretical basis given in the work by Yu.N.Karaulov, has become the foundation of the present analysis of the communicative behaviour of two native speakers, allowing to compare their linguistic personalities.

Communicative spheres are subject situations in which national specific features of communicative behaviour are manifested. Communicative spheres differ from standard communicative situations by being more extensive and less structured, less rigid with regard to rules and norms of communicative behaviour acting within their framework. The latter are more diverse than in the framework of standard communicative situations; there are fewer mandatory speech formulas and more variability.

The description of communicative behaviour within the framework of communicative spheres presupposes greater freedom of presentation and less predetermined description by ready-made speech models than description of communicative behaviour of people in standard communicative situations.

The two people whose linguistic personalities were under analysis were both university-educated men in their late twenties, of Caucasian racial type, from the USA. All these factors should be taken into account while analyzing their communicative behaviour.

Communication with friends. Communication with friends in the USA is mediated by the concept of privacy which is important for their mentality. It means independence, inviolability of the inner world of a person, a certain distance from others as a desirable state of a person.

From the point of view of Americans communication with friends should be easy and pleasant for both sides. In spite of a certain degree of proximity it should not violate the limits of what is permitted and should not be felt as a burden [4, p.113-114].

Communication with close friends. Americans perceive themselves as sovereign people responsible for their actions. They treat others in the same way. The concept of "friendship" in the American culture has a slightly different connotation than the Russian one. Speaking about friendship, Americans mostly have in mind friendly relations. American communication with friends is rather superficial and formal in nature. It is reduced mainly to spending their free time with friends. When an American meets someone who likes the same things as they do, he or she attempts to make friends. Researchers say that American friendship is friendship by personal choice, not by tradition or by the past [4, p.115-116].

Communication with foreigners. Americans communicate with foreigners benevolently but indulgently. The USA is a country of immigrants, and Americans do not have hyper-hospitality towards foreigners like Russian people have.

The usual topics of conversation with a foreigner are family, food, leisure activities, sports and politics. The aim of these discussions is an attempt to compare how the Americans and people in other countries live. Americans often discuss the government policy; ask about the economy and prices, they are interested in the causes of events in Chechnya, the affairs of the Russian mafia, and the scale of local crime. Americans often have a very low level of awareness of life in other countries. That is why questions like these should not come as a surprise: "Is it true that you have frost all year round?" [4, p.118-120].

Communication in a cafe or restaurant. Restaurants and cafés are very popular places for Americans to meet in. Americans basically like to eat "out" and often go to restaurants and cafes.

Restaurants (cafés) in the USA is both an official and an informal place for communication. People celebrate official and family events there. Business meetings, completion of negotiations and deals take place there.

The one who invites usually is the one who pays the bill, although sometimes a person who is older can insist on paying; or a man who is sharing a meal with a woman. If the inviter does not pay, they should at least express a willingness to do that.

To insist on paying for a meal is a ritual, but a dispute on this topic ends quickly if someone makes it clear that he / she intends to pay for food [4, p.146-147].

American Non-Verbal Communicative Behaviour.

Distance of communication. Modern sociological data of communicative behavior distinguishes four basic types of distance:

1. intimate distance (15 – 45 cm) – distance of communication between close relatives and friends;
2. personal distance (45 cm – 1.2 m) – distance of communication at parties, when communicating with good acquaintances;
3. social distance (1.2 m – 3.6m) – communication with strangers and unfamiliar people;
4. public distance (more than 3.6 m) – when speaking in front of an audience [5].

In most cases Americans prefer a fairly large distance of communication — too short a distance for Americans is associated with encroachment on personal space, aggression or even sexual harassment.

"A comfortable communication zone" for an American can be considered a distance of at least half a metre. "Comfort zone" should be observed between two seated interlocutors, i.e. should be the necessary space between them, for example, in the case of a dispute not to hurt one another or to bend slightly to the interlocutor in case of some personal problem discussion [4, c.181-182].

Physical contact when communicating. Americans do not belong to contact cultures. They are hardly inclined to the physical contact while communicating. This contact is extremely rare: the rule "Keep your hands to yourself". It is only possible for men to pat each other on the shoulder while greeting.

Although Americans need a relatively large "comfort zone" when talking, they sometimes resort to the help of touches while communicating. They can put their hand on the shoulder of an interlocutor to express an affectionate attitude towards him or her, or even hug them as a sign of sympathy, pat on the back to comfort and pat the child on the head to express their love, often hug each other firmly at the greeting and farewell. They will readily take the interlocutor by the hand and help cross the street [4, c.185-186].

Smile in communication. The main mimic of Americans is the smile. The smile in the USA is an indispensable part of conversation. Americans, meeting a stranger's look in transport, in the street or in other places, usually smile or say something. They also smile looking at children or animals.

Americans mostly smile showing their teeth. The American smile is like a grin for a Russian, that is a demonstration of teeth by animals, and it is estimated as wary, often — disapproving, sometimes considered artificial, demonstrative, and insincere.

The main functions of the American smile are:

- demonstration of good will towards the interlocutor;
- demonstration of courtesy in communication: it is customary to smile at people you have business with — buyers, sellers, customs officers, etc., in this respect, the smile in America is the basis of customer service;
- demonstration of personal prosperity ("I'm ok"); even if things do not go very well, Americans keep smiling, in order not to look like "losers"; a smile is the typically American demonstration of perseverance, vitality;
- demonstration of gratitude — the smile can serve as a substitute for verbal means of expressing gratitude. It must also be emphasized that loud laughter in the USA is a sign of a particular attitude towards the interlocutor [4, p.189-190].

Eye Contact. Americans do not look straight at strangers (this violates privacy), but if an American accidentally makes eye contact with a stranger, they will most probably smile back in order to establish contact.

Silence. In American communication you can remain silent for some time. This will not cause others to get talking, will not attract attention at all. Americans do not have the concept of "awkward silence." The conversation does not have to go on non-stop while having meals.

Having analyzed two native speakers, it is possible to make some conclusions. With the linguistic personality № 1, communication of the researcher was informal, easy and friendly. We went to three different cafes. Every time we paid bills separately. The first time we agreed to have a cup of tea. While talking we ordered more. The second cup was paid for by the American, since we initially had agreed on only one. The first time we discussed different issues, namely the politics of the two countries, the peculiarities of languages (especially slang), traditions and festivals, the leisure time of young people, etc. The second time and subsequent meetings we touched upon more personal topics, such as family, relationships, spending free time. That was the sign that we were establishing a friendly relationship. The informal language of personality №1 was different from what he used while reading lectures, or conducting a lesson. In unofficial situations he often used slang and joked a lot. His clothes were of casual style (jeans, sweaters), while in the university he wore formal clothes (a suit, or trousers and a shirt). In eye contact he showed that he was listening attentively to the interlocutor and showed respect. Almost all the time he smiled and sometimes laughed out loud. The distance was always about 1-1.5 m. since the meetings took place in a cafe and normally we were sitting opposite each other.

Communication with the linguistic personality №2 was rather formal and tense. Topics for conversation directly depended on the questions put to him. He did not ask anything and was not interested in anything. Communication was based on the "question-and-answer" structure. The impression was that these were business meetings, not friendly ones. The meetings were also in a cafe, but in this case the native speaker never offered to pay. He kept himself restrained, at a distance, smiled politely and almost never laughed, but still maintained eye contact.

Summing up, it can be stated that the linguistic identification of personality is a very interesting aspect of study. By means of verbal and non-verbal behaviour in the communicative spheres one can draw conclusions about a person and their relation to the interlocutor. Two linguistic personalities have been analysed, who coming from the same region showed themselves completely differently. Undoubtedly, both of them observed some simple rules such as distance, eye contact, polite smile and lack of physical contact. Nevertheless the range of language peculiarities has defined specific features in formal and informal communication.

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MECHANIZATION OF INDIVIDUALITY IN GEORG KAISER'S DRAMAS "GAS I" AND "GAS II"

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This article is devoted to the social and moral issues of George Kaiser's dramas "Gas I" and "Gas II". The article highlights such important topics as the topic of person's inability to resist harmful effects of mechanization on consciousness, their passivity and inaction in the face of loss of personality.

Georg Kaiser's dramaturgy is quite a contradictory phenomenon, although it is connected with the best achievements of expressionism in social consciousness. G. Kaiser wrote about eighty plays for fifty years of his work [1, p. 366]. G. Kaiser's trilogy, which includes such plays as "Coral", "Gas I" and "Gas II", is one of the most striking examples of expressionistic drama. The workers and managers of the factory where gas is produced are in the center of the plays. The main motive of the plays is a harsh criticism of the obsolete capitalist world order.

The consciousness of a little man, an inalienable mechanism of the capitalist world order is one of the Kaiser's trilogy conflict sources, which determines the development of the plot. The main problem of the factory workers and employees is not about dangerous industrial welfare; their main problem is that they see themselves only as a set of certain skills which are common among people of their profession. The bourgeois society turns people into a grey, faceless mass. All of them become robots, who forget who they really are – people who are capable of something more, who are capable to transform the society in which wisdom, happiness and brotherhood will thrive. The only thing they can do is to work and sacrifice their health to work.

The drama "Gas I" begins with a tragic incident – the gas, which formula is developed by Engineer at the factory, suddenly explodes. As a result of the technogenic catastrophe, the people die, the gas production stops for seventeen days, and the rest of the survived factory stuff become unemployed. This entails even more serious consequences, because the gas is the universal source of energy which the society needs. Clerk makes it clear how important gas is for the whole world. His words may seem exaggerated, but Clerk himself, like other characters of the play, sincerely believes that the lack of gas will lead the world to ruins.

G. Kaiser's choice of the gas as a trigger for a man-made disaster is not accidental, especially taking into account the fact that the play was written at the end of the First World War. The use of toxic gases in the field was the main military innovation. This motif is used differently in the play: it is not about using gas as weapon of mass destruction yet, but its explosion has already caused numerous losses among workers. The gas is the personification of death and destruction, a dangerous path chosen by mankind. The gas produced by the enterprise acts as one of the most typical for Kaiser's dramaturgy humans' creations, which turn people into "Sklaven, Vollstrecker und Opfer ihrer Erfindungen" [2] (slaves, performers and victims of their inventions).

The people are interested only in material wealth and earnings. Each of them is ready to kill a man inside themselves for this purpose and become a soulless machine whose life goal is accumulation. The people do not attach importance to spiritual life, they forget about their personal qualities.

Clerk proudly declares, "I'm a clerk". This is the only thing that is important for him. Realizing that there will be no more work for him, Clerk is ready to leave, which proves that work is the main thing for him.

Almost all the characters in the play do not feel that they are individuals; they realize only their social function fulfillment of which will replace their whole life. This is indicated by the fact that the author, in full accordance with the aesthetic artistic principles of expressionists, prefers naming the characters according to their activity rather than indicating their names.

The workers' demonstration is significant to reveal this theme. The characters named Girl, Woman and Mother rise to the rostrum to speak on behalf of the whole people. The nameless characters represent all the girls, women and mothers who work in the factory and whose relatives and beloveds died in the explosion. These three female characters tell about what work has done with their relatives.

For example, the young man was absorbed in his work so much that Girl did not seem to know that she had a brother. She grew up and did not see him, because he appeared at home only at nights, and devoted the rest of the time to work. He was not an individual, he was not a human being, but he was a machine which did not stop even at nights. His whole being was reduced to one hand – the only thing that was important to cope with work successfully. The man is completely lost. He cannot think on his own, make his own decisions. But the

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most terrible thing is that people are not even able to realize that they are only cogs in a huge system, which needs them only as workforce, rather than as self-sufficient individuals. And even if they realize it, they are quite happy with it. It is much easier and more convenient to follow someone, than to make your own serious decisions.

Mother almost began to consider her son dead since the first time he went to work. This shows once again how destructive the capitalist society is for a man. He forgets himself, forgets his family. Mother remembers about the time when her son was a child. At that time the system did not have such a destructive effect on him. But as far as time went, an innocent child turned into a workaholic who does not think about anything. The son himself seems to appeal to his mother, asking why she did not save him from work. But even though he realizes deeply inside that his personality is completely destroyed, he cannot do anything about it.

Woman cries about her husband, saying that she saw him only once – at her wedding. This event was the only day of the year when she managed to spend time with her beloved. The rest of days he devoted to his work. And what has happened to him? His whole being shrank to one leg – the only thing that was important in a person so that he could perform his work productively. But why, then, the whole husband was burned in the blast, and not just his leg?

To realize that pursuing prosperity a person loses himself, a terrible catastrophe has to take a place. Only it makes a person think about the fact that he wastes his life for nothing, forgetting about himself and his relatives. And now other brothers, husbands, sons ask themselves the question, what for all this was, what kind of capital they earned and whether the money compensate the loss of their own human essence.

The playwright "reflects the process of transformation of the generation consciousness that survived the second industrial revolution" through numerous images of workers [3, p. 70]. The catastrophe makes the workers finally think about the meaning of the eternal rush for their own wealth. They live with the only desire to improve their own financial situation maximally, but their life is depreciating. It is squandered in vain, because a man who is cut off from the family, who forgets about their feelings and desires, cannot be happy. Living their whole life in the modern society, wasting their energy by doing meaningless work, having the only goal that is accumulation of material values, the people completely forget about what is really important. Cities, factories absorb people, turning them into machines which cannot think, but only work for the benefit of a system for which humans' lives are not important at all.

Gentlemen in black, appearing in the play, represents the directors of other factories. They do not think about people at all, about that little man whose work creates their financial empires. Human beings are nothing for them, human victims are absolutely not important. They are so frightened with the thought of a possible collapse of the established social relation system, that they are ready to sacrifice the most expensive thing – life. Knowing that the formula calculated by Engineer is absolutely correct, nevertheless they want to fire him, and leave the old formula, because both the engineer and the workers of the factory are not important. One cog may be replaced with another one, the main thing is that the system continues functioning.

The theme of the human being mechanization continues to unfold in the drama "Gas II". However, if people are still able to work in the previous play, now the problem of destroying a person comes to its logical conclusion – the work poisons the consciousness of the workers so badly that they are no longer able to produce the gas. The people do not even want to accumulate material values. They, like thoughtless robots, work only for the sake of work – "movement for the sake of movement":

Gas production decreases every hour, despite the fact that all shifts work. Even the children work full time. However, all the workers lose their strength, because they work without a goal, without enthusiasm. Their consciousness is so enslaved that even the possibility of earning does not attract them now.

The saddest thing about this system is that the people have never been of the main value and priority for the authorities. The gas is running low, and this can lead to the system collapse and terrible consequences for the factory managers, and Man in Blue offers a terrible decision to get people work round the clock, without the right to rest, until they die from exhaustion.

This episode demonstrates how easily the authorities can dispose of someone else's life. None of the workers could bear even the previous shift, as Billionaire-Worker mentions, but Human in Blue has got a more terrible idea that is to make people want to die from work. The people should work so obsessively, as if trying to lose all their vitality. The main thing is not to stop gas production.

Thus, in the dramas "Gas I" and "Gas II" Kaiser raises such a vital theme for expressionists as destructive impact of society and technology on a person's consciousness, unpreparedness, the inability of a modern person to resist the ugliness of the surrounding reality, his passivity and inaction in the face of loss of his own personali-

ty. The existing social system directs a person to unthinkingly improve their own well-being. In his plays Kaiser creates vivid images of the workers who have turned into insensitive robots.

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EMOTIVE PHRASEOLOGICAL UNITS WITH NEGATIVE CONNOTATION IN BRITISH ENGLISH

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This article is devoted to emotive phraseological units with negative connotation in British English. Moreover the article explains the reasons why some particular negative emotions prevail or not prevail among others.

Phraseological units with emotive component in British English are divided into emotive phraseological units with negative, positive and neutral connotations. As for the phraseological units with negative component, they are the following "anger", "disgust", "sadness", "fear", "pain" / "suffering", "shame" and "guilt".

After calculating phraseological units with the component "emotion", we found out that the component "anger" is more widely used in English phraseological world picture as compared with other negative emotion components. Most emotive phraseological units with the component "anger", as well as other negative emotive phraseological units, are used with the component "human body and organs" and with the component "zoonim", for example, *(to do something like) a bull at a gate* - to do something furiously, violently; *one's monkey is up* - to be in a rage, in fury; *with a heavy hand* - cruelly, severely; *a hair in one's soup* - a source of irritation, trouble. Namely emotive phraseological units with the component "human body and organs" as well as the component "zoonim" fully reflect the culture of the British Isles. Negative emotions in British English are inextricably linked with human physiology and somatic reactions of human beings and animals. That is why the component "human body and organs" as well as the component "zoonim" are more widely used among phraseological units with the component "emotion".

Some scientists, for example, O. Ulanovich and M. Moroz give the following explanation for the most frequent usage of the component "anger" among other emotive phraseological units with negative connotation. According to these scientists, namely anger is the key emotion in English-speaking linguistic culture in connection with England colonial past, bitter civil wars and religious conflicts inside and outside the country. The scientists believe that frequent manifestation of this emotion, which accompanied England historical development, contributed to the emergence of a significant number of linguistic representatives expressing this emotion [3, p. 115].

The next emotive phraseological unit with the component 'aversion' also finds frequent usage among other phraseological units with negative connotation. Here are examples of phraseological units with this component: *up to putty* - worthless, having no real value or use; *Tom Thumb* - nonentity, a nobody; *snap one's fingers at smb.* - openly express scorn towards somebody; *put smb's teeth on edge* - to disgust smb., to get on one's nerves. The reason for such a wide usage of this emotive phraseological unit is the English strongly marked sense of superiority. So, everything belonging to the English, according to the British, is the best. I. Sternin in his "Essay on the English Communicative Behavior" [2, p. 30] tells how at the beginning of the XIX century one lady witnessed an interesting conversation between two Englishmen crossing the English Channel. One of them complained about a terrible smell. The second Englishman replied: "This is the smell of the continent, sir!". In addition, the British are not interested in other nations and countries. According to the writer M. Lyubimov, "the outside world is almost as far away as the Moon for the average Englishman, he is perfectly brewed in his own juice and does not know anything about the existence of the Bolshoi Theater, writer Fazil Iskander and Tula samovars ... he does not care that Pakistan has acquired nuclear weapon (if it does not threaten England), and there is a war in the North Caucasus (where is it? In Africa?) " [1, p. 106].

Emotive phraseological units, which contain such components as 'grief', 'shame' and 'guilt' are used less frequently than other emotive phraseological units with negative connotations. The reasons of this phenomenon lie in the English national character. As I. Sternin notes, the British are temperate and restrained both in their behavior and in public life. Happy medium is significant for them, that is why they do not go to the extremes. In general, they do not show any kind of emotions in a strong way. The residents of the British Isles are also calm and peaceful even in critical situations. Moreover, the British are exceptionally law-abiding citizens. The British source of pride is respect for the law and compliance with the law. The so-called "gentleman's code" is one of the national priorities. It means that an Englishman should be honest in all life situations and live according to his conscience. In addition, the British are extremely polite and well-mannered. Furthermore such words as *thank*

you, excuse me and sorry are obligatory attributes of English communication. The residents of the British Isles are also polite and attentive to people who are inferior to them in this or that way. Such attitude towards others characterises Englishmen as aristocrats. As we see, the Englishmen have extremely positive characteristics, which exclude manifestation of such negative emotions as shame and guilt [1, p. 28 – 34].

So, there are such negative emotions as anger, disgust, sadness, fear, pain / suffering, shame and guilt. Most often, Englishmen experience such negative emotions as anger, disgust, fear, pain / suffering. Sadness, shame and guilt, on the contrary, do not find such a vivid manifestation among negative emotions of the Englishmen. The reason of this notion lies both in the history of the Englishmen and in the national character of the British Isles inhabitants. It is necessary to take into account colonial past of England, fierce civil wars and religious conflicts both inside and outside the country. As for the English national character, they have the following features: sense of superiority, lack of interest in other nations and countries; they are temperate and restrained, extremely calm in critical situations, respectful for the law. The English observe the so-called "gentleman's code", moreover they are polite and attentive to people who are inferior to them, that is one of aristocracy features.

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THE PHILOSOPHY OF NIETZSCHE AS THE BASIS FOR THE WORLD VIEW IN GERMANY
OF THE TWENTIETH CENTURY

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The article shows that *Nietzsche doubted the goodness of the good and claimed that with the help of the good words the rulers distinguished themselves from the ordinary people, who were called bad. Nietzsche's idea became the basis of the world view of many political leaders in Germany before the Second World War.*

«A philosopher is a terrible explosive from which nothing is safe» – that is one of the famous statements of the German philosopher Friedrich Nietzsche (1844– 1900). He had no intention of offering his readers a comfortable experience, and his contemporaries defended themselves by just not reading him. But soon after his death the tide began to turn, and he became a major-influence on twentieth-century thought, especially on the European continent, and the more so in Germany before the Second World War.

We should not miss the first sentence of Nietzsche's «The Genealogy of Morals» (1887), where the author says, that we know little about ourselves. It is really true. A huge change in European thought is under way. As a teenager, the future philosopher was struck by skepticism and mistrust towards the intellectual diet that his seniors were feeding him. For Nietzsche it was the moral values of nineteenth-century Christianity. Nietzsche reckoned it was time for some questions about value of these «values».

Nietzsche's method was to ask about their history, their pedigree, what he called their «genealogy». Where had they come from, how had people come to hold them? Why had they come to hold them, or in other words: what were these values doing for the people whose values they became?

Many believed, and some still do, that moral values were of similar origin: handed down to human beings direct from God. Nietzsche, who in spite of his clerical home background once described himself as an atheist by instinct, had no interest whatever in that story. He sought the origin of human values in human needs and human psychology. But he wasn't the first to do so. In fact, it was already a tradition of it, and Nietzsche took its central thesis: when humans found certain types of behavior advantageous to them and the smooth running of their society, they called them «good». Where they found them disadvantageous, the reverse.

On the face of it that sounds quite plausible: a society reinforces what is beneficial to it. But Nietzsche regarded it as sentimental, unhistorical claptrap. Drawing on his expert knowledge of ancient languages he told a very different tale. Far from its being those who received benefits from the behavior of others who then called those others «good». It was the upper classes, the aristocracy, the nobility, the rulers of ancient societies who first called themselves good and the ordinary people, the slaves, the subject population, bad. Early good/bad distinctions are perhaps better understood as distinctions between «noble» and «base», free and enslaved, leaders and the led, the washed and the unwashed. They were the words in which the top dogs celebrated themselves, their strength, and their own way of life, and expressed the extent of the gap that they felt between themselves and the weak, impoverished, servile masses.

So this value-system was not God-given, and it was not the outcome of some intuitive perception of its truth, or intrinsic «rightness». It was a vengeful, retaliatory device, born of the weak's resentment of the strong. All that commitment to charity, compassion, and love was actually fuelled by hate. This kind of thought is entirely typical of Nietzsche, who loved to stand popular conceptions on their head.

The German ideology before the war loved that too. No wonder German political leaders reinforced their statements with quotations from Nietzsche. But Nietzsche was wrong, that is why his teaching didn't help to justify the world view of the German officials which they had before the Second World War.

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ARTISTIC PECULIARITIES OF THE NOVEL «THE MEETING AT TELGTE» BY GÜNTER GRASS

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The article analyzes the artistic peculiarities of the novel «The meeting at Telgte». The narrative in the novel revolves around a fictional meeting for writers and poets during the Thirty Years' War. The story is an analogy for the post-World War II society in Germany. The author of the article studies the methods by means of which Günter Grass depicts the dramatic events, comprehends two historical tragedies – the Thirty Years' War and the Nazi past.

Günter Grass (1927-2015) is well-known West German writer, novelist and poet. He is the author of grotesque-satirical and anti-fascist novels, winner of the Group 47 prize (1958), the Büchner prize (1965), as well as the Nobel prize (1999). The writer received international acclaim during his lifetime, his works being translated into many languages of the world, and many books and articles being devoted to the analysis of Grass' creative heritage.

The famous story of Grass «The meeting at Telgte» (1979) tells about a fictional meeting, the author brings together German poets of the baroque epoch, as well as composers and theologians. This meeting, as is shown, devoted «to rescue their cruelly maltreated language and to be near the peace negotiations» [1]. In the story the writer dwells on the event of The Thirty Years' War (1618-1648) in Germany, conveys the atmosphere of the time, mentioning the eternal companions of military events: «Far away the war is sowing hunger plague desolation» [1].

The choice of the meeting place was not accidental: the town of Telgte – «a snug little town which, though impoverished, had remained unscarred» [1], it is not far from Osnabrück and Münster, where the peace of Westphalia was signed, which put the end to the war. The meeting is presented as a real event during The Thirty Years' War: «Telgte had long been a place of pilgrimage, there he would find quarters for their lordships, those pilgrims of the Muses» [1]. However, it should be noted that such meeting could never happen during the war, because Germany was divided into large and tiny sovereign States.

It is necessary to point to the saturation of the story with the game element. A. V. Dobryashkina notes that «in addition to the apocalyptic content, inspired by the problems of The Thirty Years' War, which could be compared with the tragedies of the twentieth century, the Baroque finds for Grass some more attractive features. The 17th century is, first of all, one of the most distinctive game periods of European culture, the period of understanding life through the game, which has a rich stockpile of specific genres and images» [2]. In the novel Günter Grass uses the method of literary masks, melts together art space and reality. The writer introduces actually existing poets, such as A. Gryphius (1616-1664), F. von Logau (1605-1655), K. G. von Hoffmannswaldau (1616-1679), G. R. Weckerlin (1584-1653), D. Czepko von Lagerfeld (1605-1660), into the narrative.

In all Grass' writings the autobiographical element is very diversified and significant. Some biographical overtones could also be traced in his story «The meeting at Telgte». The writer correlates history and modernity: «I am writing about the meeting at Telgte now, because one of my friends, who brought together his colleagues in the forty-seventh year of our century, intends to celebrate the seventieth anniversary» [1]. Günter Grass keeps in mind the writer Hans Werner Richter (1908-1993), the founder of the «Group 47», who is hidden in the story behind the mask of Simon Dach. In the story Simon Dach is the initiator of the meeting of writers and poets at Telgte, in the same way as Hans Werner Richter organized association of writers in 1947. S. N. Satovskaya noted that «therefore, come in contact allusively here 1647 as the year of an imaginary meeting at Telgte and 1947 as the year of foundation of the «Group 47» [5].

The author in the narrative is hidden behind the mask of H. J. K. Grimmelshausen. A. V. Dobryashkina notes that «Grass, like Grimmelshausen, paraphrases his grotesquely baroque chronotope, freely imitates the genre patterns of historical poetics, as if reviving the historical genre of grotesque, making the genre a symbolic and specific game formation» [2].

Getting into an intellectual game with the reader, G. Grass does not recall the names of his own contemporaries and events of his own life. However, we understand that the fictional meeting of writers at Telgte reminds the meetings of «Group 47», the association of writers, including G. Grass, who did not want the revival of militarism and nationalism. At the meeting at Telgte various writings are read out and discussed, debates are

held about the situation in the country, in art, and the German language: «when it came to improving the language and Germanizing foreign words, we found ourselves in agreement» [1]. It is known that at the meetings of «Group 47», which were held twice a year, there was a lively discussion of the works of his own work too.

The main feature of the game space by Grass is the lack of any clear boundaries between reality and fantasy. An important role in the narrative is given to characters of famous writings. The plot and thematic unity of the novel is ensured thanks to the image of Gelnhausen, which, as A. V. Dobryashkina noted, «is pretentiously created of the details which are sequentially selected from the biography and creativity of real Grimmelshausen» [2], and short temper, efficiency and his skill to be an inexhaustible story-teller, becomes a twin of Grimmelshausen's *Simplicissimus*, who after the death of the hermit sails towards the big life and entered a new world which is «near Gelnhausen» [3]. Another storyline in the novel is Courage, who is the character - which was created long before Grass - by Grimmelshausen in the novel «*Simplicio against*» (1670), and centuries later, was embodied in the play written by B. Brecht «*Mother Courage and her children*» (1939). T. Hardziayok rightly notes: «Courage is transformed by Grass into a settled innkeeper. Courage is of a grotesque nature and combines many traits of her literary predecessors. It is prudence and manipulation of Grimmelshausen's Libusky, indifference to material possessions and desire for freedom. Very similar to what we have in Brecht's writings, Courage is a symbolic character, and is associated with the image of an unattractive and ruined homeland» [4, p. 36].

Günter Grass strives to show that The Thirty Years' War and World War II are equally great tragedies in German history. After the end of these wars Germany was in poverty and hunger, the political significance of the country fell to absolute zero. Both wars made a painful impact on the historical memory of the Germans and inspired a lot of anti-war writings. All the writers of the 17th century turn to experience of The Thirty Years' War. After World War II «zero hour» was declared in Germany which was followed by literary interpretation of the development and consequences of fascism. The anti-fascist theme can be found, for example, in the following works: «*The Seventh Cross*» (1942) by A. Zeghers, «*The Man Outside*» (1947) by W. Borchert, «*Pigeons on the Grass*» (1951) by W. Koeppen, «*Billiards at Half-past Nine*» (1959) by H. Böll, «*The Tin Drum*» (1959) by G. Grass, and in many other literary texts.

In the novel «*The meeting at Telgte*» Günter Grass describes the historical reality of the 17th century, he speaks through Simon Dach: «In the forty seventh year of this woeful century our hitherto drowned-out voice be heard above all the longwinded talk of peace and despite the continuing clamor of battle» [1]. He ends his speech to the poets with the question: «Where, o Germany, shall I leave you? For well nigh thirty years, by murder and rapine, Thou hast destroyed thyself, the guilt is thine» [1]. This appeal is also actual for the 20th century. Other Grass's reasoning point to contemporary meaning: «For the German rulers had opened up the fatherland to foreign borders, while the foreigners had chosen Germany as their battlefield, so that it now lay dismembered and unrecognizable, all loyalty lose with the old order and all beauty destroyed» [1].

The art of Grass's narrative lies in the interplay of different motifs and symbols. The writer refers to the symbol of thistle, which grows in a flowerpot. It is an essential attribute of the meetings at Telgte, «the thistle, that latter day flower and symbol of adverse times» [1]. Nothing can defeat this plant: no war, no plague, no fires. In the image of the thistle Grass described the long-suffering fatherland: «Gryphius dropped the thistle that was Germany, dashed it to the floor in our midst» [1]. This vivid scene describes the position of the plundered and devastated fatherland, which lies in ruins. This scene, depicted by Grass, refers not only to the era of the Thirty Years' War, but also to the modern time, when Germany was again divided into many parts.

In the novel Günter Grass uses also humor and irony, which is coloured with somber tones: the house of Courage was destroyed by a sudden fire, together with the house the manifesto was burned down. The manifesto was worked out by all the meeting participants: «Logau wanted to run back into the taproom: save the screed! Czepko had to hold him. And so, what would in any case not have been heard, remained unsaid» [1]. In this situation, only Courage stayed calm, rushing out to the free gypsy life: she packed her belongings and, «without a word or gesture backward glance, Libuschka rode off with her maids in the direction of the Outer Ems», they kept heading «to the gypsies» [1].

The novel «*The meeting at Telgte*» is one of the best Grass' works. To depict the dramatic events, to comprehend two historical tragedies – the Thirty Years' War and the Nazi past – the writer uses a number of artistic techniques: autobiography elements, literary masks, grotesque, symbols, irony. These techniques create a special character of the artistic world of the work.

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CONTRASTIVE ANALYSIS OF PHONOLOGICAL SYSTEMS: ENGLISH AND TURKMEN LANGUAGES

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The article is devoted to the description of the phonetic system of the English and Turkmen languages. Consonants and vowels studied languages are represented in the form of summary tables that facilitate their comparison.

Each language has a certain limited number of sounds, which all the words of the given language consist of. Sounds are pronounced in speech, and letters serve to show sounds in writing. The sound composition of a language is changing all the time, while the alphabetic image of words changes extremely slowly, therefore the alphabetic composition of a word reflects its sound composition only relatively. The role of phonetics in teaching a foreign language is great, because the first acquaintance with the language occurs at the sound, phonetic level, therefore the formation of pronunciation skills is one of the main tasks of the initial stage of education. If you do not pay proper attention to the pronunciation, then the articulatory apparatus of students will get used to the wrong articulation of sounds. Later the person will not be able to intone correctly his speech and it will be very difficult to retrain later, and the speaker's speech will not sound as a native one. In addition, the correct pronunciation affects the meaning of the utterance. For example, in English, the longitude and shortness of the vowels, voiced and voiceless consonants have a semantic meaning: ship-sheep, bed- bet etc. In order to identify accurately the sound composition of the word and thereby facilitate speaker's pronunciation of a foreign language, the so-called phonetic transcription is used, that is, a system of conditional graphic symbols in which each sound corresponds to one specific sign. Pronunciation is a kind of "business card" of the speaker, because the first thing we pay attention to when communicating with a person is the phonetic presentation and correctness of his speech.

The English alphabet consists of 26 letters. Of these 6 are used to designate vowel sounds: a, e, i, o, u, y. The remaining 20 letters are used to denote consonants. The discrepancy between pronunciation and spelling of words in English is obscured by the fact that the number of sounds and letters in it does not match. So in English there are 40 sounds (20 vowels and 24 consonants). Therefore, the same letter in different positions in a word can be pronounced with different sounds. In addition to the difficulties caused by the discrepancy between writing and pronunciation of words, there are purely pronunciation difficulties due to differences in articulation, the nature of the way and movements of the organs of speech, and differences in pronunciation habits. The orthography of the Turkmen language is based on the phonetic principle, 30 letters of the Turkmen alphabet correspond to 30 sounds: 9 vowel /ä, a, o, ö, i, ü, u, y, e/ and 21 consonants /b, d, g, h, f, j, k, l, m, n, p, r, s, t, w, ž, z, ý, ñ, ş, ç, / but there are not any diphthongs.

A a	B b	Ç ç	D d	E e	Ä ä	F f	G g	H h	I i
a	be	çe	de	e	ä	fe	ge	he	i
[a]	[b]	[tʃ]	[d]	[je/e]	[æ]	[f]	[g~ɣ]	[h~x]	[i]
J j	Ž ž	K k	L l	M m	N n	Ñ ñ	O o	Ö ö	P p
je	že	ka	el	em	en	eñ	o	ö	pe
[dʒ]	[ʒ]	[k~q]	[l]	[m]	[n]	[ɲ]	[o]	[ø]	[p]
R r	S s	Ş ş	T t	U u	Ü ü	W w	Y y	Ý ý	Z z
er	es	eş	te	u	ü	we	y	yé	ze
[r]	[θ]	[ʃ]	[t]	[u]	[y]	[β]	[w]	[j]	[ð]

Fig. 1. Turkmen alphabet and sounds

A a	B b	C c	D d	E e	F f	G g	H h	I i	J j
a	bee	cee	dee	e	ef	gee	(h)aitch	i	jay
[eɪ]	[bi:]	[si:]	[di:]	[i:]	[ɛf]	[dʒi:]	[(h)entʃ]	[aɪ]	[dʒeɪ]
K k	L l	M m	N n	O o	P p	Q q	R r	S s	T t
kay	el	em	en	o	pee	cue	ar	ess	tee
[keɪ]	[ɛl]	[ɛm]	[ɛn]	[ou]	[pi:]	[kju:]	[ɑ:/ɑr]	[ɛs]	[ti:]
U u	V v	W w	X x	Y y	Z z				
u	vee	double-u	ex	wy(e)	zed/zee				
[ju:]	[vi:]	['dʌbəlju:]	[ɛks]	[waɪ]	[zɛd/zi:]				

Fig. 2. English alphabet and sounds

Vowels and their classification. Vowels are sounds in which there is no obstruction to the flow of air as it passes from the larynx to the lips. They differ from each other in several ways. We need a very accurate way of classifying the vowels. Phoneticians have developed a set of vowels, arranged in a diagram, which are not the vowels of any particular language.

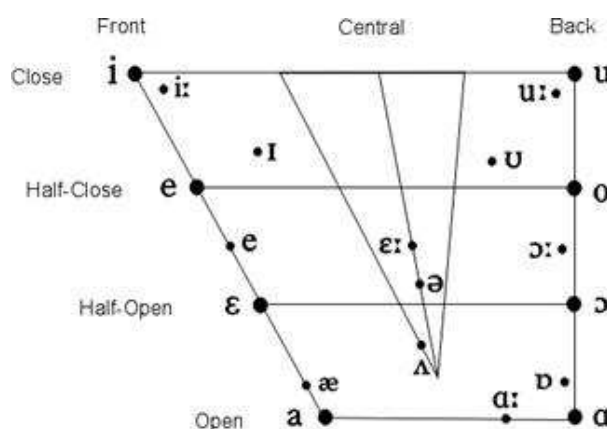


Fig. 3. English vowel sound

The various qualities of English vowels are determined by the oral resonator- its size, volume and shape. The resonator is modified by the most movable speech organs- the tongue and the lips.

	Front		Back	
	unrounded	rounded	unrounded	rounded
<u>Close</u>	i/ɪ [i]	ü/ʏ [y] ü/ý/ÿ [y:]	ɣ/ы [u]	u/ʏ [u]
<u>Mid</u>	e/ɛ [e]	ö/ø [ø]		o/o [o]
<u>Open</u>	ä/ə [æ:]		a/a [a] ¹	

Fig. 4. Turkmen vowel sound

The Turkmen language is characterized by the use of long and short vowels. Short vowels are similar to the way they are pronounced in English. Long vowels are pronounced as two short vowels. Longitude of vowels in certain cases have a differential change in the meaning of the word, for example: *at* {horse} – *a:t* {name}; *o:t* {fire} – *ot* {grass}. Another feature is the presence of front vowels (slim sound) and back vowels (thick sound). The front vowels are pronounced with the advanced root of the tongue (A, E, I, O), while back vowels (Ö, Ü, U, Y, Ä) are

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pronounced with the movement of the tongue back from its neutral position. It is important to note that all Turkmen words of Turkic origin are pronounced either completely with the front vowels, like *köwüş* "(shoes)", or with back vowels, like *Mugallym* "(teacher)". But in Turkmen there are a lot of borrowed Russian words, such as *Telewizor* "(television)" and *radio* "(radio)". They are spelled out in strict accordance with the Russian original and often have front and back vowels inside one word. A comparative analyses of the vowel sounds of the studied languages can be presented in the form of two tables (transcription marks correspond to the signs adopted in each of the languages).

Consonants and their classification. Consonants are speech sounds in the articulation of which there is no obstruction, the removal of which causes noise- plosion or friction. The muscular tension is concentrated at the place of obstruction. The air stream is strong. There are the following types of obstruction in the production of consonants: 1) complete closure; 2) narrowing 3) closure immediately followed by a narrowing. Consonants are classified, first of all, according to the manner of articulation, that is the way they are pronounced;

In English	In Turkmen
Friction	Nasal
Affricate	Affricate
Stop	Fricative
Nasal	Approximant
Lateral	Trill
Gliding	

Some of the consonants are produced by the vibration of the vocal cords, rather like the vibration that vowel sounds produce. And in some consonants there is no such voicing. That's why we say that according to the presence or absence of voice during the articulation of consonants they can be divided into; voiced and voiceless:

Voiceless: /p,t,k,f,s,./

Voiced: /b,d,g,v,z,./

Turkmen consonants are also divided into two groups:

Voiceless: /k,p,t,ç/

Voiced: /g,b,d,j,./

Consonants can also be classified according to the place of articulation. So, they can be divided;

- bilabial[made with the help of the two lips]
- labiodental[the lower lip articulates with the upper teeth]
- dental[the tongue tip touches the upper teeth]
- alveolar[the tip or blade of the tongue touches the alveolar ridge]
- post - alveolar[the tip of the tongue touches the back of the alveolar ridge]
- palatal[the front of the tongue articulates with the hard palate]
- velar[the back of the tongue articulates with the soft palate]
- glottal[produced in the glottis, between the vocal cords]

		Bilabial		Dental/ Alveolar		Postalv. /Palatal		Dorsal /Glottal	
Nasal		m/м	[m]	n/н	[n]			ň/ң	[ŋ]
Plosive/ Affricate	voiceless	p/п	[p]	t/т	[t]	ç/ч	[tʃ]	k/к	[k]/[q]
	voiced	b/б	[b]	d/д	[d]	j/ж	[dʒ]	g/г	[g]/[ɣ]
Fricative	voiceless	f/ф	[f]	s/с	[θ]	ş/ш	[ʃ]	h/х	[x]/[h]
	voiced	w/в	[β]	z/з	[ð]	ž/ж	[ʒ]		
Approximant				l/л	[l]	ý/й	[j]		
Trill				r/р	[r]				

Fig. 5. Turkmen consonant sound

Turkmen consonant phonemes (shown in Turkmen alphabet):

Note that c (s) and 3 (z) are actually used for [θ] and [ð], not [s] and [z], a unique feature among the Turkmen language.

		MANNER	VOICING	PLACE					
				Bilabial	Labiodental	Interdental	Alveolar	Palatal	Velar
Obstruent	Stop	Voiceless	p			t		k	ʔ
		Voiced	b			d		g	
	Fricative	Voiceless		f	θ	s	ʃ		h
		Voiced		v	ð	z	ʒ		
	Affricate	Voiceless					tʃ		
		Voiced					dʒ		
Sonorant	Liquid	Nasal	Voiced	m			n		ŋ
		Lateral	Voiced				l		
		Rhotic	Voiced					r (ɹ)	
	Glide	Voiced	w				j	(w)	

Fig. 6. English consonant sound

The bulk of concurrences of consonants is observed at the place of their formation, but it should be remembered that in the Turkmen language there is no aspiration inherent in having any correspondences, although similar, but differing to some extent. Comparative analysis of phonetic systems of English and Turkmen languages has shown the presence of a certain number of similarities in the way of articulation and pronunciation of sound.

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THE IMAGE OF THE ARTIST IN THE NOVEL «THE BLACK PRINCE»

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The article dwells on the image of the artist in the novel «The Black Prince» (1973) written by Iris Murdoch. The author of the article pays special attention to comparison of the two artist types in the novel represented by Bradley Pearson and Arnold Baffin.

Iris Murdoch (1919–1999) is the author of 26 novels, several plays, poems, philosophical works. She is one of the most famous writers of XX century. Murdoch was six times in the Booker's list, but she won the prize only once for the novel «The Sea, the Sea» (1978). *The Times* ranked Murdoch twelfth on the list «The 50 greatest British writers since 1945».

The novel «The Black Prince» is one of the most prominent works by I. Murdoch. Many researchers of the writer «without realizing it, follow in the footsteps of the characters of «The Black Prince», those who anyway interpret the main character's life» [1, p. 9]. Thus, the book «100 Writers of Great Britain» mentions that «the main task of the novelist writer is in the creation of active characters. All her characters are complex, psychologically convincing, but they, as a rule, work within a strictly specified plot scheme, which is predetermined by the author's philosophical views. This transforms them from social and psychological types into philosophical. In the interpretation of reality, human beings, and relationships between people, the writer proceeds mainly from two philosophical systems – existentialism and neoplatonism, and the main themes of her works are freedom, responsibility, and love. Her novels are marked by subtle observation and stylistic shine» [2, p. 116–117].

The image of the artist and art plays a huge role in I. Murdoch's novel «The Black Prince». It should be mentioned that the artist is «a creative person, who has a talent and the ability to create piece of art. One of the most important instrument of the writer is spirit» [3, p. 258]. The artist usually exists both in the spiritual world and in the social world simultaneously, and «spirituality of the person doesn't want to adapt to non-legal and social requirements» [3, p. 258].

The main character of the novel «The Black Prince» is Bradley Pearson. He is a writer, who published only three books. His image is compared with the image of his friend, Arnold Baffin, who is more prolific in writing. The main character is called «an artist», but his friend is called «a writer»: «I don't think of myself as a writer, not like that. I know you do. You're all «writer». I don't see myself in that way. I think of myself as an artist, that is as a dedicated person. And of course it's a life drama» [4, p. 32]. But Bradley thinks that Arnold «really just a talented journalist» [4, p. 32]. For him, as for an artist, «life was simply one big gorgeous metaphor» [4, p. 102]. Arnold calls himself «a second-rate» writer [4, p. 92]. He expresses the opinion that a true artist is supposed to know all his weaknesses, but never show them in public: «In fact most artists understand their own weaknesses far better than the critics do. Only naturally there is no place for the public parade of this knowledge» [4, p. 94]. Arnold believes, that a writer should keep working hard on his works. If it is more, the result will be better: «If one has a thing at all one must do it and keep on and on and on trying to do it better. <...>. I do not believe that I would improve if I wrote less. The only result of that would be that there would be less of whatever there is» [4, p. 94]. Thus, for Arnold the art is more about the material than about the truth and goodness.

Bradley Pearson is one of those who can be called «the minor poets of their little world, who have only one voice and can sing only one song» [4, p. 197]. But at the same time he is «an artist and because, before our very eyes, he is ingeniously (and often disingenuously) reflecting about his art» [4, p. 205]. In comparison with Arnold Bradley works towards the truth and the goodness: «all art is the struggle to be, in a particular sort of way, virtuous» [4, p. 103]. Bradley supposes that a true artist should have an ability to destroy and wait easily. Arnold Baffin is a writer with a vivid imagination, but the main character can be considered to be prolific.

Another important theme of the novel «The Black Prince» is the theme of love. A. Saruhanyan thinks that love and art are equal in I. Murdoch's novel: «Art and love get equal primarily because they are equally creating their objects, and if they are true, they let them live their own lives. This aesthetic principle, always important for Murdoch, in the «Black Prince» is done more consistently and completely than before» [5, p. 312]. What really could help Bradley to write a new book and become a real artist was his love for Julian. The contradiction can be found in the main character. On the one hand, Bradley believes that neither life nor art should cross, but on the

other hand, he admits the idea that both love and art can be considered to be as a whole: «Love can soon dim the dream of art and make it seem secondary <...>» [4, p. 112]; «The deep causes of the universe, the stars, the distant galaxies, the ultimate particles of matter, had fashioned these two things, my love and my art, as aspects of what was ultimately one and the same. They were, I knew, from the same source. It was under the same orders and recognizing the same authority that I now stood, a man renewed» [4, p. 112]. The Bradley's sweetheart, Julian, expresses the opinion that true art should be cold and never distracted. The main character can be called a true artist, because he tries to contravene generally accepted norms in love and also in art (unlike Arnold Baffin, who wants to please his readers).

We can connect Bradley Pearson with the black Eros. According to ancient Greek mythology, Eros is the God of love, Aphrodite's companion. His image is usually identified with something eternal as a certain world power, or also with strong love feelings [6]. But Julian Baffin believes that Eros isn't a clue to art, it is «the deep springs of human love are not the springs of art» [4, p. 210]. The black Eros is sufferings, which are Bradley's fears and love at the same time. But only before the death Bradley realized that it's just a shadow of «a greater and more terrible godhead» [4, p. 202]. What is more, the image of Bradley Pearson is connected with the theme of Hamlet, which «symbolizes the unity of love and art, passion and tragedy» [7, p. 444]. N. Karaev guesses that the title of the novel «The Black Prince» cannot be related with Hamlet, in spite of the fact that I. Murdoch pushes the readers to draw direct parallels with this play by Shakespeare [1, p. 24].

We can say that two types of artists are compared in «The Black Prince» by I. Murdoch. Arnold Baffin is the expression of the material beginning of the art and an opportunity to get money for his work. He puts imagination in the first place. In contrast to him, Bradley Pearson seeks the virtue and the truth in the art. A person who can wait for a better moment to write a work is a productive artist for Bradley. In the main character we may find contradictions. On the one hand, Bradley believes that neither life nor art should cross, but on the other hand, he admits the idea that both love and art can be considered as a whole. Also Bradley Pearson is connected not only with the theme of Hamlet (as the unity of love and art), but also with the black Eros, which is the symbol of crazy and noble love.

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METHODS OF TEACHING DIALOGUE SKILLS

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Given article displays the importance of development of dialogical skills at secondary school. It describes the notion of a dialogue is given. Different approaches of teaching a dialogue are presented. Different methods and ways of organizing the work at dialogical speech are presented and systematized.

Speaking about everyday communication we can't but mention the notion of dialogue. Dialogues are the most popular form of everyday communication among people. Unfortunately, academic programmers do not always provide teachers of English with the opportunities to develop students' dialogue skills. The point at issue is that teacher of English are always in search of new sources, methods and techniques of developing students' dialogue skills. In this article we are going to give examples, describe and systematize some of the exercises for developing dialogue speech.

For a start it is necessary to understand clearly what a dialogue is. According to Oxford dictionary dialogue is a discussion between two or more people or groups, especially one directed towards exploration of a particular subject or resolution of a problem. [1] Following the definition we can conclude that in social sense dialogue is a necessary tool for listening and understanding other people's view, for exchanging opinions and even reducing misunderstandings, conflict and tension. Speaking about applying dialogues at the English lesson we can say that dialogue is a wonderful means of working at vocabulary and grammar, for its content can be applied to any vocabulary or grammar topic. There is no need to prove its importance in language learning.

The difficulty of teaching dialogue is determined by some differences in acquirement of dialogical skills in native and foreign languages. Native language is acquired in the early childhood when a person starts hearing the speech of the parents, so the skills of communicating come of their own accord, while the same skills in foreign language are taught at school and need motivation and interest. That is why it is important to apply new interesting methods of learning.

Everybody knows that there is a difference in native and foreign approach to teaching language. It also concerns teaching dialogues. This article is aimed at having a closer look at foreign methods.

The first thing foreign linguists insist on is to make students feel unthreatened and comfortable at the lesson, because in a comfortable setting they will learn more easily. Each new step in the learning process should be non-threatening and repeated sufficiently so everyone feels very comfortable before going on to a higher level of difficulty [2]. Wolfgang Butzkamm, a Professor Emeritus of English as a Foreign Language at Aachen University, claims that dialogue for studying should be learnable, short and appropriate for performance. It shouldn't be overloaded with grammar structures even if learning grammar is your aim at the lesson. Also a dialogue should be emotionally coloured, challenging and provoking. All these features help students to learn a dialogue more quickly. It is advised to use dialogues based on recently studied language or grammar to show new language items in use. [3]

As in native methods of teaching dialogue procedure in foreign sources also comprises repetition of phrases together in the group or individually after the speaker. This stage is called the first presentation. Wolfgang Butzkamm says that it is necessary not to call out names while repeating the dialogue, but use only hand signs. It helps not to interrupt the rhythm and tempo with irrelevant language and memorise the content and intonation more successfully. Also it is important not to read the dialogue before you practice the phrases properly. It helps to avoid spelling and pronouncing mistakes that are caused by the written words. On the stage of rehearsing and practising the phrases there are some more interesting ways to learn and not to get bored. It is offered to use "Lip reading". A teacher should pronounce some phrases from the dialogue and the children should guess. It is important, that while they are guessing a lot of other phrases are also pronounced and repeated.

One of the ways to encourage children to work at dialogues on their own is to offer them the following activity. Read the dialogue in different ways: silently, mentally in your mind, as if you are bored or shocked, as if you are happy, secretively, in a whisper, in one breath, without pauses, as fast as possible, while rubbing your chin. The teacher can add some more variants to the list.

If to speak about particular and most popular tools for teaching dialogue, we have found some interesting examples.

All kinds of jumbling the lines. You can read mixed dialogue on the sheet of paper for individual or group work. Also it is more interesting to cut out the lines for the children to replace them. One more variant of this exercise is to put pieces of dialogues on several slips of paper and give each piece to each student and ask them to stand and read the lines in order. You can cut the pieces with phrases and ask them to find their pair. It can work well if the dialogues are short. The task can be to unjumble one dialogue or put in order lines from two or more dialogues mixed together, this way they can transform the given dialogue and the task becomes more complicated.

Filling in the gaps. It doesn't seem to be interesting, but any teacher can transform this task into a game. You can use different kinds of "damaging" of the sheet of paper with printed dialogue. The task is to help you reconstruct the necessary phrases. Create artificial raindrops or coffee spills or smuggest. Encourage children to guess spoilt word or phrase. It increases the level of difficulty by missing out not only key words but also articles or prepositions, then leave them more space than necessary for them to identify where and when items are needed. It makes the task more complicated by taking out key words, mixing them up and putting them back into the wrong places. *Correcting the mistakes.* This task is useful while practising grammar, prepositions, spelling or any other language phenomena. Mistakes depend on the rule you are working at.

Role play. This is a classical stage in developing dialogue skills. This stage is relevant after you have practiced pronouncing key phrases and clichés properly and with the appropriate intonation. Children can work in pairs on their own, a teacher in this case is just going around the classroom, controlling and helping children who need corrections. The work in this way looks like quiet buzzing. You can also role play the dialogue in front of the class and make a competition on the most emotional and artistic dialogue.

The following stage usually presupposes making students' own dialogue, but it is usually quite difficult, so there are some preparatory tasks. The most common is replacement and paraphrasing. You can ask your students to change key words, but leave the structure of the dialogue. It helps to polish the vocabulary, just let them do as many variants as possible (for example if you are speaking about food, cloth or appearance it becomes very useful). Paraphrasing is especially relevant when you work with grammar, there can be lots of variants how to express one and the same thing using different structures (for example different ways of expressing future actions or making offers). Usually after doing tasks of this kind, students start extending their dialogues anyway. At this moment you can go further.

Making your own dialogue. This is final and the most complicated level of learning dialogues. There are a lot of variants how to make this work creative. Sometimes it is not a problem for children to invent a new story, but there are always children with a lack of confidence and imagination. They need to be encouraged by something. The teacher's task is to find it. You can offer to think about a conversation based on a short story you have read before. You need to choose interesting characters and a specific part of the story and think what their conversation could be about. Students' dialogue can be also based on a song. You should pretend that a singer is singing to a specific person, imagine who can it be and how their chat could look like. One more variant of this task needs a video without sound. Children should just watch the conversation but not listen to it. Then write a script for the video. If you do not have a screen in your classroom you can use comics or just pictures from a magazine in a similar way. There are a lot of variants how to give students ideas for building a dialogue. One of the most convenient and wide-spread ways to work is to prepare cards with the given so-called "background" information. Sometimes children are too unconfident and shy to speak for themselves or about themselves. Taking the card with information about the topic, they have an opportunity to express somebody's point of view or to "try on" another personality. It reduces shyness and reinforces the desire be active. These cards can be used on different levels and in different kind of works. They can be easily transformed and be used for different tasks in different ways. There are some examples of the cards. *Personality card.* You should put down the information about name, surname, age, address, phone number, hobby, etc. You can change or add what you need; it depends on the topic you are working at. The task can be to make friends, to find a perfect friend, to find particular things in common and so on. Personality card can be used for the communicative game called *Speed dating*. It is appropriate to show children an extract from a film with this process (there are plenty of examples) for them to get more interested. The task is to find a perfect friend. For senior students the task can be transformed into finding a girlfriend or boyfriend. *Shopping list.* You are to distribute roles of the shop keepers and buyers. You need two sets of cards. The buyers have a shopping list, the shop keepers have the lists of things they can sell. The task can be to find everything from the shopping list and to make a deal with the shop keeper. *Travelling card.* You can write the information about the last trip: destination, date, spent time, emotions and so on. The

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task can be to find out information about the trip, to exchange impressions, to find a perfect partner for the trip. You can practice grammar structures and vocabulary, intonation and clichés [4].

The structure of developing dialogue skills consists of the following steps: thorough listening, repeating with the correct sounds and intonation, learning key words, replacement, paraphrasing and extension of a dialogue, practicing the given dialogue, making and presenting students' own dialogue. The structure is more or less the same, but the ways you practise it can be very diverse.

So it is evident that there are a lot of variants of developing dialogue skills. It is important to teach children not only monologue, but also develop skills of real communication. Students' communicative skills must be natural so they will not be afraid of speaking to a foreigner, exchange opinions, discuss, arrange, debate and argue. All these skills are necessary for everyday communication. So teachers can use different ways to encourage students to speak without hesitating. A lesson should be based on the principle of activity and interest in what is being discussed.

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REFLECTION OF XENOPHOBIA IN THE ENGLISH LANGUAGE

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Xenophobia has become a mass phenomenon, spreading over a wide range of objects. The main objects of xenophobia have always been foreigners and strangers. In the root of xenophobia lies the perception of a foreign view of the world, the formation of which is influenced by different social factors. We can observe the problem of xenophobia in the English language in a number of proverbs and collocations.

Xenophobia is as old as mankind [1, p. 1] and in the process of mastering the space of culture, a person constantly feels the contrast between the familiar and the unfamiliar, differentiates between oneself and others. Substantial reasons for intercultural differences include territorial, racial, ethno-national and confessional factors.

The key to solving the problem of animosity between nations and states lies in understanding the history of the concept of xenophobia, as well as in studying the specific content of the opposition "natives" - "foreigners" in different historical epochs.

The word *xenophobia* comes from the Greek words *xenos* - stranger, outsider, and *phobos* - fear. It denotes fear or dislike of a stranger, not one of one's own, unfamiliar, of certain phenomena and situations that cause some anxiety. Xenophobia, to some extent, is inherent in all people, it is the natural state of any society and its members. As a historical and social phenomenon, xenophobia has been forming for a long time under the influence of real factors of human life and, in a certain degree, has become a protective reaction of people to a possible danger or threat [2, p. 3].

According to the etymological dictionary, the term xenophobia appeared in English in the 19th century and denotes an acute rejection of foreigners, guests, strangers [3, p. 1016]. This definition shows that the main objects of xenophobia have always been foreigners or strangers, in a wider sense.

It should be clarified that in different epochs and circumstances a "stranger" could be considered as a foreigner, a representative of another belief, another civilization, a political opponent, and even a barbarian. For example, in the ancient Greek society, the civilized and educated Hellenes counterposed themselves to half-savage, less cultured tribes – barbarians. After this, the division of people and peoples into civilized and barbarians was supplemented by the division of people according to skin colour and racial features.

Historically, there existed a theory according to which belonging to a particular race is a consequence of mental and physical superiority or inferiority of a nation [2, p. 4]. The Greeks made the meaning of the term "barbarian" negative. In the root of this problem lies the perception of a foreign view of the world, the formation of which is influenced by language, traditions, landscape, education and other social factors.

The psychological function of the concept of xenophobia can be considered as satisfaction of man's natural need for aggression; or a form of protection of an individual and a group of them in an unpredictable and dangerous world that is inscribed in the formula for the survival of mankind and repeatedly confirmed throughout its history in its evolutionary significance [10, p. 13].

Xenophobia as a social phenomenon is connected with active rejection of a different culture, race, religious beliefs. Its existence is conditioned not only by the social structure and state policy, but primarily by the human consciousness, which reacts to all changes connected with the danger of losing its identity.

As part of the sociological approach, the causes of xenophobia are often seen in the inequality of status positions of ethnic groups that they occupy in a multiethnic society, as well as in possible negative changes for one of the groups. Also on the personal level, xenophobia can be caused by almost any changes in the social status of a person [10, p. 15].

Today xenophobia is becoming widespread and applies to a wide range of objects: ethnophobia, homophobia, religious xenophobia, etc. In spite of the large number of different types of xenophobia, the root of it is the same: rejection and prejudice in relation to certain members of society, based on the expression of some differences.

The psychological and sociological components of the phenomenon of xenophobia are expressed in English, as in any language, in the acute rejection of everything new, previously unknown.

There is an assurance that the way to understanding the phenomenon of man lies not through natural sciences, but through languages [5, p. 113].

You can learn a lot about the person by knowing his nationality and language. But language is not just a means of communication, transmission and expression of thought. Thoughts are not fixed in the language, they

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only appear in it, not being the language itself. The essential origin of language is determined by its main function: the language forms the conceptual image of the world [15, p. 77]. There are collocations with country adjectives, which help the English to create stereotypes: *French window, French letter, Mexican carwash, Dutch courage, to go Dutch, Dutch auction, Russian salad* etc.

Due to the fact that social and historical experience is fixed in the language, a certain linguistic view of the world arises in the consciousness of its native speakers, through the prism of which a person sees the world. It sets the standards of human behavior in the world, determines its attitude to the world. At the same time, the vocabulary shows what people think about, and grammar how they think [16, p. 4].

Much attention is paid in modern linguistics to the study of manifestations of stable cultural and national representations in the language – stereotypes.

Ethnic stereotypes are expressed linguistically in the form of nationally specific words, phrases, phraseological units, proverbs and sayings, syntactic constructions. Proverbs are the richest source of cultural-national interpretation and, along with phraseological units, can be successfully used in linguistic and cultural analysis of the basic concepts of culture. Proverbs as linguocultural texts evoke in the minds of native speakers the knowledge that defines the boundaries of the use of a given expression, its style, its connection with certain life situations, the phenomena of the history and culture of the people.

Proverbs and idioms reflect the way of thinking and the character of the people. Consequently, selecting the necessary proverbs, we can observe the reflection of the problem of xenophobia in the English language.

After analyzing the proverbs and sayings of the English language, it is possible single out the following ideas, reflecting the attitude of an Englishman to his homeland and a foreign land:

- 1) It does not matter where you are, but your homeland is better:

East or West – home is best;

Dry bread at home is better than roast meat abroad.

The wider we roam, the welcomer home.

- 2) Your own is always better:

Every man thinks his own geese swans.

Every bird likes its own nest.

- 3) Home is where you feel more protected and brave:

Every dog is a lion at home.

My home is my castle.

A cock is valiant on his own dunghill.

- 4) The English don't like others doing something which is not accepted in their homeland. The same goes for other places and nations:

When in Rome, do as Romans do.

- 5) The English shows their attitude to guests in this proverb:

Guests and fish smell after three days old.

The current political situation in the world connected with the migration crisis in Europe makes the problem of "foreign" and the perception of "foreigners" by society especially actual. Representatives of all nations in one way or another differentiate their cultural reality and their unique environment, realizing the essential differences in lifestyle, customs etc. Currently, xenophobia has become a mass phenomenon, spreading over a wide range of objects. The main objects of xenophobia have always been foreigners or strangers, outsiders. Xenophobia is caused by people's fear of everything new, which is due to the experience of the past, but illogical nonetheless.

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THE REFLECTION OF FOLK PEDAGOGY IN ENGLISH PROVERBS

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Folk proverbs have always been an important part of the native culture and language. Proverbs can serve as an excellent means of education and development of children. They help to comprehend, preserve and pass on to future generations that invaluable experience on which mankind is based and which creates the unique face of the nation.

The transfer of experience from older generations to younger people has existed since ancient times. It was carried out in the process of life, communication, joint hunting and labour. The accumulation of knowledge, the development of tools and methods of work, their complication, historically led to the need to deal specifically with the education and upbringing of children.

Pedagogics is the purposeful formation of personality and human communities, ensuring the success of their lives and activities by special means, forms and methods. Pedagogics comprises recommendations, intensive pedagogical techniques, rich pedagogical experience, which are necessary for almost everyone. The object of research and practical interest of modern pedagogics is the reality of the life of the state and society, all their spheres, structures, institutions, families and individuals that have an impact on education, upbringing, and development of citizens, guaranteeing their self-realization and self-affirmation in life and contributing to the prosperity of society, establishing the ideals of humanism, democracy, morality, culture and law. [1]

The main pedagogical categories are education and training. Education is a purposeful and organized process of the formation of personality. Education has a historical character. It emerged together with human society, becoming an integral part of its life and development, and will probably exist as long as society. In pedagogics, as well as in other social sciences, the concept of "education" is often used to refer to the components of the holistic educational process. It does not mean that there is an upbringing suitable for all times and peoples. But at the same time, each new socio-economic formation arises from the wreckage of the old; there is a historical continuity of the achieved level of culture. This means that there are some features of education that are common to all socio-economic formations and that are evident throughout historical development. [2]

Principles of education are quite a mobile phenomenon in the theory of education. Modern principles of education are a set of fairly indisputable pedagogical declarations aimed at determining the humanistic foundations of education. Principles of education tend to exist as "rules", as a kind of "commandments" for educators. Undoubtedly, they are not reported publicly in this form, they are not to be seen them on display in the teacher's room, but we can observe them in the real activities of the teacher. [3]

Folk pedagogy historically began to arise in the antiquity. It has existed as long as mankind. The art of the word, born in ancient times, was first of all embodied in artistic folk art – in fairy tales, legends, epics, sayings, proverbs and other monuments of people's pedagogy [4].

Folk pedagogy (ethnopedagogics) is a set of thoughts, ideas, skills and techniques in the field of education as reflected in folk art. It appeared in connection with the need to pass socio-historical experience from one generation to another. Before the advent of writing, the only way to transfer experience was oral, but even after the introduction of printing, the importance of ethno-pedagogy remained great, and such it remains to the present day [5].

The object and subject of folk pedagogy is the process of education, and the main element of folk pedagogy is the totality of empirical knowledge, information, accumulated by the people about a human being and the upbringing, and the practical activity of educating the younger generation [4].

The historiography of research into the problems of folk pedagogy shows that the study of the national experience of upbringing as a socio-historical phenomenon at all stages of historical development has always been part of the interests of teachers, both of the past and the present.

The great Czech educationalist Ya.A. Comenius justified the idea of the "mother school", relying on the experience of family upbringing. The famous Swiss pedagogue G. Pestalozzi created his "Book for Mothers", summarizing the experience of Swiss popular pedagogy. He was convinced that natural education initiated in the family should continue at school. The great Russian teacher K.D. Ushinsky highly valued the educational potential

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of the people's pedagogy. "Education, created by the people themselves and based on people's principles," he wrote, "has that educational power that is not in the best systems based on abstract ideas." Knowing well the folk customs, rites, traditions, he came to the conclusion that "The wisdom of the ancestors is a mirror for descendants", and therefore advocated folk upbringing, for he saw it as a living model in the process of people's development [6].

The principle of a nationality of upbringing is realized in early childhood, in the process of mastering mother tongue. N.K. Krupskaya attached great importance to the development of children's speech in the family, especially in the process of communication between mother and children, she drew attention to the fact that "mother language serves them as an instrument for expressing themselves, their thoughts, their moods." [7]

V.A. Sukhomlinsky stressed the necessity and importance of studying moral ideas and the pedagogical views of the people that follow them. He believed that, despite the wealth and immense practical importance of popular pedagogy, it was never studied properly; no thorough research was being conducted into these problems.

In the middle of the XIX century a number of scholars, teachers and thinkers began to address the problems of folk pedagogy. In 1890, D. Bulgakovsky and G. Pinchuk turned directly to the monuments of folk pedagogy – proverbs, songs, riddles, rites, emphasising their educational significance in the people's way of life [8].

The modern significance of ethnopedagogy is connected with the problem of the formation of national self-consciousness and with the creation of a national education system. It is important for a teacher to understand and feel the school as a single, developing historical whole with its traditions, laws of renewal and innovation.

The main goal of education in various ethno-pedagogical systems is the achievement of the folk ideal. Folk pedagogy follows such principles as upbringing through work, communication with life, the surrounding world, humanism, a holistic and comprehensive approach to upbringing, continuity, encouraging the initiative and creativity of children, the continuity of educational influence.

In ethnopedagogy, labour is regarded as a method and means of education. Craft as a kind of work helps to develop a creative attitude to life, emphasize aesthetic individuality.

Mother tongue acts as a way of imbibing authentic features of a people and a means of developing national identity. This is the purpose of the existence of traditions, customs, rites. Basically, it is a family ritual associated with the main events in a person's life: birth, wedding, death [4].

Proverbs are one of the oldest forms of folk literature handed down from generation to generation in different ways and taken from different sources. A proverb is an aphoristically concise, imaginative, logical and grammatically complete sentence with an instructive meaning in a rhythmically organized form. A saying is a short figurative expression that aptly defines a phenomenon of life, devoid of instructive synthesis of meaning in contrast to proverbs [9].

A proverb is a traditional saying which offers advice or presents a moral in a short and pithy manner. Paradoxically, many phrases which are called 'proverbial' are not proverbs as we now understand the term. We might for instance refer to 'the proverbial fly on the wall' or say that something is 'as dead as the proverbial dodo', although neither of these phrases alludes to a proverb. The confusion dates from before the eighteenth century, when the term 'proverb' also covered metaphorical phrases, similes, and descriptive epithets, and was used far more loosely than it is today. Nowadays we would normally expect a proverb to be cast in the form of a sentence [10].

In other words, a proverb is a short, pithy, rhythmical saying expressing a general belief [11].

Proverbs are short statements of wisdom or advice that are transmitted from generation to generation and have passed into general use. Proverbs have been considered the flowers of popular wit and the treasures of popular wisdom. A proverb is a simple and short saying, widely known, often metaphorical, which expresses a basic truth or practical precept, based on the practical experience of humankind, and the idiosyncrasies of a people and their culture in time and history [12].

Proverbs are widely represented in all modern languages. Their frequent use in speech and writing is primarily due to the fact that they give it a special touch and make it more imaginative and expressive. In addition, it must be stressed that proverbs have the emotional and stylistic colouring; thus, they improve the communicative function of the language. Proverbs contain a deep meaning and folk wisdom which is rooted in the distant past. We can see culture, traditions, and history of a people through proverbs; we can understand what is considered to be good or bad; we can feel what a wonderful tool for educating human morality, culture, spirituality such examples of popular wisdom can be. Everyone, regardless of where they live and how well educated they are, will find themselves using proverbs in different life situations [9].

Parents are patterns.

The proverb above stresses the fact that children learn from parents, they need to be careful of their children and make an effort to be good models. Children learn by example so they behave in the way they see from their elders.

Wise child is a father's bliss.

One father is more than a hundred school masters.

These proverbs reveal one and the same idea: father and children often pose as important factors for each other.

Like father like son, like mother like daughter

The proverbs may be seen as talking about the functions and duties of men (boys, sons) and women (girls, daughters) in the family, though they choose different things to single out as stereotypical functions. Clearly, girls have to do the cooking and the sewing, whereas boys' main duty is to harvest the crops or/and provide food.

He that has no children knows not what is love

The best love is that of children.

Children are poor men's riches.

These proverbs present one and the same idea from different points of view. They stress the importance of having children, the importance of children by emphasising the happiness they bring to the household and that parents' happiness depends on the happiness of their children.

Children are certain cares, but uncertain comforts.

Raising and taking care of a child is not an easy task, but the parents gladly put up with all the difficulties for the sake of their children.

In conclusion, it can be said that proverbs have always served as an excellent means of education and development of children.

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THE MOTIVE OF SOLITUDE
IN THE HERMANN HESSE'S NOVEL «JOURNEY TO THE EAST»

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The artistic realization of the Eastern theme in Hermann Hesse's work «Journey to the East» («Die Morgenlandfahrt», 1931) is considered through the analysis of loneliness motive. It is shown that this motive is used by the author for the disclosure of the multifaceted soul of an individual's creative mindset. The sense of loneliness of the hero in the novel H. H. is caused by his inability to accept the world of the denial of moral values and art. H.H. aims to find the destiny of the artist-creator, to gain inner integrity and harmony, a state of true happiness. The influence of the philosophical processes of China (Taoism, the concepts of yin and yang) on the novel H. Hesse «Journey to the East» is revealed.

The significant influence of Eastern philosophy is traced in the works by the German-speaking writer Hermann Hesse (Hermann Hesse, 1877–1962). Hesse grew up in the family of missionary pietists. He saw not only exotic wisdom in the eastern religions, but also a way of thinking that influenced his own worldview. The Hesse family's interest in the East, the acquaintance with the ancient Indian and Chinese texts, journeys to such Eastern countries as Malaysia, Sumatra and Sri Lanka, contributed to the writer's deep penetration into the Eastern world view. Hermann Hesse used the forms and principles of the eastern thinking in creating a mental-spiritual model of the world and the artistic reality of his works, which are filled with complex symbols [1].

Thus, Hesse considered at the beginning of the XXth century that philosophy as well as religion had no national and cultural boundaries. He embodied this awareness artistically. The German-Swiss writer saw a way to stop the moral degradation of the Western society with the help of learning Eastern religion and philosophy. Throughout his life and work Hesse showed an example of productive interaction of cultural and philosophical ideas of the West and the East. His works are characterized by strongly marked autobiographical features.

The forms of the artistic embodiment of the Eastern theme in the works of Hermann Hesse are very diverse. One of the significant forms is the motive of loneliness. The heroes, who have embarked on the path of spiritual development, experience incomprehension by society and spend most of their lives alone. Human civilization with its technocracy and culture, experiencing a decline in moral values, is a hindrance to the true self, drowns out the inner divine voice, so the heroes in Hesse's novels are compelled to separate themselves from the burgher environment. Hermann Hesse develops the problem of the loneliness of the personality with the spiritual mind, the artist-creator, in the novel «Journey to the East». The main character there is a writer. It is interesting that the name of the hero of the novel is almost unknown. Readers only know the initials H.H., which can be compared with the name of Herman Hesse. H.H. makes a journey to the Land of the East, which cannot be identified as a specific geographical object. It is not limited to any spatial and temporal limits. Travel, claimed in the title of the novel, is a peculiar journey of the main character in the depths of his inner self. H.H. is a member of the Brotherhood, which makes a pilgrimage. In this Brotherhood he acts as a violinist and storyteller.

Each member of this Brotherhood, besides a common goal (the narrator hides it), has their own. So, the main character wants to find the beautiful Princess Fatma and win her love, which he has dreamed about since his youth. And so, going on a journey as part of the Brotherhood, H.H. again surrenders to his youthful memories and dreams. Mentioned in the novel, a woman named Ninon is jealous of the protagonist of Fatma. The search for Fatma symbolizes for the main hero the search not only of his destiny as an artist-creator, but also his constant desire to search for truth, the divine trace, the meaning of life. From the biography of Hesse it is known that his wife was a woman Ninon, who did not understand him as a creative person, did not share her husband's aspirations for tales about constant wanderings.

The journey carried out by the protagonist and other members of the brotherhood does not pursue any political goals and is not regulated by the state legislation. Moreover, this procession rejects any modern technical means of transportation: «*Etappen unsrer Morgenlandfahrt, indem sie auf alle die banalen Hilfsmittel moderner Dutzendreisen, auf Eisenbahnen, Dampfschiffe, Telegraph, Auto, Flugzeug und so weiter verzichteten, wirklich ins Heroische und Magische durchgestoßen sind*» [2, S. 9] // «*The stages of our pilgrimage to the Land of the*

East, coupled with the abandonment of the banal conveniences of co-temporary movement, such as railroads, steamships, cars, airplanes, telegraph, etc., really meant a way out into the epic and magic worlds»¹. This indicates that true art is incompatible with technocracy. In addition, according to the principle of philosophical worldview of China – Taoism, everything artificial, created by man, is a hindrance on the way to the attainment of the divine state. Being a member of the Brotherhood, a participant in the campaign, the protagonist lives with the feeling of a certain unity, with a feeling of belonging to something great. The pilgrimage itself is seen in the novel as an aspiration, a way to some great truth, to eternity, to God: «es strömte dieser Zug der Gläubigen und sich Hingebenden nach dem Osten, nach der Heimat des Lichts, unaufhörlich und ewig, er war immer dardurch alle Jahrhunderte unterwegs, dem Licht und dem Wunder entgegen, und jeder von uns Brüdern, jede unsrer Gruppen, ja unser ganzes Heer und seine große Heerfahrt war nur eine Welle im ewigen Strom der Seelen, im ewigen Heimwärtsstreben der Geister nach Morgen, nach der Heimat» [2, S. 17] // «The procession of the faithful and devoted brothers to the East, to the source of light, flowed continuously and unceasingly, it flowed through all the centuries to meet the light, towards the miracle, and each of us, the participants, each of our groups, but our whole army as a whole and our great campaign was only a wave in the eternal stream of souls, in the eternal aspiration of the spirit to the fatherland, to the morning, to the beginning».

There were apostates, deserters, those who left the world of poetry, magic, and went into the world of order, tranquility, tasteless life – into the world of suburbanity. Such people succumbed to the voice of the mind and followed it, losing faith in the existence of the Brotherhood. This is the destiny of many people: being young we believe in love, good, eternity, but over time our sense of beauty is ruined by reason and social norms. We say goodbye to our dreams and habit of mixing poetry with life and returning to the world of «tested railways» to «useful work», not fully realizing that it will be practically impossible to find a way back. Therefore, Taoism also encourages people to return to natural conditions, because only in the untouched virgin nature you can hear a pure divine voice. Entering the Brotherhood, each of its members become involved in the entire collection of great artists from all over the world. It includes both real historical figures and fictional ones: Lao Tzu, Novalis, Klingsor, Hugo Wolf, Brentano, Henry von Ofterdingen, Don Quixote, etc. The artist-creators, with the help of their talent and skill, create works of art that give people aesthetic pleasure, a sense of beauty, bring with them «a wave of magic that expanded and picked up everything».

Like many people the protagonist of the novel H.H. leaves the Brotherhood. After many years, he decides to tell about his pilgrimage to the Land of the East. However this venture fails. When the protagonist was a participant in the campaign, his bliss «bestand aus der Freiheit, alles irgend Erdenkliche gleichzeitig zu erleben, Außen und Innen spielend zu vertauschen, Zeit und Raum wie Kulissen zu verschieben» [2, S. 33] // «Consisted of the freedom to have all imaginable experiences simultaneously, playfully mix the external and internal, to control time and space behind the scenes». The hero enjoys art, studies it, creates his works, finds the purpose of his life in it, but then loses the meaning and value of his work: «es drohte alles seinen Wert, seinen Sinn zu verlieren: unser Kameradschaft, unser Glaube, unser Schwur, unsre Morgenlandfahrt, unser ganzes Leben» [2, S. 44] // «everything threatened to lose value, our meaning – our partnership, our faith, our oath, our patriarchy, our whole life». The protagonist loses faith in the revival of the genuine art. He does not feel able to create a meaningful literary work that could awaken morality, high spiritual values, the desire for self-development of people.

The key image in the novel is Leo, with the disappearance of which the Brotherhood disintegrates. Leo acts as a kind of symbol of the lost goal and hope of the protagonist, entangled in his claims to the writer's laurels and lost faith in the revival of the great art. Leo is cheerful, affable and extraordinarily modest: «wirkte dieser Diener Leo einfach und natürlich, so rotbäckig gesund und freundlich anspruchslos» [2, S. 30] // «Leo struck with incomparable simplicity and naturalness, red cheerful health and friendly unpretentiousness». The main character does not cease to take up the question of why the poet's fate is loneliness and the eternal search for his destiny and himself, while the characters created by the poet are full and vital. The answer to it is given to him by Leo, indicating to the young musician that this is the mission of the poet – to serve the people, to give his works the best thoughts, all himself. It is not surprising that the truth told by Leo remains for the main character incomprehensible. He cannot understand how to convey to people the most valuable and important: «eine strahlende Reihe von Taten und Wundern bewahrt, deren Bild und Andenken mit ihm dahinschwindet, wenn es ihm nicht gelingt, etwas davon durch Wort oder Bild, durch Bericht oder Lied an die Nachwelt weiterzuleiten. Aber wie nur, durch welchen Kunstgriff wäre es zu ermöglichen, wie wäre die Geschichte unsrer Morgenlandfahrt irgend erzählbar zu machen?» [2, S. 51] // «A brilliant series of feats and miracles, whose memory will disappear

¹Hereinafter translation is mine – Vitalina Sapega's

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with him if it will not be possible to convey to the offspring something in a word or image, in a narrative or a song. But how, with what tricks of art can we find the way to this, how can we conceive the history of our pilgrimage to the country of the East, as reported to the reader?». We see that Hesse conveys the main character's concern with his mission to awaken in people the desire for self-improvement through a rhetorical question.

The author does not ignore modern social and political problems that have worried him, the degradation of the European people, the decline of European art: «*unsere Gemeinschaft, das Stärkste auf der Welt, sich hat auflösen können*» [2, S. 52] // «*Our fellowship has disintegrated, the strongest that was in the world*» – his heroes repeat again and again. Leo leaves and goes away with it, all European art is falling apart. H.H. tries to keep faith in the necessity of creating a work about the pilgrimage and ask a friend of youth, historian Lucas for advice. But Lucas, being a skeptic, a man of rational mindset, laughs at H.H., calling pilgrimage «the Crusade of the Children». In fact, his words are the reflection of the position of representatives of modern science, politics, the state as a whole in relation to artists. Art is perceived by them as a useless occupation, and its representatives, writers, artists, musicians, live, according to the majority, in a state of isolation from the real world. In this rebuke to the world of art, in the isolation from the world, the life position of the German Hermann Hesse, who criticized contemporary art, was emphasized, and focused on his main goal – educating people, and not in their entertainment and distraction from the real state of things, especially in the conditions of the approaching war. The historian wrote a book about the First World War, in which he took part. It was for him a way to get rid of emptiness and suicide, from the experiences caused by the horror of war.

After many years, the hero of the novel H.H. finds Leo. He lives among ordinary burghers and enjoys his life: «*das müsse ein sehr glücklicher und sehr liebenswerter Mensch sein, der auf diese Art zu pfeifen wise*» [2, S. 68] // «*he must be very happy and very likable man, if he can whistle like that*». H.H. is familiar with this whistling, this merry, light-hearted melody from the past hurts him and at the same time pleases him: «*Wie tief und wie schrecklich hatte sich alles für mich verändert, wenn mich der Ton eines Pfeifenden, der Takt eines bekannten Schrittes, nur durch Die Erinnerung an das verlorene Einstmals, so im Innerstentreffen, mir so wohl und so wehtun konnte!*» [2, S. 70] // «*How deep and how terrible everything has changed for me if the sound of a whistling melody, the rhythm is familiar steps one that reminded me of a lost past, could have wounded me so hard in the heart, could cause me such joy and such pain*». The motif of music symbolizes the return of the lost meaning of the life of the protagonist. The image of Leo is inextricably linked with the youth of H.H., sometimes of hope, ease and joy, sometimes of the pilgrimage to the Land of the East. Leo illustrates an example of the need to keep youth in his soul. In addition, Leo shows that even being a member of the Brotherhood, a man of art, you can happily live in a philistine world and be able to laugh: «*Gerade das ist es ja, das Leben, wenn es schön und glücklich ist: ein Spiel!*» [2, S. 76] // «*It is the game that is life, when it is so good!*». The motif of the game tells the hero that it is necessary to be able to play life. Here again comes the principle of the duality and unity of the world, the Chinese philosophical concept of yin and yang. We see that H. H. is not able to find harmony between the two worlds: the burgher environment and the spiritual life. He feels lonely and is not understood by other people. Meanwhile, Leo stands out in the novel as a symbol of a harmoniously developed, integral personality. His peaceful smile, easy humorous attitude to life, ability to exist in two worlds simultaneously indicate to the reader that Leo is a kind of the Enlightened One. Another confirmation of this idea we find in the episode with the Wolf-dog Necker. The wolf is a symbol of the dark side of man, his natural instincts (yin). Leo demonstrates friendship with the dog, which symbolizes the harmoniously developed personality of Leo. He is the Supreme Brotherhood; a true man, a genius, a man of art, and at the same time he lives in a philistine environment and enjoys life, knows how to treat it with humor. Meanwhile, the wolfhound Nekker growls at H.H., indicating to the reader the disharmony of the personality of the protagonist, his inability to exist in two worlds at the same time.

With the loss of the Brotherhood, H.H.'s life turns into a painful loneliness, in unsuccessful attempts to realize his destiny, to find his place in the world. More than once he catches himself thinking of suicide, but came to the conclusion that this was not the way out: «*Es war mir der «Tod» kein Nichts mehr, keine Leere, keine Negation*» [2, S. 82] // «*Death "Ceased to mean nothing, emptiness, naked negation*». H.H. constantly feels pain, ceases to resist it, sees the destiny of the artist-creator in it.

Leo turns out to be the Supreme of the Brotherhood. The trial is executed in respect of the main character, he is justified, his betrayal is forgiven. H.H. was a deserter. The hero with surprise and admiration realizes that the Brotherhood exists forever and out of time. Here Herman Hesse resorted to the use of a rhetorical exclamation: «*Also es gab noch einen» Bund», von dem ich nichts mehr wußte, der ohne mich existierte und mich nicht mehr als zugehörig betrachtet hatte!*» [2, S. 86] // «*So, the Brotherhood, about which I did not know anything, continued to exist without me and treated me simply as an apostate!*». Thus, the hero realizes that he is

not alone in this world. There are many writers, artists, musicians and even philistines who, like H.H., endure a crisis of society, war, decline of culture and art. The true great art will live forever, will always instill in people a sense of beauty. The protagonist lived all alone, saw only the destroying world around him, brought himself to despair, trying to be guided in life only by justice and virtue. The court as a symbol of the dramatized form of introspection H.H. gives him another chance to overcome despair and pass the novitiate a second time, learning to humor and playing the game.

The final scene of the novel describes a strange figure found by the main character. It is unusual because it consisted of two faces, which again refers us to the principle of duality, to the philosophy of yin and yang. The image of H.H. depicted in the figure flowed into Leo's image: *«Mit der Zeit, so schien es, würde alle Substanz aus dem einen Bilde in das andre hinübereinfließen und nur ein einziges übrigbleiben: Leo. Er mußte wachsen, ich mußte abnehmen»* [2, S. 122] // *«In time, one must think, the whole substance will pass from one image to another without a remnant, and only one image will remain: Leo. He must increase, I must be diminished»*. The image of Leo's servant bears the idea of serving people. And since the image of H. H. in the figure goes into the image of Leo, it symbolizes the main character's awareness that the mission of the artist-creator is to serve people. The writer should awake a feeling of love, goodness, humanity, the best of their qualities, and also to encourage creation and spiritual quest, self-improvement in them. However, the artist-creator should not forget that life is a game in which the main thing is the ability to treat everything with humor and enjoy pleasant little things and every moment. The transition of the image of H.H. to the image of Leo also indicates the approach of the main character to the state of inner harmony and enlightenment, since Leo is an example of a harmonious personality.

We came to the conclusion that the motive of loneliness in the novel «Journey to the East» is connected with the problems of the creative personality. The protagonist, being an artist, writer, is in a constant search for his destiny and place in the world and all his life he is alone. He is trying to learn how to live with this disease.

In his youth, the hero felt a sense of belonging to the Brotherhood, which is interpreted in the novel as the eternal and timeless totality of the people of the art of the whole world. The members of the Brotherhood make a pilgrimage without technical means of transportation in the spirit of Taoism to the origins of their souls, in which God's light is enclosed. Moved by high spiritual goals to bring goodness and love into the world, they are looking for ways to fulfill their destiny as an artist-creator. Over time, the hero loses the divine trace in his soul and membership in the Brotherhood. H.H. considers his mastery as an artist-creator unproductive and useless, as he lives in times of decline in the culture and moral values of mankind. H.H. thinks himself to be lonely in his sufferings, but there are many creative people who are also experiencing the socio-political problems of the era. The hero goes through a stage of complete despair, thoughts of suicide come to his mind, but over time he sees in it the deliverance from loneliness. Thanks to Leo, the servant and the Supreme Brotherhood, H.H. realizes that true art lives forever, and in his hands to awake the highest spiritual values in people. This is the main life goal of the man of art. However, the artist-creator must be able to treat life with humor and enjoy it.

Leo in the novel acts as an image of a holistic, harmoniously developed personality that has reached enlightenment. The episode with a wolfhound Nekker snarling on the main character, where the image of the wolf serves as a symbol of the dark side (yin) of H. H., indicates the disharmony of the two principles of yin and yang of the protagonist, his inability to exist in two worlds (philistine and spiritual) at the same time.

The final scene of the novel «Journey to the East», where the figure of Leo is represented, gradually flowing into the silhouette of the protagonist, indicates the approach of H.H. to the achievement of harmony, inner freedom and true happiness.

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EDICATION, SOCIAL STUDIES, LAW

UDC 34.03

CONCEPT AND CHARACTERISTICS OF THE ACTS OF "UNFAIR COMPETITION" ON THE LEGISLATION OF THE REPUBLIC OF BELARUS

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The article analyzes the concept and acts of unfair competition in the Republic of Belarus, taking into account the latest changes in the national antimonopoly legislation and the requirements of the legislation of the Eurasian Economic Union.

The problem of realizing the economic interests of economic entities in the context of competition policy is very important. Goals and objectives in a competitive environment are achieved with the presence and successful operation of certain factors and principles.

Nevertheless, we are forced to draw our attention to the fact that often unfair means of competition are used. In order to determine what means in competition are unacceptable and unacceptable by legislation, it is necessary to analyze the definition of the concept of "unfair competition" and its possible forms of implementation in the Republic of Belarus.

The main "basis" in the sphere of legal regulation of competitive relations is the Civil Code of the Republic of Belarus of December 7, 1998 № 218-3. It is noteworthy that the definition of the concept of "unfair competition" of the Civil Code does not contain, in Part 2. Article 1029 Civil Code legislator fixed a list of actions that are defined as unfair competition [1].

Let's turn to the specialized normative legal act - the Law of the Republic of Belarus "On Counteracting Monopolistic Activity and Developing Competition" dated December 12, 2013 No. 94-Z (hereinafter - the Law of the Republic of Belarus "On Counteracting Monopolistic Activity and Developing Competition"), .1.15 p.1.st.1 above the law stipulates that unfair competition is "any action of an economic entity or several x aimed at acquiring advantages in business activities economic entities that contradict this Law, other acts of antimonopoly legislation or the requirements of good faith and reasonableness and may cause or cause losses to other competitors or damage their business reputation"[2].

Taking into account the development of competitive relations, economic integration within the framework of the Eurasian Economic Union (hereinafter referred to as the "EEU"), the Republic of Belarus adopted the Law of the Republic of Belarus "On Amendments and Additions to the Law of the Republic of Belarus" On Counteracting Monopolistic Activity and Developing Competition "of January 8, 2018. №98-3 (changes and additions will come into force on August 3, 2018) [3].

The definition of the concept of unfair competition in the new wording is changed. In particular, the word "any" is excluded in the definition of the concept. Thus, the legislator points out to us that actions that are recognized as unfair competition must be specific, namely, those aimed at acquiring advantages (benefits) in entrepreneurial activity of the actions of an economic entity or several economic entities that are contrary to this Law, other legislative acts and acts antitrust laws or the requirements of good faith and reasonableness and may cause or cause losses to other competitors or may cause or damage their business reputation [3].

The recognition of this or that illegal act of an economic entity as an unfair competition is topical.

Acts of unfair competition are characterized by the presence of the following signs:

1. Unfair competition in the Republic of Belarus is understood only as actions. In contrast to the forms of monopolistic activity, where, along with active actions, the antimonopoly legislation of the Republic of Belarus is prohibited, inaction is recognized.

2. Actions can be carried out only by economic entities. Prior to the adoption of the Law of the Republic of Belarus "On Amendments and Additions to the Law of the Republic of Belarus" On Counteracting Monopolistic Activities and Developing Competition ", legal entities and individual entrepreneurs engaged in entrepreneurial activity and (or) having the right to implement it were recognized as such. Taking into account

the latest changes in the above law, business entities, non-profit organizations that carry out activities that generate income for it, an individual entrepreneur, as well as another individual who is not registered as an individual entrepreneur but who carries out professional activities that yield income to him are recognized as economic entities. According to the legislation is subject to licensing [3].

3. The actions should contradict the antimonopoly legislation of the Republic of Belarus, as well as the requirements of good faith and reasonableness.

N. Bondarenko notes that "the principle of good faith and reasonableness of participants in civil legal relations should contain the civil law of bona fide and reasonable behavior addressed to the subjects and is formulated as follows:" in the exercise of their rights and the fulfillment of the conditions of participants, the right of legal relations should not infringe on the rights and the interests of other persons protected by law "[4, c.80].

4. The subject of unfair competition shall be an economic entity that commits the relevant actions and the economic entity affected by them. Such entities should be in the competitive relationship.

5. The subjective side is characterized by intent (it should be noted that this applies to officials (subjects of unfair competition)).

The emergence of new forms of unfair competition requires the development and legal regulation of mechanisms to counteract such activities. The antimonopoly legislation of the Republic of Belarus does not stand still, on the contrary, in the context of its integration it has become on the path of harmonization with the basic document of this international organization - the Treaty on the EAEC. In the new version of the law, we note changes in the details that may be banned from actions that lead or may lead to a restriction of competition in the procurement of goods.

Work on the implementation of the rules of the model law "On competition" of the EAPS, which contains procedures for investigating and dealing with violations of competition rules has been carried out [5]. In this regard, in the Republic of Belarus, each of which consists of the following documents: antimonopoly legislation, decision-making, issuance of orders, procedure and terms for appealing decisions and actions, clarification of decisions and orders of the antimonopoly body.

Summarizing, we note that international and domestic counteraction to unfair competition and its possibilities, a formal study, has shown the development of civilized and protected competitive relations.

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EMOTIONAL INTELLIGENCE AND LONELINESS

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This article deals with the issue of interrelation between emotional intelligence and loneliness. Loneliness is one of the most pressing problems of modern society. This is not only a complex phenomenon of individual human life, but also an important social phenomenon, requiring deep psychological, social and philosophical reflection. The scientific-theoretical relevance of addressing the problem of loneliness in modern society is associated with an ambiguous interpretation of the changes taking place in it, and, consequently, the attitudes that a person should have in his life.

Introduction. In the history of philosophical and psychological thought, the phenomenon of loneliness is treated ambiguously. Most researchers of loneliness associate it with sharply negative emotional experiences, destructively influencing a person. There are many definitions of loneliness. Loneliness is considered as a subjective mental state that reflects a person's psychophysical status, making it difficult for him to start new ones and maintain old contacts and connections [1].

The existing contradiction in assessing the nature of the influence of loneliness on human life is expressed in two ways, on the one hand, it is understood as destructive for the individual, on the other - it is considered as an indispensable stage of self-knowledge and self-determination. The reasons for this sharp divergence of views are, first, insufficient knowledge of phenomenology and psychological mechanisms of loneliness.

Demographic literature gives statistical data on the absolute number and proportion of single people. So, in a number of developed countries of the world (Holland, Belgium, etc.), single people make up about 30% of the population. In the United States, according to the data for 2000, there were 28.6 million single people [4]. Approximately 42.6 million adults over the age of 45 in the United States are estimated to be suffering from chronic loneliness, according to AARP's Loneliness Study [6]. In addition, the most recent U.S. census data shows more than a quarter of the population lives alone, more than half of the population is unmarried and, since the previous census, marriage rates and the number of children per household have declined [7].

Belarus census data of 2009 showed that there were 3.516 million single people in the country.

The All-Russian Center for the Study of Public Opinion presented data for 2010. Most Russians record an increase in the number of single people in their place of residence (48%). First, this opinion is typical for residents of large cities (55%) [4].

Main part. The human protest against loneliness became the general theme of many humanistic teachings that arose in the West in the 20th century. The greatest attention to loneliness was paid by the existentialists N.A. Berdyaev, M. Buber, A. Camus, J.-P. Sartre, M. Heidegger, K. Jaspers. The loneliness of the personality was seen as the realization of the principle of a closed anthropological universe, according to which the inner isolation of a man is the basis of any individual being [1].

K. Horney considered loneliness a consequence of the negative manifestation of the ideology of market relations, the competitiveness between men. V. Frankle believed that a person fell into a state of loneliness, losing certain values and the meaning of life [2].

Sociologists and social psychologists, and even publicists and journalists have unveiled the loneliness of the elderly, the loneliness of old age, which has assumed alarming proportions in our country. Soon teenagers and young people were included in the zone of social risk caused by social isolation. I. Kon and R. Nemov, independently of each other considering the issues of youth psychology, described some of the reactions of the individuals and their environment to loneliness, attempted to determine its causes [1;2].

Actual and perceived social isolation are both associated with increased risk for early mortality [6]. The researchers conducted a literature search of studies (January 1980 to February 2014) using MEDLINE, CINAHL, PsycINFO, Social Work Abstracts, and Google Scholar. The included studies provided quantitative data on mortality as affected by loneliness, social isolation, or living alone. They found no differences between measures of objective and subjective social isolation. Overall, the influence of both objective and subjective social isolation on risk for mortality is comparable with well-established risk factors for mortality [6].

In our research, we assumed that there would be interrelation between loneliness and emotional intelligence in teenagers.

D. Lyusin defined emotional intelligence as the ability to understand and manage one's own emotions and emotions of other people, the ability can be directed at one's own emotions and the emotions of other people [3; 5].

In our study, 38 teenagers (22 girls and 16 boys) from 14 to 17 years old took part. According to Erik Eriksson, they represent the adolescent stage.

The study was conducted at secondary school No. 14 in Novopolotsk. The study involved schoolchildren of the tenth and eleventh grades.

In order to study emotional intelligence, we used a questionnaire authored by D. Lyusin [3]. This questionnaire contains 10 scales: scale "interpersonal EI" - an ability to understand other people's emotions and manage them; scale "intrapersonal EI" - an ability to understand and manage their own emotions; scale "understanding of emotions" - an ability to understand their own and others' emotions; scale "emotion management" - an ability to manage their own and emotions of other people; subscale "understanding of other people's emotions" - an ability to understand the emotional state of a person on the basis of external manifestations of emotions (facial expressions, gestures, sounding of the voice) and / or intuitively; sensitivity to the inner states of other people and some other scales.

To study loneliness, UCLA Loneliness Scale was used, a questionnaire developed by D. Russell, L.A. Peplau, M.L. Ferguson. The purpose of the questionnaire is to determine the level of loneliness and social isolation of a person. The diagnostic questionnaire "Loneliness" was developed by S.G. Korchagina, which is designed to measure the level of loneliness experienced by a person at a given moment in his life.

Analyzing the results of emotional intelligence we received the following results. We can see the results of the questionnaire "Emotional Intelligence"(by D. Lyusin) in Fig.1.

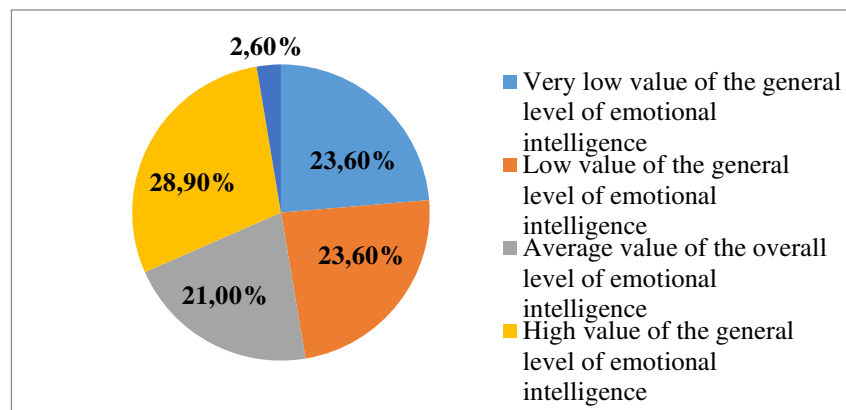


Fig. 1. The data of the emotional intelligence

The high value of the general level of emotional intelligence is 28.9% corresponds with 72.2% of slight experience of possible loneliness (The questionnaire "Loneliness" by S.G. Korchagina) and with 72.2% of low level of loneliness (UCLA Loneliness Scale).

We can see the results of the questionnaire "Loneliness"(by S.G. Korchagina) in Fig.2.

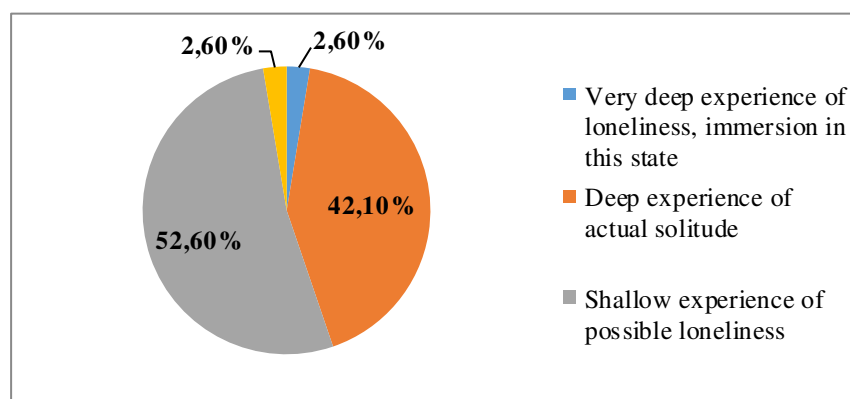


Fig. 2. The data of the levels of loneliness

The next indicator is a low value of general level of emotional intelligence (23.6% of the teenagers), it corresponds to a greater extent of deep experience of actual solitude (55.5% of the teenagers) (The questionnaire "Loneliness" by S.G. Korchagina), and an average level of loneliness (44.4% of the teenagers) and a low level of loneliness 44,4% (UCLA Loneliness Scale).

We can see the results of UCLA Loneliness Scale in Fig.3.

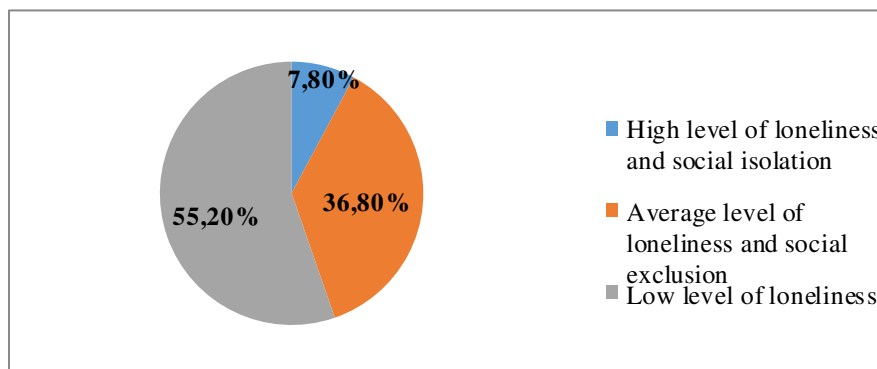


Fig. 3. The data of the levels of loneliness and social isolation

The next indicator is a very low value of the overall level of emotional intelligence (23,6% of the teenagers). The teenagers with low level of emotional intelligence are more likely to have a slight experience of possible loneliness (55.5% of the teenagers) (The questionnaire "Loneliness" by S. G. Korchagina), low and average level of loneliness (44,4% of the teenagers) (UCLA Loneliness Scale).

The next indicator is an average value of the overall level of emotional intelligence (21,0% of the teenagers), the teenagers are more likely to have a deep experience of actual loneliness (20,0% of the teenagers) (The questionnaire "Loneliness" S. G. Korchagina) and low level of loneliness (20,0% of the teenagers) (UCLA Loneliness Scale).

Conclusion. There is no precise definition of the very concept and nature of "loneliness", since the phenomenological and psychological mechanism of loneliness has not been sufficiently studied. Emotional intelligence has not been sufficiently studied either, which gives the prospect of studying these phenomena.

Based on the obtained empirical data, we can argue that with a high value of the overall level of emotional intelligence there is a tendency to feel a slight experience of possible loneliness and to have a low level of loneliness. With a low value of the overall level of emotional intelligence, there is a tendency to a deep experience of actual loneliness and the existence of an average and low level of loneliness. In the case of a very low value of the general level of emotional intelligence, there is a tendency to a slight experience of possible loneliness and the existence of a low and average level of loneliness.

Schoolchildren with an average value of the general level of emotional intelligence can equally feel a deep experience of actual loneliness and have a low level of loneliness. Since there is a small interconnection between the high value of the overall emotional level and the feeling of a slight experience of possible loneliness, as well as the low value of the overall level of emotional intelligence and the profound experience of actual loneliness, there are prospects in further studying the connection between loneliness and emotional intelligence. It is possible to work with a more extended sample and age group.

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FAMILY VALUES OF BELARUSSIAN AND TURKMEN STUDENTS

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The purpose of the article is to compare family values of Belarusian and Turkmen students. Transformation of sociocultural values, including family values is an inevitable consequence of serious economic and social changes taking place during the last decades in the world. Family values differ sharply around the world. Today people travel a lot, they often work and live far from their homes, and it is essential to understand their values.

Introduction. In recent years, many researchers speak about crisis of a modern family. They name many factors – a high divorce rate, small families (with one child), or childfree couples, decline of worth of family. It is noted that personal and professional self-realization, achievement of social success have become more significant values for young people. In addition the character of family values is changing. A psychotherapeutic function of family plays an important role among modern young families. Young people, living in the dynamic world, experience emotional overload and tension and it is important for them to have understanding, support and recreation in their families. It fosters closeness in the family, opportunities for learning, creating memories, improving social skills, and developing empathy.

Family values influence wellbeing of the matrimonial relations. They can help define behavior in various situations, help youth make good choices, and solidify the bond that a family has. According to a list of family values on this or that family stage some functions become prior - birth and upbringing children, an organization of everyday life, etc. The personality is inclined to pay more attention, energy, time to family values that are of main importance for him/her. Poor quality of realization of main family values brings disappointment in family life.

The structure of family values is influenced by national identity of spouses, religion, national, cultural customs and traditions[1].

Main part. In our survey, we studied family values of young people from Belarus and Turkmenia as we assumed that existing national differences would find reflection in character of family values.

The purpose of our research was to study peculiar properties of family values of different cultures (on the example of Belarus, Turkmenistan).

The issue of family values of the young is well discussed in the book by Lisovsky V.T. "Youth: love, marriage, family". The book presents some results of social research.

Many researchers stated that a family crisis was caused by a general social crisis (L.A. Verbitskaya, V.T. Lisovsky and V.T. Pulyaev). The family is traditionally viewed as the keeper and translator of the valuable bases of life to younger generations (moral and religious, esthetic ideals, traditional standards of behavior and communication).

The family for Belarusians has always been the center of all of their moral and economic activity, sense of existence. It was a supportive base not only of statehood, but also it represented a world order. Almost all ethical and esthetic values were developed in the family, they were acquired by a person gradually, with increase of their depth and seriousness [2]. Country family life had respect for old customs and traditions; the formal legislative matrimonial law did not play a significant role in life of peasants. Marriage for peasants was not only guarantee of welfare, independence and weight in the society, but a moral imperative. Only married people could receive their own land, they understood that to get more independent both male and female hands were necessary.

Identification and disclosure of family values allows drawing a conclusion about the high importance of traditions and ceremonies in Belarusian family upbringing. Orthodox focusing on the supreme values was the core idea in education of younger generations. Today in Belarusian family the tendency of a modernist system values is observed [3]. It is expressed, first, in increasing values of a personal choice, personal territory, comfort, respect and consent in a family. Many modern Belarusians choose partnership relation instead of marriage[4]. The following hierarchy of family values is characteristic of Belarusians: mutual understanding; emotional support and parental and educational function; business activity; household economy and everyday life; external appeal.

Turkmen are highly moral people. They cultivate hospitality, honoring of seniors, modesty, nobility, truthfulness, honesty, courage, sincere generosity.

Turkmen consider a concept of honor highly. "My honor is honor of my family, my tribe, my people", - they used to repeat. The so-called spirit of relationship is strongly developed. Turkmen have always appreciated sincerity. "Tell the truth even if it is against you" – says a popular proverb. Responsibility and ability to be obliging are valued, thoughtlessness and indiscretion are condemned. The Turkmen society has always been negative to malicious gossip, considering that "the one who gossips with you, gossips also behind your back". Turkmen value friendship and love, maintain kind relations with neighbors. Traditions of Turkmenistan are very friendly [5].

We conducted comparative research into family values of Belarusian and Turkmen students. Two groups of students (30 Turkmen and 70 Belarusians) took part in the research. We used a questionnaire "Family values".

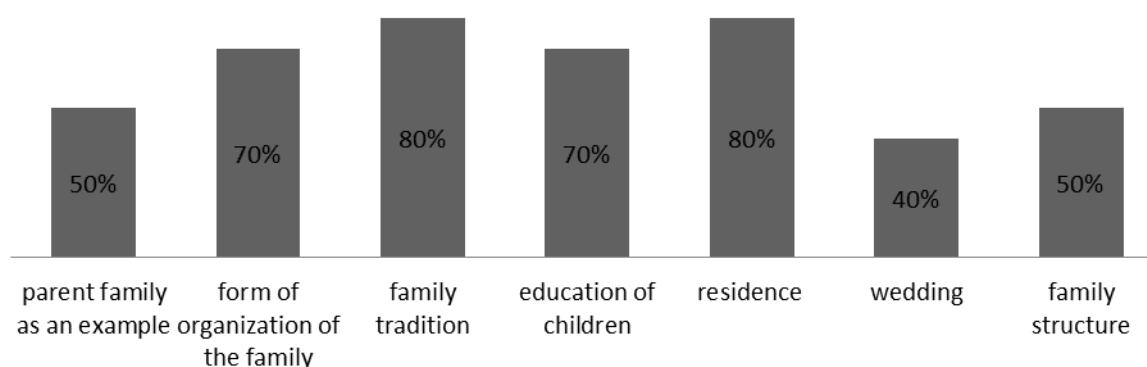


Fig. 1. Family values of Belarusian students

On analyzing the data, we found out that 88% of Belarusian students were going to get married in the future and only 1% of the young people was not going to get married. 85% of the students did not approve cohabitation. 90% of the students considered that the age of marriage did not matter for them, 10% noted that a suitable age for marriage was between 20 and 30. 95% of the students thought that the main motive for marriage was love, 4% considered the birth of children as the main motive.

For almost all the students a family was a warm and cozy place where they could always get support, help and love. Only half of the students perceived their parents family as an example for them. 85% of the students knew their parents family history. 60% of the students tended to follow a patriarchal model with a man as the head of the family, 40% wanted to have an egalitarian family.

90% of the respondents considered that for marrying and starting a family only one's desire was important, 5% noted the higher education of young people. 90% believed a man to be the main breadwinner, 10% of students were for equality.

The first rank among the family values was given to love by 50% of the students, then came an emotional comfort in family (10%), 20% of the students chose support, care and understanding, 15% - stability and 5% leisure. 95% of the students thought that both a husband and a wife were to be organizers of family leisure, 5% considered that this function belonged to a man. 99% of the students were sure that a family should spend family leisure-time together. 80% of the students noted that in their families there were no family traditions, 10% celebrated New Year, 5% celebrated birthdays, New Year, Christmas, 5% Easter, New Year and other holidays.

30% of the students discussed any issues in their families, 40% spoke about only important issues, 25% did not discuss anything, 5% discussed only the issues concerning trips.

30% of the students would like to have three to five children, 20% - three, 30% - two, 20% of the young people would prefer to have one child.

On analyzing the data, we found out that 70% of the students from Turkmenistan were going to get married, 29% were almost sure that they would get married some time. 90% of the students were negative to cohabitation. 90% of the Turkmen students thought that the proper age for marriage was between 20 and 30. 99% of the students considered that love was the best motive for marriage. Most of the students associated family with love, friendship, children, care, happy life.

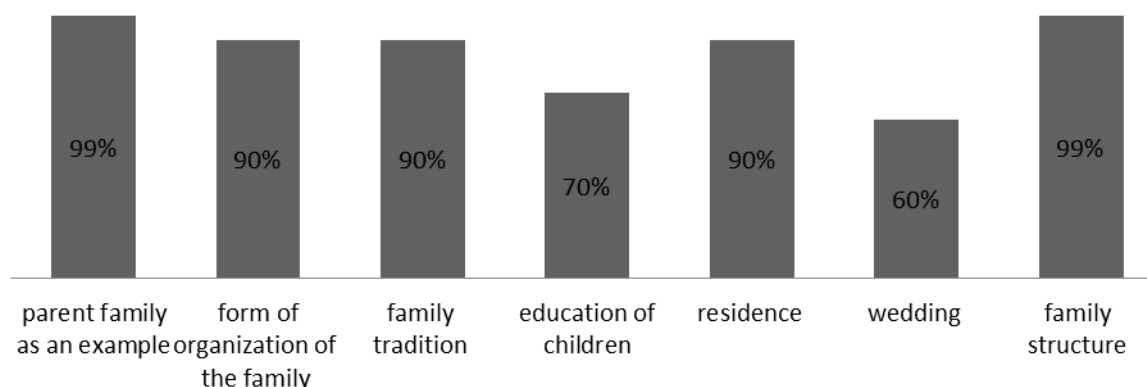


Fig. 2. Family values of Turkmen students

99% of the Turkmen students said that their parents' family life was an example for them. 90% of the students knew their family history. 50% supported equality in family, 40% considered that a man had to be the head in a family, 10% thought a woman had to play the leading role.

The students from Turkmenistan believed that for getting married and creating a family some factors were important. They were love, living together (40%), own housing (35%), one's desire, (20%), education (4%). 70% considered that a husband had to support a family financially, 30% believed that spouses were equally obliged to perform this function.

50% of the students put love on the first place among family values, 20% support, care and understanding, 15% stability, 10% procreation, 5% material values.

60% of the students considered that a husband had to organize family leisure, and 40% considered that a husband and a wife had to do it together. 70% of the students were sure that a family should spend family leisure-time together. 70% of the students noted that in their families they had some traditions of celebrating New Year, birthdays, wedding days and other holidays.

95% of the students said that family discussions were not accepted, 5% of the students remembered some discussions about children, mostly their education.

50% of the students would like to have three children in their future families, 20% - four, 25% - two, 5% of the young people did not plan having children.

Now we will pass directly to the comparative analysis. The first similarity of the Belarusian and Turkmen students consists in the fact that most of them are going to married. Almost identical number of students is negative to cohabitation. The Belarusian students consider that people can get married any time, the age does not matter, while the students from Turkmenistan emphasize that age is important, it is necessary to get married when you are from 20 to 30. It explains the fact that one of the main conditions of marrying for them is own housing.

It is possible to conclude that the Turkmen students have a more careful approach to marriage than the students from Belarus. The concept of "family" differs. For the students from Belarus family is love, friendship. Other associations are common. The students from Turkmenistan more brightly and fully describe this concept. They say: "a family is care and respect", "it is our life, children". Only half of the Belarusian students think their parents' family is an example for them, while for the students from Turkmenistan family life of their parents is an example (99%).

Belarusian and Turkmen students have some similar features: they know their family background and they think that sufficient conditions for getting married are love and desire to live together. As for a family type, we get a very interesting result: most of the Belarusian students support the predominating role of a man, and the Turkmen students value equality in family. All the students think that the role of breadwinner is male. Both groups of the students consider love as the most important among family values.

3. CONCLUSION

Analyzing the data, it is possible to draw a conclusion that Turkmen family culture differs from Belarusian culture. Traditions of a Turkmen family seem to be stronger.

The research allowed revealing and comparing family values of two cultures, Belarusian and Turkmen.

There is no such thing as a "typical" family any longer, because family cultures adapt and change. Family culture is not just about the things we can see. It is not just about the national dish, the clothes people wear, the gods they worship, or even the places they live. Family culture is for the most part invisible; but is very important to understand people living nearby.

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UDC 371.015

ATTITUDE TO BODY IMAGE IN YOUTH

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The article focuses on the importance of a positive attitude towards body image. The concept of body image has become a central issue in biological and medical science, as well as in psychology, philosophy, cultural and feminist studies. Body image issues have increased worldwide over the last 30 years and do not only concern young people but affect people of all ages.

Introduction. Many young men and women are concerned about their body image. Body image is not just what we see in the mirror. It involves memories, assumptions, and generalizations. Throughout history, humans have given importance to the beauty of the human body. Society, media, and popular culture often shape how a person sees their own body. We are bombarded every day with images of perfection. But these messages may be harmful because the standards of physical attractiveness portrayed by the media are hard to live up to.

Body image is the mental representation one creates. Body image encompasses a mental picture of one's physical appearance, body functions and other features. Body image is subject to all kinds of distortion from internal elements like emotions, moods, early experiences, attitudes of parents, and much more. Nevertheless, it strongly influences behaviour. The body is the indicator for "weakness", "fatigue" as well as "strength", "excitation", etc. The body reveals itself in the sphere of sexuality, religious experience.

Main part. Appearance is an important aspect in one's life. Teenagers spend long hours in front of a mirror and pay disproportionate attention to outfits. The reason is that they are often unhappy with their appearance, feel anxiety. Outrageous clothes make them stand out in a crowd and help them feel worthy and valued. Teenagers who feel confident about their physical appearance do not need such a "confirmation". When we get older, concern about appearance usually decreases. Teenagers get used to their appearance, accept it and stabilize the aspiration level associated with it. Young men and women are concerned about their mental abilities, their personality traits (morality, competence, sociability) and vocational choice. They tend to prioritize career success and effective interpersonal relationships [1].

Self-esteem often serves as a means of psychological protection. The desire to have a positive self-image often induces an individual to exaggerate his advantages and minimize his disadvantages. In general, the adequacy of self-evaluations seems to increase with age. Adults' self-assessments on most indicators are more realistic and objective than juveniles'. The reason is that adults' self-assessments are affected by great life experience, mental development and stabilization of the aspiration level.

Teenagers with low self-esteem are especially vulnerable to anything that somehow affects their self-esteem. They are oversensitive to criticism and teasing. They feel other people do not value them. They are unhappy if they cannot reach their goals in their work. They cannot accept their own flaws. Because of this, many of them seem to be shy, withdrawn, they try to escape from reality and enter the world of dreams, and this escapism is by no means voluntary. The lower the level of one's self-esteem, the more likely they suffer from loneliness. It is important for young people to be accepted by society.

Body image is the perception that a person has of their physical self and the thoughts and feelings that result from that perception [3].

There are four aspects of body image: 1) a perceptual body image - how one sees his/her body. This is not always a correct representation of how one actually looks; 2) an affective body image - the way one feels about his/her body. This relates to the amount of satisfaction or dissatisfaction one feels about his/her shape, weight and individual body parts; 3) a cognitive body image - the way one thinks about his/her body. This can lead to preoccupation with body shape and weight; 4) a behavioural body image - behaviours in which one engages. When a person is dissatisfied with the way they look, they may isolate themselves because they feel bad about their appearance or employ destructive behaviours to modify parts of the body they do not like [2].

A positive body image occurs when a person is able to accept, appreciate and respect his/her body. A positive body image is important because it is one of the protective factors, which can make a person more resilient to eating disorders. In fact, the most effective eating disorder prevention programs are based on two approaches: a health promotion approach, focusing on building self-esteem and a positive body image, and a balanced approach, focusing on nutrition and physical activity.

A positive body image will improve self-esteem, self-acceptance, healthy outlook and behaviours.

The attitude towards one's body carries out a regulative, controlling, integrating, stabilizing, protective function. Body image is related to self-expression. The perception of one's body changes over the years [3].

A negative body image leads to a distorted perception of one's shape - people may become preoccupied with what they feel to be bodily flaws; they are convinced that only other people are attractive and find it difficult to accept the way they look; they may experience discomfort, dissatisfaction, shame, or even disgust in relation to their appearance; they may feel uncomfortable and awkward in their bodies [3].

According to the cognitive theory, dissatisfaction has the following components: appraisal (based on thinking) and perceptual (based on perception).

We conducted research to find out gender differences in attitude to body image in youth. We used a questionnaire on body dissatisfaction (developed by O.A. Skugarevsky and S.V. Sivukha) [6].

Students of Polotsk State University aged 18 to 24 took part in the study. Out of 40 students, there were 20 males and 20 females.

We analyzed the empirical data and obtained the following results.

The significance level was $p > 0.05$, therefore, the differences in gender attitude to body image were not significant. Thus, the males and females are equally concerned about their bodies.

According to the results, we can say that both males and females want to improve their body as much as possible. All young people want to have a slender figure. Most do not accept their body as it is.

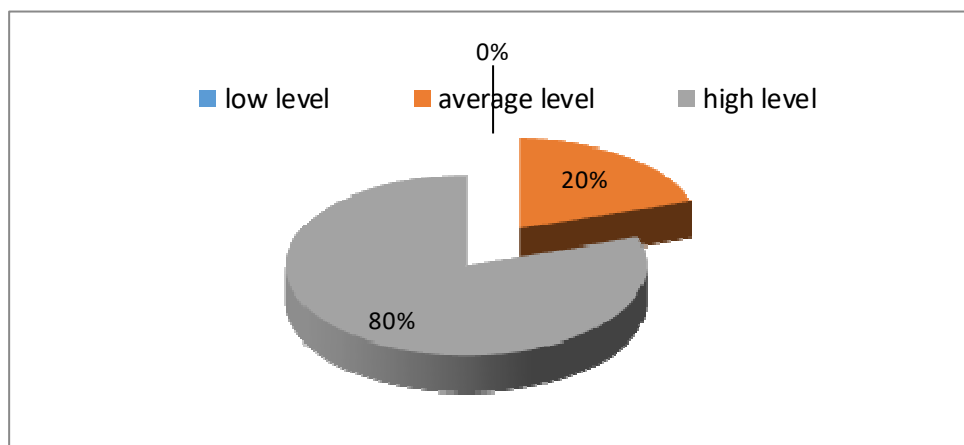


Fig. 1. Level of body dissatisfaction (males)

According to the data, we can conclude that 80% of the young men have a high level of non-acceptance of their bodies, 20% have an average level. The young people with a low level of body acceptance were not found in the study. According to the data received, it can be concluded that males reflect on their physical self.

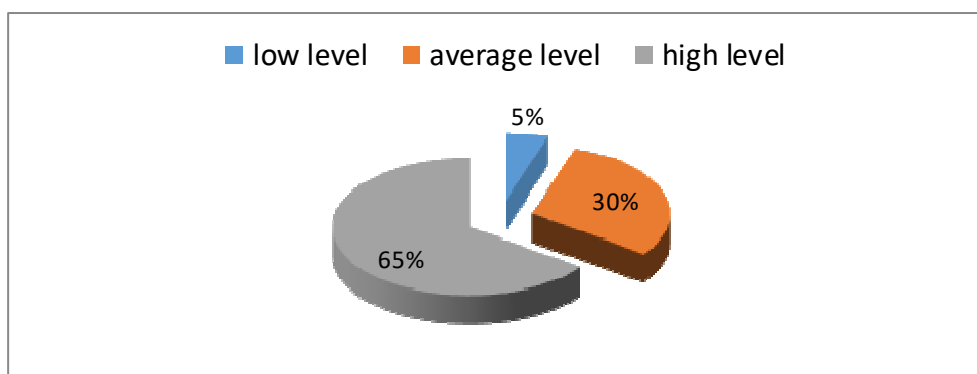


Fig. 2. Level of body dissatisfaction (females)

65% of the females do not like their own bodies, 20% accept their bodies, but they want certain changes. Only one female is completely satisfied with her body.

Conclusion. Body image is considered a multi-dimensional concept that includes perceptual, attitudinal, affective, and behavioural dimensions. Body image, in most definitions, is a mental picture of the size, shape and appearance of one's physical body and one's feelings concerning these characteristics and one's body parts.

Body image can have a wide range of psychological and physical effects. Women all over the world are evaluated and oppressed by their appearances. Males also face similar burdens in regards to attractiveness, whereby the media's depiction of the ideal muscular physique has caused numerous body dissatisfaction issues among young men. Teenage boys in particular, are now three times more likely to suffer from body dysmorphic disorder, with numbers reaching 45% since 1991[4].

Thus, we can draw the following conclusions: the gender differences in attitude to body image are not significant. This means that today young men are concerned about their bodies as much as young women are.

The number of males and females who do not accept their bodies is much greater than the number of males and females who are satisfied with their bodies. Most young people want to modify parts of the body they do not like. Everyone wants a slender figure and attractive appearance.

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DISTRIBUTION OF FAMILY ROLES: MARRIED AND SINGLE WOMEN

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Efficient distribution of family roles is very important for spouses. The family wellbeing in many respects depends on whether spouses act in coordination, whether they agree and are ready to play certain roles in family interactions. From the very beginning of their relations, it is crucial for partners to coordinate the expectations and ideas of marriage. It is necessary for spouses to define their family roles and integrate the playing of these roles, what it means to be a wife and a husband. It is vital for successful marriage that expectations of partners coincide.

Introduction. According to a traditional definition, a young family is a family in the first 3 years after marriage (in case of the birth of a child — without any restriction of duration of marriage) and if any of spouses are not 30-year old [2].

In many countries around the world and in our country in particular the divorce rate for subsequent marriages is very high. The most common reason for divorces is divergent views of spouses on what roles each of them has to play in family interactions.

A newly married couple is one of the most unprotected groups. With high frequency, young people get married because of unexpected pregnancy or even a child's birth. Young people often have a distorted idea of marriage, family, and sex. Almost 25 per cent of young people are ready to have open relationships without getting married, but they do not approve free sexual life. Among the acquired vital values, the youth place the relations in family, satisfaction in love, sex, intimate life on the 1st place; young people think that value of marriage increases if a couple have children [4].

As a result, "family myths" are formed and they affect the nature of matrimonial interaction and activity of family in general.

According to the data of Belstat for 2016 in Belarus the rate of marriage is 6, 8 and the divorce rate is 3, 4 per 1000 people. In 2015 the marriage rate was 1, 8 more per 1000 people, the divorce rate was 3, 5 [3]. It is possible to note that the number of marriages in our country are decreasing and that leads to an insignificant decrease in number of divorces. However, the situation is not positive as the fact of decrease in number of the registered marriage signals about basic changes in the concept "family" in modern society.

Traditionally researchers distinguish two units of the most relevant problems concerning young families: social, economic, social, and psychological [5].

The issues of adaptation of young spouses to each other, to a new situation (change of roles, stereotypes and styles of behavior) and to new relatives are very important too.

Main part. In our research, we supposed that conception of distribution of family roles of married women and single women differed. In addition, we suggested that conception of distribution of family roles of married women differed from real distribution in their families.

We analyzed modern research in psychology and pedagogy on the issue of family relations; marital communication as the core of the family system; gender stereotypes in functional and role structure of the family.

We made the analysis of conception of distribution of family roles of married and single women.

We used a questionnaire including 32 family roles. This questionnaire was made with the help of the roles described by Y.E. Alyoshina, L.Y. Gozman, E.M. Dubrovskaya, S.V. Kovalyov. In the questionnaire the following roles were presented: "a household manager", "one who buys food supply", "one who earns money", "a treasurer", "a poor performer of duties", "one who cleans home", "one who takes out garbage", "a cook", "one who clears the table after meals", "one who looks after pets", "an organizer of holidays and entertainments", "one who runs errands", "a decision-maker", "a mender of broken things", "a mediator in a conflict", "one who likes to be ill", "a supporter of strict discipline", "a chief accuser", "one who consoles the offended", "one who evades discussion of issues", "a creator of trouble for others", "one who keeps away from family problems", "one who makes sacrifice for the sake of others", "a family volcano", "one who nurses a grievance", "a joker", "a master/mistress", "one who is responsible for the care of a baby", "a tutor", "an organizer of family subculture", "one who is responsible for the maintenance of family relations", "a psychotherapist".

To compare expected and real family roles of married women we used the questionnaire "Distribution of Roles in Family" made by a team of psychologists led by Y.E. Alyoshina. It helped to study family relationships. 65 females took part in our research, 30 women of young adulthood had been married for no more than 10 years, and 35 students of Polotsk State University from 17 years to 21 years old who were not married. There were a few females from Turkmenistan.

The respondents were to choose a role, typical for men, typical for women, and 5 roles as the most important ones for family in the questionnaire. Married women were to mark the roles that they were playing in their families and roles played by their husbands. It helped us to see whether there was a coincidence in their ideas about typical family roles and actual state of role-playing.

Analyzing the results of married women, at the beginning we chose the roles that coincided in both questionnaires. These were the following roles - "a tutor", "a psychotherapist", "one who earns money", "an organizer of holidays and entertainments", "a master/mistress", "an organizer of family subculture".

Our task was to determine whether desirable distribution of these roles with actual role-playing coincided. We compared the results of both questionnaires.

During quantitative processing, it became clear that 63% of married women's conception of the role "a tutor" coincided with the distribution in their families. As for the role "a psychotherapist", a coincidence of gender representations reality was revealed at 47% of the respondents. The greatest coincidence occurred with the role "one who earns money" - 73% of the respondents. The coincidence concerning the role "an organizer of entertainments" was revealed at 57% of the respondents.

The discrepancy on the role "a master/mistress" was the most obvious. The role "an organizer of family subculture" coincided at 47% of the respondents.

Then we compared the responses of married and single women.

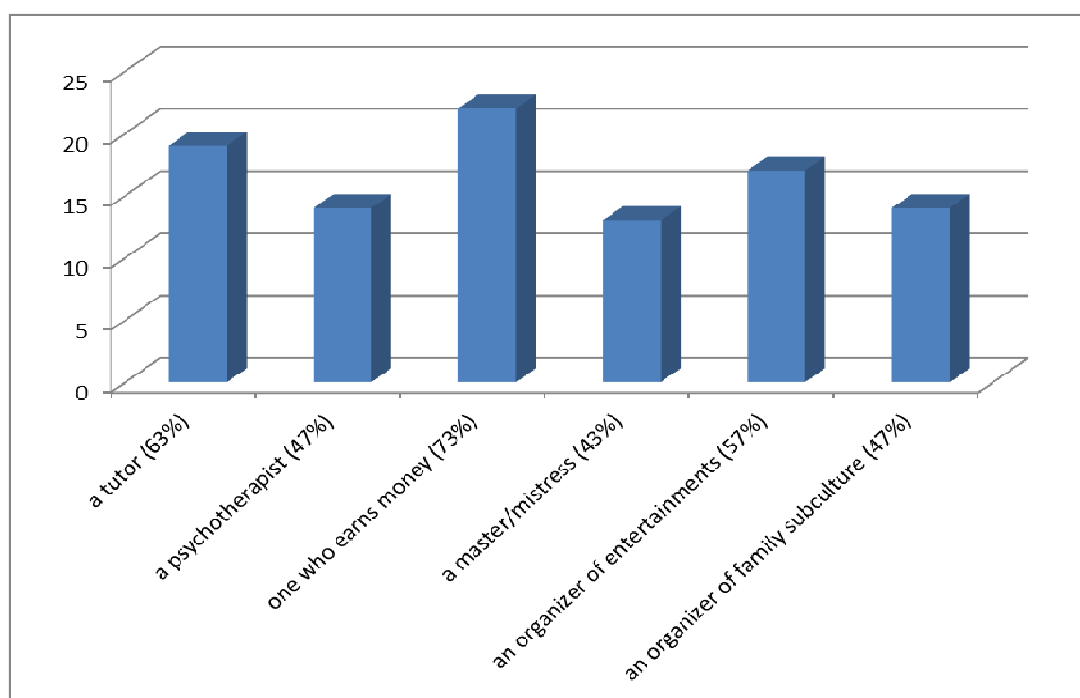


Fig. 1. Coincidence of gender conception of family roles and actual roles (married women)

It was revealed that the conception of distribution of family roles of married and unmarried women had small distinctions.

In a percentage ratio the most obvious divergences (more than 10%) had such roles as: "one who buys food supply", "a poor performer of duties", "one who cleans home", "one who takes out garbage", "a cook", "one who looks after pets", "a runner errands", "one who likes to be ill", "a supporter of strict discipline", "a creator of trouble for others", "a psychotherapist".

From the given list of roles, such roles as "a poor performer of duties", "one who looks after pets", "a supporter of strict discipline", "a creator of trouble for others" had significant distinctions.

We should review these distinctions in more detail. According to the percentage ratio, most of single women thought the role of "a poor performer of duties" as typical for men. It might be a stereotype about male irresponsibility in performance of household chores. However, married women had a different opinion, they had family experience and they might realize that partners could share household chores.

A great number of single women believed that the role "one who looks after pets" was typical for men, but married women knew that women looked after pets more often. Perhaps, in the situation we come across with another gender stereotype, a man carrying a puppy in hands does not get pleasant feedback, while a woman with a puppy attracts everybody's affection. Therefore, some men consider this role as belonging to women.

Distribution of opinions regarding the role "a supporter of strict discipline" is rather surprising. Single women considered it typical for women. In addition, in this situation, most likely, a stereotype that a wife should always take control of her husband and children is revealed. However, married women said that in a family life this role was played more often by the men.

The role "a creator of trouble for others" probably caused divergences of opinions for the same reason, as all other roles: single women unexperienced in family relationships were inclined to believe that "men are sources of all women problems"; married women disproved this stereotype, saying that women could create trouble sometimes more often than men.

Conclusion. Statistically, over the past few years the divorce rates have increased in Belarus. That is why it is very important to study an issue of distribution of family roles. It would subsequently help newly-married people, or those who are going to marry, to find an understanding of the forthcoming responsibility.

The purpose of our work was to compare the conception of distribution of family roles of those who were married and single.

We carried out the comparative analysis of conception of distribution of family roles of unmarried young women, female students of humanitarian and technical specialties, and of the married women who were married no more than 10 years. It was found that the conception of distribution of family roles of married and single women had no significant distinctions.

There will be new family roles because socioeconomic situation is constantly changing, and, therefore, it is necessary to look for new ways of adaptation of spouses to new roles. Moreover, some roles, on the contrary, can lose their relevance.

Today, modern life has changed the family structure a lot and family roles have been diverting from the traditional responsibilities. Now a young married couple should take decisions together, express opinions openly, criticize and encourage mutuality and yet be independent and responsible.

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THE PROBLEM OF THE FINANCIAL LEASING LEGAL NATURE

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The article is devoted to the problem of the legal nature of financial leasing. Financial leasing has been used to purchase equipment, agricultural machinery, trucks and cars for a long time. But despite its long history disputes about its nature and possible approaches to regulation continue to arise. A lot of approaches in understanding its nature have been developed. The article provides information concerning the history of the emergence and development of financial leasing. The author describes the basic approaches of understanding its nature and highlights the main discussion issues.

There are three participants who are involved in the financial leasing legal relationship: a lessor, a lessee and an equipment supplier. All of them have a certain interest out of concluding a financial leasing transaction. A lessee has the opportunity to use the equipment with the possibility of buying it out gradually. This interest may be explained due to financial problems to purchase equipment right away or due to the fact that the equipment lessees are interested in is rapidly obsolete and for that reason they do not need it to be in their ownership they are interested in possibility of using it. On the other hand, a lessor renders to a lessee a kind of financial service and derives profit in the form of lease payments. And equipment suppliers get the opportunity to sell their goods to those who need them (to lessees) when without financial leasing lessees cannot afford to purchase it directly from suppliers.

As it is traditionally considered the history of the financial leasing started in the middle of the XIX century. Back then the American company, The Bell Telephone Company, began renting telephone sets out to attract customers. This gave an impetus to the rapid development of communication services, as it provided an opportunity for those who could not afford to buy a phone, rent it with subsequent buyout. Due to the development of rail transport financial leasing was widespread in the United States and Europe. Railway companies avoiding large expenses were acquiring locomotives, wagons and other vehicles not in ownership, but only for rent. For this purpose at the initial stage of financial leasing development in the US the function of lessors was performed by trust companies. Later, in early 50-ies of the XX century the interest of both vehicle manufacturers in selling their products and financial companies in a profitable investment led to the appearance of the first specialized leasing companies [1, p. 299-300].

In general, the emergence of such an institution as a financial leasing should be attributed to the development of applied science and the emergence of new equipment that needed to be promoted to the market. On the other hand, the overproduction of goods and services caused by the same scientific and technological progress increased competition not only among equipment manufacturers, but also its users [10, p. 152].

However, despite its prevalence, there is no such thing as a single universal concept of nature of financial leasing, it has not been worked out yet. Disputes about the nature of financial leasing are mainly based on the answers to three questions: firstly, is there already an elaborated type of contract to which the financial leasing contract can be attributed; secondly, if there is such type of contract, then what type is it; and, thirdly, if such type of contract does not exist, do legal science need a different understanding of leasing, and what it would be then?

To answer the first question it is necessary to distinguish two main concepts: the rental and the credit one. The first concept is based on the assumption that financial leasing is a type of lease, the rental agreement. This approach is widely supported in the doctrines of the post-soviet countries including Belarus and Russia. Externally the financial leasing seems to be very similar to the lease. A lessee uses a leased asset and pays leasing payments, there is no big difference. It is a quite simple idea. Furthermore, recognition of leasing as a type of lease in A. Ivanov's opinion is "a convenient technical measure that avoids the duplication of many norms common to all types of leases. Peculiarities of legal regulation of leasing can be settled in a few very capacious norms" [6, p. 33].

The second approach in understanding of financial leasing is based on the peculiarities of the economic content of financial leasing, revealing its financial essence. Therefore, financial leasing is viewed as a mixed

contract with elements of credit and commission. E. Sukhanov believes that in contrast with lease aimed at transferring things into usage, which is an act of disposing of the thing for profit, financial leasing is a product of another economic situation: a lessee that wants to use certain asset, finds it in the market and appeals to lessor with financial offer to buy this asset with the aim to transfer to it for temporary use [3, p. 205]. A. Egorov notes that the financial leasing in its economic content is very similar to the commission and agency. A commission agent (a lessor) buys on the instructions of the committent (a lessee) the necessary goods, and additionally credits him on terms of reimbursement of costs for the purchase of the goods with accruing interest. Concurrently A. Egorov points out two facts, why financial leasing should not be recognized as the lease.

Firstly, the rent payments are based on the average market rate for the use of a similar asset and the period of the lease. The leasing payment amount is determined differently. The sum of the financial leasing payment consists of the asset full price with interest accrued on amount of this price for the whole period of the lease plus the lessor's remuneration. This sum is divided by a number of periodic payments. Therefore, if the period of use is prolonged the amount of the leasing payment remains the same, but the amount of each periodic payment decreases, in contrast to this the prolongation of the lease leads to an increase of the whole amount of the rent payment even though rent payments remain on the same rate.

Secondly, financial leasing is fundamentally different from lease in the question of risk sharing. The issue of the risk of accidental loss or deterioration of the leased asset is regulated on the grounds of diametrically opposite approaches. In lease, a lessor is obliged to guarantee the useable state of the asset, this is the basic principle which implies the landlord's duty to repair an asset and the impossibility of demanding rental payments in case an asset cannot be used due to damage. In financial leasing, the risk of accidental loss or deterioration of the leased asset rests with the lessee. In A. Egorov's opinion, using credit conception will avoid the problem of misunderstanding the above-mentioned essential differences between lease and financial leasing [5].

The third approach is based on the idea of recognizing financial leasing as an independent institution. E. Sukhanov supposes that complex leasing operations include not only relationship between lessor and lessee, but the activities of purchasing, attraction of financial resources, provision of agency services, mutual guarantees. Therefore, attempts to determine the legal nature of financial leasing with the help of already known legal institutions as lease, purchase and sale, loan, credit, commission and others inevitably lead to the fact that some part of the relations of the participants in the leasing transaction is left without due legal qualification, since it contains features that are not inherent in these institutions [3, p. 206]. Thus, A. Stukalo argues financial leasing as an institution of a special type ("sui generis"), which combines the elements of the contract of lease, the contract of sale and the contract of conditional sale. [13]. S. Shatalov has developed and proposed the construction of the so-called "composite multiplicity" of financial leasing [14].

E. Kabatova recognizes financial leasing as a single tripartite transaction and the combination of the contract of sales and the contract of lease. She believes that financial leasing is a complex structure that makes up a single set of relationships in which none of the elements can exist independently without being connected with all the others. One element generates the emergence of another, the participants in the relationship are closely related. For example, the equipment supplier concluding an agreement with the buyer (the lessor), transfers the equipment to the lessee and is responsible for the quality of the equipment before lessee, but not before the party to the contract of sale and purchase [7, p. 78-79]. M. Savransky believes that the recognition of sales and leasing contracts as a single tripartite transaction refers to the principles of the Unidroit Convention on International Financial Leasing (1988, Ottawa) [9; 12].

Y. Svyadosts argues that "financial leasing embraces a more complex set of relations, which involve not two but three parties: the equipment manufacturer, the leasing company and the user company. I. Reshetnik considers it necessary to recognize the tripartite nature of the financial leasing agreement, because it would lead to creation most effective regulation in accordance with the needs of each of their participants. Y. Kharitonova expresses the idea that leasing should not be viewed as a complex transition which is formalized by two types of contracts: the contract of sale and purchase and leasing contract. In her opinion, it is necessary to recognize financial leasing as a holistic contract within its own holistic regulation [Cit. on 11].

A. Ivanov, the proponent of rental concept of the financial leasing criticizes the recognition of the financial leasing as a tripartite transaction. He argues that participants of financial leasing do not have a single right or obligation that belonged to all of them. In A. Ivanov opinion, a multilateral agreement must have rights or obligations that would be corresponded to each of the parties [4, p. 232]. A. Ivanov argues that it is necessary to recognize the financial leasing agreement "as a bilateral transaction, inextricably linked with the contract of sale of leased asset. At the same time, there is a special case of transfer of a performance of an agreement, in

which only a seller becomes liable to a lessee and only by virtue of the direct instruction of the law. And the contract of sale appears as an agreement in favor of a third party - in favor of a lessee. Author believes that this peculiar mutual, bilateral connection between a financial leasing contract and a contract of sale distinguish financial leasing as a special type of lease [6, c. 18].

Sharing this point of view with A. Ivanov, V. Vitryansky supposes that "the view of the financial leasing agreement as a tripartite transaction does not fit into the existing understanding of a civil transaction in civil law, because "two independent bilateral transactions: sale and lease - even in the closest connection cannot form a third trilateral transaction. V. Vitryansky believes that relationship based on leasing appear to be "a complex structure of contractual relations, consisting of two types of contracts: a contract for the sale of leased assets, concluded between the seller and the lessor, and the leasing contract concluded between the lessor (as the owner of the leased assets) and the lessee" [1, p. 612]. This approach is also supported by V. Kanashevsky and M. Shimkovich [8; 15].

After conducting a research in the history of leasing and analyzing the existing approaches due to its nature, we came to the following conclusions:

1. With respect to the rental concept of financial leasing, we believe that this concept does not correspond to the nature of the relations that caused its emergence. There are substantial differences in the regulation of lease and financial leasing on such fundamental issues as the calculation of rental (leasing) payments and the risk of accidental loss or deterioration of the leased asset. It should be emphasized that the recognition of the financial leasing as a type of lease does not simplify its legal regulation, does not relieve legislative of repeated rules, at least in the Republic of Belarus. The main regulation of financial leasing is contained outside of the Civil Code of the Republic of Belarus, and the Civil Code contains only fundamental provisions on financial leasing [2]. Moreover many researchers make erroneous conclusions that all the rules concerning leases (for example, on the lease of real estate) can be applied to the relations arising from financial leasing by analogy. And since it directly state in the Civil Code financial leasing is regulated by paragraph 6 "The Financial Leasing" of Chapter 34 "The Lease" of the Civil Code and paragraph 1 "The General Terms of Lease", it means that not only the paragraph 4 "The Lease of Capital Structures (Buildings, Constructions), Isolated Premises or Car Places" and but also the all based on its norms legislation cannot be used for financial leasing of real estate. And it is a common mistake.

2. We are agreed that the credit theory of financial leasing better reflects the economic content of the leasing transaction. We believe that the recognition of the institution of commission in the content of the leasing transaction is justified. However, by the law of the Republic of Belarus, neither the loan agreement (due to the obligatory transfer of the ownership) nor the credit agreement (in view of the fact that only money can be transferred by this agreement) cannot be used to transfer the right of use and determine its terms. Therefore, we suppose that according to this theory the legal regulation of financial should still be based on the lease regulation, and due to a lack of simplification of legislation, we consider this approach as unsuccessful.

3. We believe that the approach that recognizes financial leasing as an independent tripartite transaction is the most successful nowadays. Financial leasing merely does not fit into any of the already developed types of contracts. This approach allows to protect the rights and legitimate interests of all three participant of financial leasing. After all, recognition of leasing only as a bilateral transaction between the lessee and the lessor, will inevitably lead to a disparagement of the role of the supplier in the leasing agreement and the role of the lessee in the contract of sale. This does not coincide with approaches contained either in international law or in Belarusian law, which provide certain rights and the obligations to a lessee in the contract of sale and to a seller in the lease contract. Otherwise, this will entail the need for creation a separate legislation to regulate of the contract of leasing assets sale.

4. We believe that financial leasing needs a separate independent regulation. The main provisions are already outside the boundaries of the Civil Code, but there is no single unified act. This measure will not complicate the legal regulation of financial leasing and, at the same time, will simplify the understanding and application of legislation on leasing. We believe that the development of a special regulation for financial leasing will eliminate the conflict of norms.

5. We agree with the authors proposing to recognize leasing as a trilateral transaction, which is formalized by two types of contracts. But we do not agree with the opinion that such transaction should be documented by contract of sale and contract of financial leasing. In our opinion this approach separates two closely related terms: the financial leasing transaction and the financial leasing contract. It is impossible to conclude a contract without concluding a transaction. We believe that this approach allows to conclude a

financial leasing contract without concluding a financial leasing transaction. Therefore, we propose a new term a "financial leasing transaction contract". By financial leasing transaction contract we propose to understand one of the two contracts which form a whole financial leasing transaction. It is either a contract between the supplier and the lessor, which mediate the transfer of ownership from the supplier to the lessor, or a contract between the lessor and the lessee, which mediate the choice of the supplier, the transfer to use and the conditions of using the leased asset. Both these contracts should be regulated by a single financial leasing regulation, and in the part not regulated by the special legislation, the provisions on purchase and sale for the first contract and the provisions on lease for the second one should be applied subsidiarily.

In conclusion, we believe that financial leasing should be recognized as an independent tripartite transaction which needs a special legal regulations and which is formalized by means of concluding two financial leasing transaction contracts. The norms on contract of sale and contract of lease should regulate financial leasing transaction contracts subsidiarily in the part that is not regulated by special financial leasing legislation.

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UDK 342

GUARANTEE THE RIGHTS OF REFUGEES IN THE REPUBLIC OF BELARUS

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The article deals with a number of procedural, legal and material guarantees of refugees, realization of their rights. The proposed amendments to the existing legislation will contribute to further strengthen the safeguards system. It is proposed to introduce a mandatory pre-trial procedure for settling disputes over refugees into civil procedural law.

Guarantees of the exercise of rights are an element of the constitutional and legal status of refugees.

Warranties can be different: procedural, material, legal, economic, etc. To begin, consider a number of procedural guarantees for refugees of the Republic of Belarus of their rights.

So, the problem of refugees' realization of the right to judicial protection is important for the Republic of Belarus. The work of the constitutional Court of the Republic of Belarus is very indicative here. Thus, the message of the constitutional Court of the Republic of Belarus "on the state of constitutional legality in the Republic of Belarus in 2002"[1] notes certain directions of work in this sphere. For example, to ensure access to justice they have also been sent by the Decision of 15 January 2002 "About the state tax payment by persons appealing against a court refusal to register a petition for the recognition of refugee status and denial of recognition of refugees" [2].

According to the legislation on refugees and the international obligations of the Republic of Belarus, the state must grant every refugee the right of free access to the courts. At the same time, the amount of the state fee established by law did not allow such persons to pay it and, therefore, to exercise their right to access to justice. The constitutional Court notes that the Council of Ministers, on the basis of the said Court decision, by decree No. 443 of 8 April 2002, significantly reduced the amount of the state fee for refugees in certain categories of cases when applying for judicial protection [3].

For comparison, it should be noted that the judicial practice of the constitutional Court of the Russian Federation shows that refugees most often appeal against the inaction of state bodies in the part relating to long delays in the consideration of applications for refugee status in the territory of the Russian Federation on the merits. A similar problem exists in the Republic of Belarus.

In the Russian Federation, among the rights there is the right of a person recognized as a refugee to receive the services of an interpreter. It should be noted that this right is not granted to refugees in the Republic of Belarus. In our opinion, it would be necessary to supplement the article of the law of the Republic of Belarus on granting refugee status with this norm [4], which will facilitate the process of realization of their rights to persons who have received refugee status in the Republic of Belarus. This legislative innovation will also guarantee refugees the exercise of their rights.

The problem seems to be the question of the cost of paying for the services of an interpreter and determining the party that will provide these costs. We believe that due to the limited state budget of the Republic of Belarus and the observance of the principle of expediency of its use, the burden of paying for the services of an interpreter should be placed on the person applying for refugee status. It should be noted that the nature of this rule will not be discriminatory and will not contradict the universally recognized principles of international law. This is due to the fact that in the Republic of Belarus certain categories of foreign citizens have a status different from the status of citizens of the Republic of Belarus (temporarily residing and temporarily staying). For example, these foreign citizens, according to the law, use medical services at their own expense. The proposed norm will have a similar justification.

At the legislative level, persons applying for refugee status and refugees are granted the right to apply to the court to protect their legitimate interests, namely, article 19 of the refugee status act [4] says that refugees have the right to judicial protection on an equal basis with citizens of the Republic of Belarus.

However, having studied the practice of the General courts of the Republic of Belarus, it can be noted that it is "not rich" in such cases.

Difficulties in legal regulation arise when appealing against denial of refugee status. At the legislative level, there is no specific algorithm for appealing against refusal to grant refugee status, which, in our opinion, is

an omission of the legislator. According to Art. 15 of the law of the Republic of Belarus on refugees [5], decisions and actions (inaction) of public authorities and officials related to the implementation of this Law may be appealed to a higher authority and (or) the court.

That is, in the case that a foreign national applying for granting refugee status, refused to grant it, he has the right to address in court with the complaint. However, there are no special refugee courts in the Republic of Belarus or relevant panels in the General courts, and the General courts are dealing with a great many cases.

On the basis of this, it is proposed to introduce a mandatory pre-trial procedure for the settlement of such disputes, in case of non-compliance with which, the court has the right to refuse to accept the statement of claim, which will facilitate the task of the General courts.

In accordance with this, we propose to add part 1 of article 245 of The civil procedure code [6] with paragraph 6 of the following content: pre-trial dispute settlement procedure is not observed.

It should be noted that the literal interpretation of the Constitution makes it possible to conclude that refugees and persons applying for such status have the right to apply to UNHCR if all domestic remedies have been exhausted, as stated in article 61 of the Constitution of the Republic of Belarus [7]. This is another guarantee of the right to defend one's rights.

On the issue of consolidation of procedural guarantees, it should be noted that the legislation of the Republic of Belarus is aimed at the realization of the right to appeal to the court, provided for by article 16 of the Convention on the status of refugee.

Analysis of the legislation on refugees provides a conclusion on other guarantees of rights.

For example, the Law on provision of refugee status in article 4 contains the following provision: "Information on aliens applying for protection, aliens who have been granted refugee status or complementary protection and aliens who have been granted temporary protection in the Republic of Belarus is confidential and cannot be provided without their written consent to state bodies, other organizations and citizens of their state of nationality or former habitual residence, mass media" [4].

This legal norm, in our opinion, is a guarantee in realization by refugees of the right to protection of private life, honor and dignity enshrined in Art. 28 of the Constitution. Furthermore, article 5 of the refugee status act contains provisions establishing legal guarantees for the non-expulsion of refugees, the essence of which is that refugees cannot be returned or expelled against their will to the territory of a state where their life or freedom is threatened by their race, religion, nationality, membership of a particular social group or political opinion [4].

Legislation has also provided a number of economic guarantees for refugees. In particular, this applies to the issues of obtaining monetary assistance, the possibility of living in a temporary settlement in the absence of the possibility of an independent settlement for a period of time before registration of a permanent residence permit in the Republic of Belarus, but not more than one year, etc.

Summing up, it should be noted that the legislation of the Republic of Belarus contains a number of procedural, legal and material guarantees for the refugees to exercise their rights. Some of them are improved, as indicated above in the text. As a result of the scientific research, amendments and additions to the current legislation were proposed, which will contribute to the further consolidation of the guarantee system. For example, civil procedure legislation has been proposed to introduce a mandatory pre-trial procedure for the settlement of refugee disputes. This proposal is based on the absence of specialized courts (separate panels) for refugees in the Republic of Belarus.

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FEATURES OF LEGAL STATUS OF THE OMBUDSMAN IN FOREIGN COUNTRIES

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Currently in each state there are various human rights mechanisms both on national and international levels, including specialized bodies. One of them is the Commissioner for Human Rights. This article examines the specific features of the legal regulation of ombudsman activities in foreign countries.

The institute of the Commissioner for Human Rights was first introduced in Sweden in 1809. It was intended for a fight against agitations and disturbances from the side of state power. In Swedish the concept "ombudsman" meant "force and authority". The duty of that person was to monitor the state's compliance with laws and statutes, civil servants performed their duties faithfully and conscientiously. Since the XX century, these bodies have been established in different countries and included in legal control. The Ombudsman began to act as an intermediary between the state and the citizen in the process of resolving the conflict or a consultant of state bodies and citizens for ensuring more fair and humane relationship between the parties. The institute of the Commissioner for Human Rights as the guarantor of the state protection of the rights and freedoms of citizens, their observance and respect by public authorities has begun to hold a specific place in the system of public authorities. It began to be treated as a separate state body – link of state machine, participating in realization of certain functions of the state.

Currently specialized human rights institutions are already established in various countries. This body is the institute of the Commissioner for Human Rights (ombudsman). This institute is considered as additional or supportive application of legal protection in the system of other state bodies [1]. In spite of the fact that national peculiarities of the certain countries, their legal systems involve variety of forms of this institute, it has one task - to promote the establishment of justice, humanity in the actions of state structures. Wide distribution of institute of ombudsman in different countries was conditioned by a desire to resist to continuous expansion of executive function of the state, strengthening of positions of administrative facilities.

The formation of institute of the Commissioner for Human Rights in various countries has the features. For example, till 1919 in Finland there was a chancellor of justice, he was appointed the governor general for control of activity of the government and administration in the prosecutor's rank. The constitution of 1919 approved the creation of an ombudsman of justice, acting in parallel and independently of the Chancellor of Justice. In 1933 the positions of an ombudsman were strengthened in a constitutional order and in the legal context of the country, since that time in the country there have been both controlling institutes.

Norway was the first to introduce a military ombudsman, the law about which was adopted by the Storting in 1952. In 1962 the civil ombudsman of justice appeared in this country followed by the ombudsman of consumers.

New Zealand was the first from the English-language countries, applying the institute of ombudsman. The history of its creation begins with a seminar of the UN in Ceylon in 1959 where there were an Attorney-General of New Zealand and future Minister of Justice who initiated the adoption of the law on the Parliamentary Commissioner for Administration in 1962. In 1976 a new law about ombudsman has appeared.

The idea of a federal ombudsman in the USA has been rejected, but it appeared in a number of American states: Hawaii (1967), Nebraska (1969), Iowa (1972), New Jersey (1974) and Alaska (1975). There was a number of pseudoombudsmen appointed by governors. The ombudsman also appeared in a number of cities: Dayton (Ohio), Erie (Pennsylvania), Jamestown (New York), San Jose (California), etc. [2, p. 188]

Currently, there are more than thirty countries in which this institution operates. In connection with the growing penetration of the state in the social spheres of society, the growth of the administrative facilities, this institution began to maintain a balance of interests of the state and the civil society. [3]

In some countries along with national ombudsmen there are regional and local Commissioners for Human Rights. For example, in Austria there are regional ombudsmen in Tyrol and Vorarlberg; in Denmark there is a separate ombudsman of Greenland, all main cities of Denmark have municipal ombudsmen. In other countries, for example, in Italy, the institute of the Civil defender exists only at the regional level.

It is possible to note a variety of names under which ombudsmen and their services carry out their activities in different countries. In Scandinavian countries the name of the ombudsman of justice is used, in the

English-speaking countries it's the parliamentary representative (The parliamentary representative for affairs of administration - Great Britain, Northern Ireland, Sri Lanka) [2, p. 181], the Parliamentary representative for investigations (New Zealand), just parliamentary authorized (ombudsman) is the term used in the English-speaking provinces of Canada. In three countries the term "representative" without the word "parliamentary" is applied: representative for complaints (Israel), representative for the rights of citizens (Poland), Commissioner for Human Rights (Russia). The terms "intermediary", "mediator" (France), "a trialman (guarantor) of justice" (Portugal), "the assistant to citizens" (the State of Iowa, the USA) are used. In the name of this institute the term "defender" underlining its orientation on protection of the rights of citizens is applied: defender of citizens (Province of Quebec, Canada), national defender (ombudsman) (Spain), public defender (State of Nebraska, USA), civil defender (Italian provinces). Sometimes the function of the institute of ombudsman is performed by a collective body: board of national legal assistance (Austria), commission on investigations of abuses of administration (Nepal), parliamentary Commission on Human Rights (Latvia) [2].

Legal status of the ombudsman in various countries is regulated by laws. However each state has features of his fixing. In some countries basic provisions about legal status of the ombudsman are enshrined in the Constitution (the constitution of Sweden 1809, the Temporary constitution of Sudan 2005, the constitution of the Republic of Angola 2010), and in others – in the separate regulatory legal act without fixing of basic provisions in the constitution (The Russian Federation - the Federal constitutional law "About the Commissioner for Human Rights in the Russian Federation", the Republic Azerbaijan – the Constitutional law of the Azerbaijan Republic On the Commissioner for Human Rights (ombudsmen) of the Azerbaijan Republic, Ukraine – the law of Ukraine On the Representative of the Verkhovna Rada of Ukraine for human rights).

An important element of the right status of the ombudsman are the powers fixed by norms. The analysis of Laws on the Representative of the Russian Federation, the Azerbaijan Republic and Ukraine, allows drawing the conclusion that the competence and duties of the human rights activist is almost identical in all specified countries.

The following fundamental obligations of the ombudsman are enshrined in laws of each country in which the institute of the Commissioner for Human Rights functions:

- observance of the Constitution of the country, its laws, rights and legitimate interests of citizens;
 - ensuring performance of the functions assigned to it and the use of the rights granted to it fully;
 - storage of information of citizens;
 - the direction of the annual report on the activities for questions of respect for the rights and freedoms of citizens in Parliament [4].
- Also the following powers of the ombudsman which in turn are his rights are fixed:
- the right to appeal to competent public authorities or officials behind assistance in implementation by the Representative of the activity;
 - the right for free visit of all public authorities, local authorities and self-government, the enterprises and institutions and also presence at meetings of their collegial bodies;
 - the right to request and receive the documents and materials necessary for consideration of the complaint from public authorities, local governments and officials;
 - the right to conduct independently or together with competent public authorities, officials and public servants check of activity of public authorities, local governments and officials;
 - the right to charge to competent public institutions carrying out expert researches and preparation of the conclusions on the questions which are subject to examination during consideration of the complaint;
 - the right to get acquainted with criminal, civil cases and cases of administrative offenses, decisions (sentences) on which have taken legal effect and also with affairs and materials on which it initiation of legal proceedings is refused;
 - the right to refuse witness statement on a civil or administrative case, case of administrative offense or criminal case about the circumstances which became known to it in connection with the execution of its duties;
 - the right to send the remarks and offers relating to ensuring the rights and freedoms of citizens, improvement of administrative procedures to state bodies, local governments and officials;
 - the right to address legal entities of a legislative initiative with offers on change and on addition of the legislation concerning the rights of citizens.

However you shouldn't forget that the institute of the Commissioner for Human Rights functions not only by the general rules which are provided by each country, but also according to features of the state. For

example, the analysis of norms of foreign countries demonstrates that after election of the Commissioner for Human Rights, the procedure of bringing of the oath is fixed in most of them. In some countries incorrect bringing of the oath is the reason for discharging of the person. For example, the Verkhovna Rada of Ukraine makes the decision on dismissal of the Commissioner for Human Rights before the expiration to which he has been elected, in case of violation of an order of bringing of the oath [5]. In other states the consequences of the incorrect oath bringing can not be specified at all. It is possible to concern also the terms of office of ombudsmen: in some countries the term of office of the ombudsman coincides with the term of office of the President (Ukraine), in others it is much longer (Azerbaijan), and in thirds it is shorter (Russia). In foreign countries various approaches to the formation of the institute of the ombudsman are provided. In Ukraine the ombudsman is appointed by Parliament. In the Russian Federation the President has the right for promotion of candidates for a position of the ombudsman, and the right for their subsequent appointment belongs to Parliament. In the provinces of Canada defenders of the rights and freedoms of citizens are appointed by National Assemblies (representative bodies).

Thus, the carried-out analysis of legal status of the ombudsman allows to draw a conclusion that their legal status is very similar as they all perform the same function, the main of which is the protection of human rights. However, according to features of each state, various appointment procedures of the representative, the requirement to the candidate for this position are fixed, the specifics of distribution of powers of the ombudsman on territories of the country and many other aspects are provided.

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GENDER DIFFERENCES IN SOCIAL FACTORS THAT DETERMINE PROFESSIONAL SUCCESS

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This article presents research into gender differences of social factors that determine professional success. Five external factors such as older siblings in parent families, parents with senior management positions, good academic progress at school and university, having a hobby, satisfaction in life were compared. The purpose of the research was to find factors that determine professional success.

Introduction. The modern world makes high demands on a woman. She has to make more effort to achieve success in her career. This is due to the prevailing stereotype - high positions should be occupied by men. Sex discrimination affects the majority of working women, which is reflected in low wages for women, as well as low payment for traditionally female occupation - childcare. The business career of a woman differs very much from the career of a man. The differences are not only in the style of work, but also in the ways of advancement up the career ladder and in motivation to work.

In today's world, a woman begins to play an increasing role. Previously, the female destiny consisted exclusively in caring for children, doing housework, preserving home comfort. Today many women are striving for their career growth. Some women are completely focused on achieving success in professional sphere; some combine domestic work with advancement of a career [3].

Studies in the USA have shown that while some women find satisfaction in the role of housewives, overall satisfaction with life, including self-esteem, is higher among working women. Experience has shown that years devoted solely to caring for the family deprives women of a sense of self-sufficiency and competence [4].

Main part. The problem of women's self-realization refers to the socio-psychological and social problems of modern society. For Belarus, gender issues in the economy, in particular, women's participation in management, are quite relevant. First, this is due to demographic factors. For many decades the predominance of the female population has been noted. According to the Ministry of Statistics of the Republic of Belarus, at the beginning of 2008, 53% of the population were women and for a number of reasons their number will grow in the future. Women, representing a large half of the electorate, significantly affect the public choice [2].

Overcoming these problems is possible not only due to a change in the situation with the characteristics of the human capital of women, this capital has already been accumulated to a large extent, due to changes in stereotypes, changes in the position of the dominant male group. Such changes can only be gradual, and they can be promoted by setting soft institutional rules that indicate new approaches and priorities. So far, a small amount of experience accumulated in the world can be used.

While women and men believe they are equally able to attain high-level leadership positions, men want power more than women do, according to new research by Francesca Gino, Caroline Wilmuth, and Alison Wood Brooks [1].

New research from Harvard Business School reveals a stark gap in the professional ambitions of men and women. Having surveyed a diverse sample of more than 4,000 men and women, a team of social scientists reports a list of potentially controversial findings: compared to men, women have more life goals, but fewer of them are focused on power; women perceive professional power as less desirable than men do; women anticipate more negative outcomes from attaining a high-power position; women are less likely than men to jump at opportunities for professional advancement; while women and men believe they are equally able to attain high-level leadership positions, men want that power more than women do[5].

The subject of our research is gender differences in professional success. We wanted to carry out a comparative analysis of the influence of external factors on the success of men and women occupying leading positions.

We used a "Questionnaire for successful people", which includes 15 open-ended questions. The questions were about various spheres of life: family, professional activity.

18 women and 18 men aged from 45 to 60 years old took part in our research. All of them were managers. They were representatives of different professions, and had the same social status.

The quantitative processing of data was carried out using a standard computer program STATISTICA.

Education, Social Studies, Law

Result. In the second stage of the study, in order to determine the nature of the interrelationships of a number of external factors on the professional success of men and women, we used the criterion of Fisher's angular transformation.

Results of the study of the first factor "the presence of older siblings" are presented below.

Table 1 – The presence of older siblings

Group	"Effect"	"No effect"	Sums
	number of subjects	number of subjects	
Men	7 (38,9%)	11 (61,1%)	18 (100%)
Women	10(55,6%)	8(44,4%)	18 (100%)

As can be seen from the table, 38.9% of men and 55.6% of women have older siblings. The received data fall into the zone of insignificance. The presence of older brothers or sisters does not affect the success in future professional life.

It turns out that younger children have the same chances of success in life as older siblings. This contradicts the well-known opinion of A. Adler that the first-born is smarter and more adapted to life. A. Adler argued that the younger child had a high motivation to surpass older siblings.

The second factor is presence of parents with senior management positions.

Table 2 – Parents with senior management positions

Group	"Effect"	"No effect"	Sums
	number of subjects	number of subjects	
Men	8(44,4%)	10(55,6%)	18(100%)
Women	14(77,8%)	4(22,2%)	18(100%)

44.4% of men and 77.8% of women were born in families where parents had influential positions. The received data fall into the zone of uncertainty. In this case, we can say that men and women differ in this factor. Parents with senior management positions have a greater impact on women. Therefore, parental authority, in the first case, is especially important for women, because they are still believed to have lower motivation to achieve success.

Next factor to discuss is an academic performance at school and university.

Table 3 – Good academic progress at school and university

Group	"Effect"	"No effect"	Sums
	number of subjects	number of subjects	
Men	16(88,9%)	2(11,1%)	18(100%)
Women	17(94,4%)	1(5,6%)	18(100%)

88.9% of men and 99.4% of women had a good academic progress at school and university. The data fall into the zone of insignificance, men and women do not differ in this criterion. Career success is based on solid knowledge and good education. However, knowledge alone is not enough to advance in career. An important role is also played by such qualities as an ability to adapt, willingness to take risks, an ability to build corporate relationships and, if necessary, take on a role of a leader, creative approach to work.

The next external factor is having hobbies.

Table 4 – Having a hobby

Group	"Effect"	"No effect"	Sums
	number of subjects	number of subjects	
Men	4(22,2%)	14(77,8%)	18(100%)
Women	17(94,4%)	1(5,6%)	18(100%)

The majority of women (94.4%) and only 22.2% of men have a favorite pastime. The difference is in the zone of significance. According to the statistics, women, on average, have less hobbies than men do. As, basically, a woman is busy doing household duties and they have little time for a hobby. However, our survey reveals that the prevailing proportion of women manage to find time for their favorite occupations. Perhaps, a hobby is some sort of psychological distraction for women. It is time when a woman can be focused on herself and relax from a complex job.

In addition, one more important factor is satisfaction with life.

Table 4 – Satisfaction in life

Group	"Effect"	"No effect"	Sums
	number of subjects	number of subjects	
Men	10(55,6%)	8(44,4%)	18(100%)
Women	7(38,9%)	11(61,1%)	18(100%)

It can be seen from the table above that 38.9% of women and 55.6% of men are satisfied with their life. The data are in the zone of insignificance. We conclude that there are no differences between men and women in this factor.

Professional realization of a person is one of the important conditions that affects the overall satisfaction with one's life. A rather large percentage of women's dissatisfaction with life (61.1%) is associated with a role conflict. Women face difficulties in combining careers and families. Women with low role conflict, according to scientific research, were more satisfied with both professional and family characteristics of their lives. The life situation of women with high role conflict is much less stable. They are distinguished by the lack of a clear orientation to the family or to work, are quite dependent on the opinion and assessment of others.

Conclusion. Analyzing our data, we can conclude that external factors only indirectly affect professional success. Personal qualities play the main role.

Among five external factors (older siblings, parents with senior management positions, good academic progress at school and university, having a hobby, satisfaction in life), only one was significant: having a hobby. It was found that successful women more often had hobbies than men. For women, a hobby is a kind of distraction from difficult work, a means to relieve stress or fatigue.

With further comparative analysis of men and women, according to other criteria, there were no significant differences. This confirms the greater influence of the internal, personal qualities of a person in achieving a professional success.

Thus, the basis of success is professionalism, constant personal self-improvement as well as the possession of a strong character and will.

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**THE ADMISSION OF THE CITIZENS TO THE PUBLIC SERVICE:
THE REPUBLIC OF BELARUS AND THE EXPERIENCE OF THE UNITED STATES OF AMERICA**

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The article is devoted to the issues of the comparison of the mechanism of the admission to the civil service in the Republic of Belarus to that in the USA and the improvement of the Belarusian one. The author reveals the procedure and the principles of the admission to the civil service in these countries. Special attention is paid to the stage of the admission to the civil service. On the basis of the analysis, the directions for further improvement of the civil service in the Republic of Belarus are determined.

The process of entering the civil service in the Republic of Belarus is carried out in accordance with the Constitution of the Republic of Belarus and the legislative acts by the appointment, approval or election. [1], [2]. The appointment, approval or election to the state office issues a decision, order, decree, other act of a competent state body, officials, a subject to the established order of corresponding records in the work book.

Admission to the civil service of the Republic of Belarus may be preceded by a competition for a public office, as well as a preliminary test. For persons who enter the civil service for the first time, a qualification exam is held in accordance to the procedure established by the President of the Republic of Belarus. The qualification requirements for admission to the civil service, are:

- 1) the appropriate education, except for cases when a certain education is not required for holding the state position;
- 2) the necessary experience and skills in the specialty, except for the cases when they are not established for holding the public office;
- 3) the proficiency in the state languages of the Republic of Belarus;
- 4) the knowledge of the Constitution of the Republic of Belarus, the laws applicable to the performance of the relevant official duties.

There are also other qualification requirements for the citizens to occupy the relevant government positions, in addition to those listed above. They can be established by other acts of the legislation.

The qualification characteristics of public posts are determined by the government of the Republic of Belarus or its authorized body.

In turn, the procedure of employment in the United States includes the following stages:

- 1) submitting an application;
- 2) conducting examinations or interviews;
- 3) reliability check;
- 4) selection of the candidate for the position;
- 5) verification during the trial period.

Competitive examinations are conducted in written and oral forms and are aimed at checking the professional knowledge and the competence of the candidates for the positions, usually on the middle management level. Examination requirements are approved by the Department of Public Service.

Qualification requirements are established by the head of any administrative Department according to the regulations developed by the civil service administration.

In administrative agencies the board for recruiting the staff consists of the employees who work there. Their task is to consider the applications of candidates for public career posts. Decisions for each application on the post of the public career positions are adopted in written form. Overall evaluation criteria are:

- 1) management experience;
- 2) successful participation in professional development programs created by the Department of public service;
- 3) the existence of special knowledge and experience which gives a reason to believe that a public servant will successfully fulfill his or her duties [par. 3392-3393 of the United States code].

We propose to consider the very process of the admission to the civil service in the United States. The first thing to do for a U.S. citizen is to contact the needed authorized body of the civil service with a letter and to ask for the information about what field and what kind of work he or she has the right to do. For example, if one

wants to work in the Federal government, they will need to write a letter to the U.S. public service Commission, Washington DC, 25, D.C. No matter where the applicant lives, the Commission will inform which test is the most appropriate for the candidate to pass. The applicant will be sent an application form that he or she will have to fill in and send back. Then, after a certain period of time, the applicant will be informed when and where the exam will be held. Fee or fees for the exam will be waived. After the candidate has taken the test he or she will be informed about whether the exam is passed it or failed. If it is passed the applicant's name will be placed in the order of the received score in the list called "candidate register".

When the public authority needs new staff the names at the top of the list are "certified" by the civil service Commission. When the name reaches the top of the list the applicant's candidacy may be considered for the vacant position. The expectant will be asked if he or she still wishes to receive the position. The consent will mean the conclusion of a contract if this position does not require an internship or the in-depth analysis of the characteristics and biography. In addition, one has the right to reject the job offer. In any case, the name is returned in the register and shall be certified upon receipt of the next request. In the application you can specify the minimum wage that you are willing to receive, the place where you want to work and other peculiarities. All this will be considered and taken into account in the future [4].

A comparative analysis of admission to the civil service allows to draw a conclusion about the necessity of further improvement of the process of the admission of the citizens to applying for the civil service we can see the justification for the introduction and improvement of the existing ones:

- to limit the number of civil servants in general which should not exceed a certain number of personnel (approx. In the United States - 10777). This innovation will allow to avoid the problem of excessive increase in bureaucracy and to prevent unnecessary financial costs to the state budget.
- to give the direct access for people in the reserved list for the information about the serial number and the degree of upward movements;
- to introduce the electronic questionnaires with the help of which a reserve staff of civil servants is formed. The data of the questionnaire, in addition to information on work experience should also contain the candidate's preferences for the position to the salary, place of work and other information.

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**COMPARATIVE ANALYSIS OF THE LEGAL STATUS OF ASSISTANT JUDGES
IN THE REPUBLIC OF BELARUS AND IN FOREIGN COUNTRIES**

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In the article the task is to analyse the legal status of the assistance to the judge in the Republic of Belarus and to that in foreign countries. As a result of the analysis the imperfection of the legislation in the Republic of Belarus is viewed. The author offers to introduce a position to the assistant of the judge in the legislation and to create separate Conditions for the assistant to the judge on legal basis.

The workload of the General courts for civil claims, complaints, statements, criminal cases, administrative reports are considered as the ordinary proceedings and it is the reason for the lack of time for the preparation for a judge for each case before hearings which leads to a decrease in the level of quality and validity of decisions. For example, in 2017 there were 329 criminal cases, 1756 civil cases, 2900 administrative Affairs, 176 materials on the state bodies and other applications, complaints, statements in the court of the town of Novopolotsk. Each judge in the court of the town of Novopolotsk, with the number of other 8 judges alongside with the President of the court, has 645 cases per year. As a result some information which is needed for making decisions and judgments remains unclaimed. The above-mentioned circumstances lead to a lack of efficiency in the judicial system and demonstrate the need to assist judges in preparing each case for the hearings.

In foreign countries, on the contrary, to ensure the effectiveness of the courts judges get help from the long functioning Institute of assistants to judges. In the Russian Federation, for example, an assistant judge is a senior civil servant who holds a Federal public service post in the court's office established to directly enforce the powers of judges. The Secretary of the court session is a separate position in the court of the Russian Federation. The Secretary of court session keeps the record of a court session, checks the appearance of persons on behalf of the judge who appeared in a court session. In the US, the Institute of assistants to judges has existed for more than a hundred years. In 1886, the U.S. Congress adopted a decision approving the position of an assistant judge. In the USA the assistant judge, as a rule, is a recent graduate of the law faculty. Assistant judges can be graduates of high school with excellent performance. In England, assistant judges in the counties have the power to hear cases at a low cost. In France there is also the Institute of assistants to judges. For their appointment it is necessary to have a higher legal education, three years of practical training and to pass the exam.

In accordance with the legislation of the Republic of Belarus, the General courts of the Republic of Belarus are provided with the position of the Registrar of a court session-an assistant judge who comprises two positions: the Registrar of a court session and the assistant judge[1], [2], [6]. We believe that it is necessary to consolidate the position of an assistant judge by the legislation of the Republic of Belarus which will help to ensure the efficient work of the courts and to improve the judicial system as a whole. In the Republic of Belarus there is an assistant to the President of the Court in the courts where the number of judges is six or more. Its legal status is governed by a separate Condition. We consider it's rational that the legal status of assistant judges should also be regulated by a separate Condition for assistant judges. In this Condition it is necessary to fix the legal status. The candidate for the position of an assistant judge should be subject to the following requirements: the presence of higher legal education, the experience in the field of judicial activity for at least 2 years. Preference should be given to people who have passed the qualification examination for the position of a judge [3], but this is an optional criterion. In case of passing the qualification examination of an assistant judge to the position of a judge, with further transfer of such assistant judge to a judicial position, he or she will be exempt from passing the qualification exam.

For an assistant judge it is required to state the following responsibilities:

- the study of claims, applications, complaints, criminal cases that are received;
- the drawing up process of a plan for the necessary measures in each case: the establishment of the necessary documents for the consideration of the case must be requested, call specialists, experts, witnesses to confirm the circumstances set out in the case;

- the reclamation of documents for a particular case, the warning of the participants about the process itself, the date of the hearings of the case;
- the control of the requested documents, the responsibility to check the appearance of the participants of the trial in the hearings, to be aware about the reason for their absence and reporting them to the judge;
- to maintain records on cases that were under consideration with the particular judge: the suturing of the documents attached to the case materials, the inventory list, the numbering of sheets of the case;
- the monitoring of the status of proceedings that have been suspended;
- the preparation of legal documents and reports related to ongoing proceedings;
- the preparation of materials necessary for reports and public reports on the work done.

The rights of an assistant should be enshrined in the Conditions also:

- to improve the level of their professional qualifications in public educational institutions;
- to study materials on records management stored in the state archives;
- to obtain the necessary information from law enforcement or any other services;
- those assistants of judges who have passed the qualification examination for a judge are entitled to procedural rights, they can consider applications in order proceedings, which will significantly facilitate the work of judges and reduce their workload.

The direction and coordination of an assistant judge should be carried out directly by the judge.

An important issue of the legal status of an assistant is the possibility of assigning this position to public service. In connection with the recent optimization of the public service, we believe that it would not be rational to assign the position of an assistant judge to public service, but in connection with the responsibility assigned to this position, it is necessary to consider the question of the offset of the work of an assistant in the experience of public service [4].

In support of the need to clarify the legal status of the Secretary of a court session-assistant judge, whose position currently exists in the Republic of Belarus, and the need to consolidate the position of an assistant judge in the law, we draw attention to current trends in informational support of justice. In his interview, February 15, 2017, summarizing the results of the judicial reform of the President of the Supreme Court of the Republic of Belarus Valentin O. Sukalo noted that the introduction of information technology, which was one of the tasks of the judicial reform, was active, and was actively applied not only in pre-trial procedure, notice of trials, and in near future informational technology will be introduced in the process itself, that is, the conduct of the hearings without the court clerk- an assistant to the judge, off the record – with fixation by means of audio recordings [7].

Based on this new trend it is advisable to withdraw the position of Secretary of the court session from the legislation of the Republic of Belarus, as its main function is to maintain the record of the court session. The remaining functions of Registrar of the hearings should be assigned to an assistant judge.

Thus, the courts have long felt the need to increase the number of qualified employees who can be entrusted with the analysis of the materials coming to the court. The introduction of the Institute of assistant judges is relevant and necessary for further improvement of the judicial system. The assistant judge will duly assist the judge in the exercise of his / her powers, provide the judge with the necessary and complete information in the timely manner in the administration of justice in order to improve the speed of decision-making. For this purpose we offer to:

- 1) adopt Regulations on an assistant to the judge in which its legal status will be fixed;
- 2) amend article 30 of the code of Civil procedure of the Republic of Belarus by fixing the rights and duties of an assistant judge in it;
- 3) exclude article 113, 174, 175, 176 of the civil procedure code of the Republic of Belarus, since the record keeping of the court session will be replaced with the audio recording of the trial;
- 4) amend article 99 of the code of Criminal procedure of the Republic of Belarus, namely, to exclude the maintenance of the records of the court session, article 291 of the code of Criminal procedure of the Republic of Belarus, which will contain the powers of an assistant judge, not the Secretary of the court session, as well as article 309, article 310 of the code of Criminal procedure of the Republic of Belarus;
- 5) amend article 175 in the Code on the judicial system and status of judges by adding to the right of each judge to an assistant, as well as to fix this position in a separate article, which will define their rights and duties;
- 6) fix the norm in the Law "On public service in the Republic of Belarus" that will be counted in length of service of the public service working time as the assistant to the judge at further its appointment to the position of the judge;

We believe that the introduction of an appropriate position in courts will solve the problem of delays in trials, delays in starting court sessions and hearings of cases, insufficient level of preparation of cases for court hearings. The above-mentioned innovations will contribute to the efficiency of the work of judges and improve the quality of court decisions.

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SOME ASPECTS OF THE LEGAL REGIME OF MULTIMEDIA WORKS

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The research deals with the current issues related to the legal regime of multimedia works and their characteristics. The article analyzes such features of a multimedia work as an electronic (digital) form; interactivity; virtuality; the presence of a computer program in the structure and others. The analysis of the current legislation in the sphere of multimedia works has been carried out. The study identifies individuals who take part in the creation of a multimedia work and can be recognized as its authors.

Introductory part. Despite the fact that multimedia works are used almost all over the world, their legal nature remains a matter of debate. The analysis of the doctrine and regulations demonstrates the lack of sufficient clarity and uniformity of terminology, which causes both theoretical and practical difficulties and actualizes the problem of separating the essential legally significant features of «multimedia work».

Features of a multimedia work. In relation to the solution of the task, there is the key concept of «work» for a multimedia work, as well as for other objects of copyright. Despite the active use of the term «work» in the national legislative acts, they do not disclose its content. The category «work» is absent in international unified agreements in the field of copyright.

The definition proposed by V.I. Serebrovsky is the most widespread in the doctrine: «A work is a set of ideas, thoughts, images being a result of the author's creative activity and expressed in a specific form that allows reproduction and is accessible to human perception» [1, p.32].

The Civil Code of the Republic of Belarus emphasizes that copyright extends to works of science, literature and art that are the result of creative activity, regardless of the purpose and value of the work, as well as the way of its expression.

At present, to provide the object with protection by copyright rules, a work must be the result of a creative activity and have an objective form of existence.

In Subparagraph 1.14 Paragraph 1 of Article 1 of the Code of Culture of the Republic of Belarus, the creative activity is defined as a kind of cultural activity that includes artistic creativity and other intellectual activity that ends in the creation of a new independent result of an intellectual activity, that have not existed before, in a branch of science [2].

The wording of the object of copyright gives the reason to say that it is not a creative activity that is under the legal protection, but namely the result of such activity, whose form of expression is the work.

The second criterion for the protection of a work is its expression in an objective form. In Paragraph 2 of Article 992 of the Civil Code of the Republic of Belarus there is an indication that copyright extends to both published and unreleased works existing in any objective form. The list of forms in accordance with this article is open, which means there is a possibility of the existence of a work in other forms.

Multimedia works are created using special computer programs. Their reproduction and perception is possible through the use of special technical devices – a computer, a mobile phone, a playstation. The digital form involves not only the possibility to watch or listen to, but also the user's impact on the product and proactive participation in the development of the plot. Thus, to recognize an object as a multimedia work, one shall express it in a digital form.

With regard to the objective form of expression of a multimedia work, there is no any unified approach in the doctrine. P.V. Babarykin points out the existence of a multimedia work in a machine-readable (digital) form [3, p.84]. S.V. Novackij describes the form of a multimedia work as electronic [4, p.10]. E.S. Kotenko notes that an electronic form can be called a digital form [5, p.25]. According to S.A. Sudarikov the important feature of a multimedia work is its existence in a digital form [6, p.188]. A similar position is taken by O.V. Kondakova [7, p.132], O.V. Lutkova, L.V. Terentyeva, B.A. Shahnazarov [8, p.171].

Based on the foregoing, it can be concluded that a multimedia work meets the criteria of an object of copyright, and, therefore, is a work protected on an equal basis with other results of intellectual activity.

For a coherent vision of the nature of a multimedia work, it seems to be necessary to identify its qualifying elements.

V.V. Lebed emphasizes that the classification of one or another object as a piece of multimedia work requires all of the following characteristics: the presence of several diverse creative results in the structure, including a computer program; interactivity; virtual reality [9, p.76]. V.P. Beliaev singles out the following identifying characteristics of a multimedia work: the provision of information through the combination of a plurality of environments perceived by a human; the presence of several story lines in the product content, artistic design of interface and navigation tools [10, p.28].

Summarizing the features of a multimedia work offered by the doctrine, the following can be considered to be the main qualifying elements of a multimedia work: the presence of several heterogeneous protected results of intellectual activity, which are the independent objects of copyright, in the structure; the availability of an electronic format (digital format); functioning in the process of interaction with the user (interactivity); the imitation of objective reality or display of the fictional world created by the author with the help of computer technology (virtuality); the presence of a computer program in the structure.

The legal regime of multimedia works. Nowadays multimedia works become more and more successful being the results of commercial activity. Their commercial use takes place not only within the country, but also at an international level. However, the legislation of the Republic of Belarus lacks special rules regulating the legal regime of multimedia works, there is no specification in respect of those subjects who can act as authors of a multimedia work.

Multimedia work is a single complex work which is the result of the creative activity of an authoring team. As V.A. Dozortsev notes, one cannot traditionally define the circle of authors of such objects, as long as there is a large number of authors carrying out heterogeneous activities, who are involved in the creation of complex works [11, p.146].

Among the persons, who participate in creating a multimedia work, I. Stamatudi singles out the following: the authors of those intellectual activity results that make up the content of this work (various artistic components, computer programs, music, etc.); employers, publishers, producers, editors, developers, owners of the rights to various objects [12, p.33]. S. Novatsky proposes to consider the following as authors of the work: a chief designer, a chief programmer, a script writer, and a composer [13, p.40].

The legislation of the Republic of Belarus lacks special rules related to the copyright to a multimedia work. There are no separate instructions on the legal status of persons who take part in the creation of a multimedia work.

In the context of the disjointed doctrinal positions regarding the legal regime of the multimedia work and the lack of a clear legal regulation at the legislative level, it seems to be necessary to consider the process of creating a multimedia work using the example of a computer game to determine the circle of authors of the work under study.

The development of a computer game is a unique creative activity, during which a large number of elements are combined into a final game product.

A game development process usually includes the following stages: preparation, production, testing, release and distribution of the finished product. However, these stages may vary depending on the preferences of the developers and the features of the project.

At the preparatory stage, the game conception, storyline, character design, the game prototype, the plan for creating the game are being developed and agreed upon. At this stage the concept and gameplay of the game are documented in a design document, which is usually developed by a game designer.

At the production stage of a computer game, the bulk of work is done - artists draw graphic components of the game, sound engineers develop realistic sound design, level designers produce the levels of the game, writers and script writers create the dialogues of the characters. Musical works are used to create the sound accompaniment of a computer game. Composers are involved into the work on the project in order to make such pieces of music.

An important function in the creation of games is performed by programmers who develop software for the game and also compile the work of all the authors involved in the process of creating a computer game into a single project. The project may involve several programmers who specialize in one key area, for example, graphics, sound or artificial intelligence. For instance, graphics programmers create software that manages the storage and display of graphics and animation; artificial intelligence programmers create sets of rules that determine the behavior of enemies or characters in different game situations; programmers of tools create software for artists, designers and sound designers [14, p.22].

A producer performs a coordinating function at all stages of the computer game creation.

As soon as the work on the game is completed, the testing phase begins. Software errors of the game are revealed by beta testers. The next stage is public testing. At this stage the computer game is tested by professional and ordinary users. After a public test, programmers conduct system testing, due to which all system errors are corrected. At the end of this stage, the computer game is considered to be complete and can be submitted for production and distribution [5, p.73].

Conclusion. Following the analysis of the computer game creation process, we can conclude that the key role in such a process is performed by a scriptwriter, a programmer, an artist and a composer. The result of the creative activity of these individuals is a computer game. Those participants who perform technical functions that do not have signs of creative activity cannot be recognized as authors of a multimedia work.

By analogy with the computer game E.S. Kotenko proposes to recognize the same circle of persons as authors of other varieties of multimedia work [5, p.73]. This position seems reasonable, since a computer game is one of the types of a multimedia work.

For qualification of an object as a multimedia work, there should be a combination of the following features: the presence in its structure of multiple heterogeneous protected results of intellectual activity that are independent objects of copyright; an electronic (digital) form; functioning during the interaction with a user (interactivity); the imitation of an objective reality or display of a fictional world created by the author through computer technologies (virtual reality); the presence of a computer program in the structure.

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THE SUBJECT OF THE PARLIAMENTARY INVESTIGATION

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The article examines the subject of the parliamentary investigations. A comparative legal analysis of the subject of the parliamentary investigations in foreign countries is carried out. The examples of the parliamentary investigations are given.

Parliament is a national representative body. The main function of Parliament in the system of separation of powers is to execute the legislature. The other function of Parliament is to dispose the state budget, namely, to accept state budget and to control administration of the budget. Depending on the form of administration, Parliament executes control over the executive power [1].

Such function as the control over the activities of state bodies, institutions and official holders and certain powers conditioned by the function are inherent in all parliaments practically.

In the opinion of one author the parliamentary investigation is realized in similar forms in all countries in spite of the difference in Parliament power of the region of control for the government:

- debates on the general policy of the government;
- issues of deputies to ministers;
- Parliament inquiry;
- parliamentary investigation and trial;
- vote of no confidence;
- impeachment [2].

The most resonant form of control is parliamentary investigation which is widespread among foreign countries. This form of control is used in different problems of a country regardless of the form of government but mostly it is spread among the presidential republics.

Parliament's right to conduct an investigation is realized through the creation of specialized parliamentary commissions to investigate the facts of special social significance. The essence of the entitlement is to react to the event connected with a violation of human rights and others.

The Russian Federation has a significant experience in this field. There is a law "About parliamentary investigation of the Federal Assembly of the Russian Federation" [3]. Besides, there are a lot of regional laws on this issue.

There is a list of reasons for investigations stated in this law. It is:

- The fact of violation of human rights and freedoms guaranteed by the Constitution of the Russian Federation;
- Conditions related to emergencies of anthropogenic nature;
- Conditions related to the negative consequences of natural and man-made emergency situations [3].

For the first time in the Russian Federation, an investigation was conducted because of a terrorist act at school №1 in Beslan on September, 1st – 3rd, 2004 [4]. The other one famous investigation took place on August 17th 2009 because of the accident at the Sayano-Shushenskaya Dam.

E.A. Vandysheva and A.Yu. Sungurov noted the main shortages of parliamentary investigations:

- A limited list of events liable to a parliamentary investigation (A bill to expand the list of events liable to parliamentary investigations is under consideration in the State Duma at the moment) <...> [5].

Ukraine became the second state where the subject of parliamentary investigation of the commissions was legislated. There aren't similar laws in Ukraine as in Russia but control authority is defined by the laws "About committees of the Verkhovna Rada of Ukraine", "About the Commissioner for Human Rights of the Verkhovna Rada of Ukraine", also by Regulation of the Verkhovna Rada etc. [6].

Commissions take a separate place in the realizing of control functions of the Parliament of Ukraine. There are special and investigative commissions. According to the article 85 of the Regulation of the Verkhovna Rada of Ukraine the Verkhovna Rada may decide to set up a temporary special committee for the preparation and preliminary consideration of issues and for the preparation and finalization of draft laws and other acts of the Verkhovna Rada on the Rights of the Head Committee if the subject of legal regulation of such projects does not apply to the subjects of the committees formed by the Verkhovna Rada. As for the investigative commissions, they are created to conduct an investigation on issues of public interest. [7].

According to the article 88 of the Regulation of the Verkhovna Rada [7], the interim investigative commission is set out the results of investigations in a written report which consist of conclusions and offers about:

1. the facts and conditions which became the basis for the investigation;
2. the information or conditions established by the temporary commission, and the evidence by which this is confirmed;
3. the information or circumstances that have not been confirmed;
4. the facts and circumstances that have not been verified, and the reasons for this.

One of the well known cases of the investigation in Ukraine was a death of the famous Ukrainian nationalist Alexander Muzychko, where the independent parliamentary commission took place [8].

Another well-known tragic event was the death of people in the House of Trade Unions in Odessa. As a result of the tragic events of May 2nd, 48 people died [9].

There were three commissions which investigated the events of May 2nd, 2014. The first was created in the middle of May in the Verkhovna Rada, the second - in the Odessa Regional Council and the third was independent – "A group of the second of May". The commission of the regional council already stopped working, having considered it senseless because of the lack of access to secret documents [9].

As a result of the work of the commissions, the following conclusions were drawn in the report:

- the number of deaths;
- the causes of death;
- the request from the Prime Minister of Ukraine to the UN Secretary General Ban Ki-moon to involve European experts for more detailed examinations [10].

The candidate of jurisprudence Shcherbik D.V. notes that insufficient legal regulation of the procedure of the activities of parliamentary committees and investigative commissions in Ukraine have led to the abuse of their powers (attempts to turn into independent bodies of control, the desire to implement personnel policy independently of the parliament, to create law enforcement units) [6].

In most states, the subject of parliamentary investigations is similar. The difference can be with regard to parliamentary investigations of the president's activities (regarding the impeachment procedure).

In this way in foreign countries the subject of parliamentary investigation is prescribed, the circle of people who need to be involved in the investigation is specified, the rights of commissions to request information are identified, the right to use the help of experts is specified.

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MEDIATION IN THE MEDICINE

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The article considers mediation as a conciliatory procedure in the medical field. Subjects of medical conflicts are identified. Advantages of mediation in resolving medical disputes are highlighted.

Today the court, as a rule, is considered as the main way to resolve the dispute. Take, for example, the case when a patient, as it seems to him, has suffered harm during the provision of medical assistance, and a dispute arises between the patient and the medical worker. The patient goes to court to compensate for the damage. Appeal to the court is not always the right decision.

During the trial, one side loses, the parties fail to agree on a mutually beneficial resolution of the conflict through the court, damage to the authority of the doctor and the medical institution, as well as to the patient who spends time and money on litigation and is unlikely to become healthier. An excellent option for resolving the conflict here is not the court, but mediation [1].

Subjects of medical disputes are medical employees, medical collectives. In accordance with this, there may be conflicts:

- Interpersonal conflicts with possible variants of participants (medical worker - patient, medical worker - medical worker, employee of medical institution - head of medical institution);
- Intergroup incidents (staff of the medical institution - relatives of patients and others);
- Mixed incidents (management of a medical institution - patient, medical worker - medical staff).

In the medical field, conflicts arise, when not only medical knowledge, qualifications and skills are not enough, but knowledge in law, economics, psychology, management, construction and others is also needed. The head physician may be faced with a choice: go to a public trial in which you need to publicly and publicly argue your case with the provision of written and material evidence, or find a mutually beneficial solution to the situation by engaging a professional disinterested in the outcome of the conflict.

Let's consider some questions:

- Could, for example, a formal judicial procedure or another public body help and resolve a situation caused by poor psychological contact between a doctor and a patient?
- How to overcome the unwillingness of a district doctor to engage in a patient who became a factor in claims and complaints?
- How to remove the tension in the relationship between the doctor and the patient because of the low legal, moral and general culture of the doctor or patient, or both?
- How to "make amends" for dissatisfaction with the low quality of the medical services provided and raise the patient's awareness of his rights?

Undoubtedly, in such cases, the best method of settling the dispute will be mediation. The procedure is able to carry out a lawyer - if necessary knowledge in law. However, a doctor can also do it - in case the incident concerns medical qualifications and knowledge. In some cases, they can function together. Information obtained during such negotiations should remain secret, they cannot be used in court or referenced in other jurisdictions.

In causing damage to the health of the patient during the provision of medical care, the patient has the right to seek compensation for harm, and the doctor - the duty to compensate him. Immediately, these relationships are the guarantee of the right to life and health. A highly qualified mediator can help in such cases.

From the practice of settling medical disputes in court it is possible to define the following axiom: "One side wins in court, but both lose". The loss is expressed not only in the loss of time, money, emotional over strain and unnecessary for the parties to the incident to publicize its circumstances. The victory of a doctor or a medical organization over a patient deprives the first two interests of making objective conclusions from errors, which can contribute to new difficulties in the work. For a patient who has lost a case, this is the reason to be convinced of the injustice and inhumanity of justice.

But on the other hand, the patient who received the desired decision of the court, has the opportunity to remain with his problem without proper medical care.

Is it possible to agree with the patient? - We believe that not only can, but also need to try to do it. And there are a lot of reasons for this. One of them is that the patient and the doctor begin to hear and understand

each other. This is quite important, because each side finds the right tone and direction of behaviour to ensure that there are fewer disputes, mistakes, shortcomings in the work of some medical workers, growing respect for medicine and those in whose hands the life and health of citizens.

As a result of effective negotiations, on the one hand, the patient's problems are solved and his main interest is health - on the other hand, the business reputation and good name of a medical worker or medical organization is preserved.

Today, various countries are doing everything possible to improve relations between workers and patients. In the United States of America, mediation has been used for several decades and in 80% of cases, the parties turn to the mediator for conflict resolution, disputes in the field of medical services are no exception. In the UK, a special unit in the structure of the London Centre for Effective Conflict Resolution is the centre for medical mediation. In Russia, almost all medical workers are learning the basics of mediation. In summing up, it is important to note that medical activity is not simple in structure, in the number of subjects, in the specifics of relationships. Objectively, the potential for controversial situations is high. Mediation can in this case really and effectively help. However, not instead of other methods, but together. It is necessary to remember the basic principles of mediation: voluntariness, trust, cooperation, confidentiality. With their help, it is easier to achieve higher results in the media availability of any categories of conflicts and disputes. Mediation and medicine are similar in their spiritual content, according to their purpose. Mediation is designed to preserve and strengthen the state of human health, to warn and treat illnesses, and mediation is intended for peaceful, mutually beneficial resolution of disputes, for their prevention and healing.

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THE PROBLEM OF FORMING INTERPERSONAL RELATIONSHIP FOR PRESCHOOLERS IN ROLE-PLAYING GAMES

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The role-playing game is the leading activity for preschoolers that is why it makes conditions the most conducive for the development of preschoolers. The role-playing game plays a special role in the development of interpersonal relationship. The child reflects the relationship of adults in the game and at the same time learns how to build relationship with the peers. In communication with peers, the mechanisms of interpersonal perception and understanding, that are the basic principles of forming sympathy, the desire to help and to support, the ability to share joy and to cooperate, are best developed.

Preschool education is the first level in the general education system. It takes care of protecting and strengthening the health of children, has a great influence on the life of society, creates conditions for the versatile development of toddlers and preschoolers [1].

Nursery and preschool education institutions mostly focus on providing fun filled with studying for the children. Moreover, it is a place where children can interact socially with the other children and develop the quality of working in a group. Meeting the needs and serving the interests of the children is the main goal of all preschool institutions in our society.

The research object of the article is children of preschool age in the preschool educational institution.

The research subject is the development and improvement of interpersonal relationships between children in the preschool educational institution by introducing role-playing games for children.

According to our hypothesis, the presence of various role-playing games in the daily life of children, the development of new interaction forms between children in a game will improve the level and the quality of interpersonal relationships among children in preschool educational institutions.

In qualitative terms, a game is a leading activity in the life of toddlers and preschoolers. Many scientists and researchers also qualify a game as a leading activity in preschool educational institutions.

The role-playing game is an activity in which the child assumes the role of an adult and performs it in the game.

The role-playing game plays a great role in the formation of moral individual qualities, creates good relations in the group of children and enriches a child with the knowledge of the world around him. The game promotes the development of children's imagination and creativity. Children must act according to the role, they must conform to the social norms and rules. A child tries on the roles of different people, learns to understand how they act in various situations. A child is already able to knowingly follow the rules and submit them [2].

Communication of children becomes more continual and more complicated in the game process. It means that children cannot play alone. They are interested in communication. They want to reproduce the relationship of adults in the game that is why they need partners in the game. At this stage, children should learn to negotiate.

Children learn the language of communication during the game. They start to coordinate their actions with the actions of the other children, in such a way, mutual understanding and mutual help start developing.

The role-playing game is the most advantageous base for the development of interpersonal relationships between children in a preschool group. There is such a regularity: the higher the level of the game development is the more complex and various the communication between children is.

A preschooler's communication with their peers is a special sphere of their life, which has significant differences from communicating with parents, educators and other adults. The most important type is communication with the peers.

The educator should know the methodology of the game, its educational meaning and role in the life of the child. The educator should take into consideration the originality of the game at every age stage [2].

The place must be prepared for the children's game. Thanks to this, the children will be able to find new turns of the plot themselves. It is necessary to develop the role and play actions in accordance with the age of the children.

If the game is organized correctly the children will have the opportunity to get new social experience and impressions and to know their teammates better. The teacher's task is to enrich this communication with warmth, sensitivity and respect. Children also need help to analyze and discuss the experience after the games. It is important to emphasize the importance of the children's conclusions.

The educator should regularly hold role-playing games, gradually complicating them and filling with new tasks [1].

It is important to use games and practical situations in which children can learn from each other better, improve their playing skills and enrich their knowledge of the world around them. It will promote the conducive development of the game in the future.

Unfortunately, good relations in a kindergarten group are not always formed. Conflicts can prevent friendly communication. Some children do not show interest in the other children, do not take them into their games. Some children avoid communication and play alone [3].

Most often conflicts arise in the situations when children do not know how to play.

The educator should understand what difficulties the child is experiencing and give him support and help.

The game has a huge impact on the behavior of the child and their inner world. The child can show initiative and creativity in the game. In the game, children learn to control their behavior, evaluate themselves and act correctly. It makes a child think knowingly.

Each kindergarten is to organise its own activities and draw up a programme based on the aims stated in the national curriculum guide.

We start learning something new from the moment we are born. Little children learn from what they see and hear around them.

Every child deserves the best possible start in life and support of their full potential. The child's experience in the early years has a major impact on their future life chances [4].

A preschool educational institution is the foundation that provides this assurance from early childhood up to schooling age.

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THE SPELLING OF A PERSON'S NAME AS A PART OF NATIONAL IDENTIFICATION. LEGAL ASPECT

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The right to use a name on one's native language and to do so officially is a linguistic right and it's loosely related to the national identity and human dignity. Article 11 of Framework Convention of the Protection of National Minorities of Council of Europe states that "The Parties undertake to recognize that every person belonging to a national minority has the right to display in his or her minority language signs, inscriptions and other information of a private nature visible to the public. [1]". In other words, people must be offered an opportunity to add their surname in an original form in their passports, birth certificates and other personal documents if that person wants to change or abandon their surname. Additionally, in cases where the surname is spelled using foreign letters, the authorities have the right to demand the addition of phonetic transcription of person's surname using official alphabet.

During the last few years, UN Human Rights Committee and European Court of Human Rights reviewed numerous cases related to spelling of names and surnames, in which the applicants stated that the spelling of their names in documents differed from how they were spelled in their native languages (Baylac-Ferrer and Suarez v. France, Raihman alias Raihmans v. Latvia, Mentzen alias Mencena v. Latvia, Kuharec alias Kuhareca v. Latvia, Šiškina and Šiškins v. Latvia, Bulgakov v. Ukraine, Erdagöz v. Turkey, Taşkın and Others v. Turkey). Those complaints were submitted on the basis of violation of the right to a private and family life article 17 of the International Covenant on Civil and Political Rights, Article of the European Convention on Human Rights). This fact shows how important this subject is.

Even though Article 14 of the European Convention on Human Rights it is considered as the discrimination against languages as unacceptable, unlike Article 2 of International Covenant of Civil and Political Rights, prohibition of discrimination applies only to the rights that are listed in the convention itself [2]. The report of the European Court of Human Rights Research Division stated, that 'it has recalled that linguistic freedom as such is not one of the rights and freedoms governed by the Convention, and that with the exception of the specific rights stated in Articles 5 § 2 (the right to be informed promptly, in language which one understands, of the reasons for his or her arrest and) 6 § 3(a) and (e) (the right to be informed promptly, in a language which one understands, of the nature and cause of the accusation against him or her and the right to have the assistance of an interpreter if he or she cannot understand or speak the language used in court), the Convention per se does not guarantee the right to use a particular language in communications with public authorities or the right to receive information in a language of one's choice. The contracting States are in principle at liberty to impose and regulate the use of their official language or languages in identity papers and other official documents, for the purposes of linguistic unity." [3] Based on this information, it seems as if victims of lingual discrimination have more chances of getting help from UN Committee, rather than European Court of Human Rights. The cases against Latvia and Ukraine were considered unacceptable by the European Court, In Güzel Erdagöz v. Turkey case, the Court acknowledged the violation of Article of Convention based on the fact that Turkish courts declined applicant's request for changing her name's spelling in accordance with Kurdish pronunciation. However, in more recent Kemal Taşkın and Others v. Turkey case, the court stated that article 8 of the Convention wasn't violated since the request to change the spelling of the name was based on the fact that chosen names used letters that did not exist in official Turkish alphabet. Meanwhile, the UN Committee of Human Rights, while reviewing the Raihman (also known as Leonīds Raihmans) v. Latvia case, stated that the interference entailed for the author presents major inconveniences, which are not reasonable, given the fact that they are not proportionate to the objective sought. While the question of legislative policy, and the modalities to protect and promote official languages is best left to the appreciation of the State parties [...] the forceful addition of a declinable ending to a surname, which has been used in its original form for decades, and which modifies its phonic pronunciation, is an intrusive measure, which is not proportionate to the aim of protecting the official State language. Relying on the previous jurisprudence, where it held that the protection offered by article 17 encompassed the right to "choose and change" one's own name, the Committee considers that this protection *a fortiori* protects persons from being passively imposed a change of name by the State party. The Committee therefore considers that the State party's unilateral modification of the author's name on

official documents is not reasonable, and thus amounted to arbitrary interference with his privacy, in violation of article 17 of the Covenant" [4].

According to Article 33 of Law of Language, Belarusian (Russian) names and surnames are to be used in accordance with the national spelling tradition and Belarusian (Russian) grammar. Foreign names and surnames are to be spelled using Belarusian (Russian) language in accordance with the rights of writing of foreign names [5]

According to Article 74 of Instruction of the department of citizenship and migration work on issuing, registration, trading, invalidating, withdrawing, storage and nullifying passport of citizen of Republic of Belarus, bars "Name", "Second name" and "Surname" must be filled out using Belarusian or Russian language based on the documents provided by the applicant [6]. If the applicant does not provide the Latin transcription of his name, the automatic transliteration from Belarusian language to English is performed in accordance with the Instruction for transliteration of surnames and names of citizens of the Republic of Belarus during the collection of personal data for register of the population [7]. During the process, the letters of Belarusian (Russian) alphabet are replaced using corresponding Latin letters. This situation creates the potential risk of lingual conflicts based on violation of the right for national identity. Because of that, it seems like it would be reasonable to change the Instruction for transliteration of surnames and names using the Instruction for transliteration of geographical names [8] as an example.

The fact that national authorities are making such efforts to solve different problems related to personal names shows the importance of this subject. A personal name allows people to identify themselves. Because of that, it's important to ensure that people have as little difficulties as possible in this area.

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**PECULIARITIES OF DESCRIPTIVE GEOMETRY TEACHING
TO FIRST- AND SECOND-YEAR STUDENTS UNDER MODERN CONDITIONS**

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Descriptive geometry is one of the main graphic disciplines. Parts of the course of descriptive geometry, their interconnection in the discipline are described within the contents of the named course. A methodological component determines a set of teaching and training materials required for a better process of descriptive geometry teaching. Computer graphics modeling, in turn, makes an integral part of the named discipline teaching process.

Descriptive geometry, as it was said, is one of the main graphic disciplines. It influences the development of spatial and logical thinking, graphic culture of students, i.e. understanding of rules and principles and ability to draw and model graphical objects. It contains, as many other graphic disciplines, great possibilities for further development of students' creative activity.

Meanwhile the course of descriptive geometry is successfully taught at construction, engineering, mechanical engineering faculties, as well as faculties of arts and drawing at universities.

According to the systematic curriculum of the study program "Fine Arts, Drawing and Folk Arts and Crafts", the course of descriptive geometry within the discipline "Drawing and Technical Drawing" is studied by first- and second-year students of Art and Graphics Faculty at Vitebsk State University named after P.M. Masherov during the first term, i.e. as soon as school-leavers become university students.

A certain problem of the lack of time for graphic disciplines teaching appears in this connection. It is also important to take into account a relatively low level of first- and second-year students' spatial thinking and theoretical ground. Student's desire for self-education leaves much to be desired as well. It is not equally true for all students, but the fact remains [1].

As L.P. Rusinova states in her work "a first-year student, beginning a systematical study of descriptive geometry, should develop his spatial thinking, spatial imagination and systematic-and-spatial thinking. The very notion 'spatial imagination' means one's ability to clearly imagine 3D objects with all their details and in all colours" [3].

Thus we can claim that the development of spatial thinking is a rather important process for students of almost any study program – artistic, pedagogic, engineering, etc.

The aim of the research is to determine content and methodological components of the course of descriptive geometry for students of the study program "Fine Arts, Drawing and Folk Arts and Crafts".

Parts of the course, their interconnection with the content and structure of the discipline descriptive geometry are determined within the content component.

Sections of descriptive geometry are united into a logical system, based on a theoretical ground. It is observed in a strong and continuous interconnection and interdependence of a further material with the previous one.

Still, as O.V. Yaroshevich notices, the content of the course has a character of a sustainable system, based on the principles of succession and simplicity of material presentation. Such a system was developed in the XVIII century by a French scientist G. Monge. Different authors tried to develop their own understanding of the course structure. Among the authors we can find the names of T.Y. Artemova, V.N. Vinogradov, A.A. Chekmarev, L.S. Shabeka, A.M. Shvaiger. Nonetheless the content of the course remains almost the same and contains following sections:

- introduction;
- methods of projection;
- point; straight line;
- plane;
- relationship of a point, straight line and plane;
- conversion methods of drawing;
- polyhedrons;

- curved lines and surfaces;
- intersection of the surface with a plane and a straight line;
- mutual intersection of surfaces;
- scan [4].

A similar structure of the course of descriptive geometry is fixed in the systematic curriculum of the discipline "Drawing and descriptive geometry" [2]. Taking into account that students begin the course of descriptive geometry in the first semester, it is important to study means and ways of drawing, the rules of drawing according to the existed standards.

A methodological component determines sets of teaching and training materials (methodological guidelines, illustrated materials, computer models, sets of tasks, etc.) to provide the teaching process of descriptive geometry.

According to the systematic curriculum, mastering of the course includes lectures, lab works and students' self-education.

During lab works students solve geometric and graphical tasks using drawing instruments. Students learn ways of solving positional and metric tasks in all sections of descriptive geometry. They also have to write two tests. The first test checks the level of students' knowledge in the field of point, straight line and plane drawing, their geometric relationship, and ways of the drawing transformation. The second test includes tasks in drawing of polyhedrons, surfaces of revolution and intersection of the named bodies with a plane and a straight line.

For effective self-education a workbook on descriptive geometry is worked out. Due to a specific character of the discipline, various graphical tasks make the main material, the tasks are done by the students during lab works or independently. Presentation of the material is specially emphasized by means of schemes and tables.

A set of teaching and training materials was worked out to provide the course of descriptive geometry. The set of materials includes lectures, tasks for lab works, tasks for self-study, etc. A set of 3D computer models is also worked out for a better mastering of the theme "Polyhedrons and Surfaces of Rotation" and widely used at lectures. Teaching experience proves that having studied simple geometric elements – point, straight line and plane – building and projection of surfaces cause sufficient problems at the beginning of the course.

Meeting modern tendencies in higher education, the access to theoretical materials is possible by means of a virtual distance learning system Moodle in Internet. Students can also find here materials to prepare for tests. It also should be mentioned that on-line counselling is becoming more and more popular among students and teachers [1].

Thus, within the determination of components of the course descriptive geometry it was concluded that the named course should include a system of lectures and lab works. An integral part of it should belong to computer and graphic modelling in the process of teaching.

A system of teaching and training material was worked out to meet the needs of the course: e-lectures, geometric and graphical tasks for lab works, tests, sets for computer modelling studies in descriptive geometry, such materials as training models and materials for self-study.

Research results prove that introduction of such materials improves the mastering of descriptive geometry, influences the introduction of modern tendencies in organization of the teaching process. All these influence the becoming of a specialist adequate to modern requirements of science and technology.

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THE ROLE OF CHILD-PARENTS RELATIONSHIPS IN THE DEVELOPMENT OF SELF-ESTEEM AT THE PRESCHOOL AGE

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Studying the topic of child-parent relations is extremely important, both for understanding aspects that affect the development of a child's personality characteristics, self-esteem in particular, and for organizing educational practice.

The parental relation is a single, integral system of various feelings to a child, the behavioral reactions used in communicating with him, the characteristics of perception and understanding of the nature of a child and his actions [1, p.1]. Parental relations are extremely important in the development of a preschooler's personality, as his personality and self-esteem are formed with their help.

According to V.V. Stolin, from the moment of his birth, the child is included into a complex system of relations with other people and is gradually becoming the object and subject of various activities and social relations, so the development of self-esteem depends directly on the opinions, judgments and assessments of others [2, p. 150].

In the first years of life, the family is the main example of social relations for a child. Particularly important in this area are the relationships that the parents themselves build, because this is the first and dominant system of relations that a preschooler encounters in his life. In the family, thanks to hidden mutual influences and mutual influences, such as special atmosphere is created, when even the thoughts that are not said are marked by a child and, penetrating into his consciousness, are revealed later in his behaviour. Great importance in the family is attached to psycho-emotional relationship between a child and a mother. When communicating with her, a child gets the first experience of communication with the world around him and the individual ability to exist in the world. It was found out that self-esteem in many respects fluctuates due to the special behavior of the mother, in contrast to the father's. It is motherly love that becomes the first social standard for a child's self-awareness. But fatherly love is just as important for the full development of a child's personality [2, p. 150].

The formation of one type or another of the parent relationship is affected by many aspects. Let's single out the main of them:

1) Cultural aspects of the parental relationship - in each culture there are stereotypes about childhood and children's upbringing. The cultural values of each parent are important for the full formation of the social and cultural environment in which a child develops;

2) The vital experience of parents in creating their own parental behaviour: the parent attitude can be caused by the fact that parents unconsciously reproduce in their family those problems that they could not resolve in their childhood. For example, if a parent had a younger sister or a brother, who at some time moved the love of his own parents, then at his older age, he could perceive it as an unhappy period of life. This may be one of the reasons why parents are trying to "delay" the growth of their own child [3, c. 117];

3) The model of the ancestral family is also one of the aspects of parental behaviour - relations with native people in the early and preschool years are the source of the creation of a whole system of relationships in adulthood. Looking at his parents and unconsciously imitating them, a child learns the family examples of behaviour and from an early age forms an emotional attitude to the future spouse. [2, p.53];

4) The non-incarnated need of the parent means that for individual parents, upbringing becomes the main occupation, the main and central task in life, and a child is the concrete object of the satisfaction of this need. A parent prevents any manifestation of independence in the child [4, p.42];

5) Personal characteristics of parents - another aspect that affects the development of a particular type of parent relationship. In order to successfully cope with educational concerns, a parent must have certain personal qualities. For example, the qualities needed to coordinate their emotional states, overcome anxiety and others. The characteristics of parent relationship are also influenced by the stable traits of parents' character [2, p. 57];

6) The presence of conflicting marital relations is also important in determining the type of relationship with the child. The educational possibilities of a family depend on the nature and state of these relations. Such qualities of children as, for example, responsibility, diligence are connected with the absence of serious conflicts between parents, and vice versa;

7) Personal characteristics of a child also determine the attitude of the parent to him. For the development of the parental relation, the innate characteristics of a child's nervous system are important. For example, the high rhythm of sleep and wakefulness greatly facilitates the care of the newborn, causes positive emotions and satisfaction in the mother, and, on the contrary, the mother will be in constant tension and irritation from the reaction of the child's protest, his crying, whims;

8) The circumstances of the birth of a child. This aspect is in many cases the most important. The ratio may vary with time, but most often it remains as it was before the birth of a child. If parents have been waiting for a child for a long time or the childbirth was severe, or a child suffered a serious illness in early childhood, parents have a fear of losing a child. The result of this attitude is excessive care, custody, forgiveness and encouragement of a child in everything. The premature appearance of a child, its unplanned nature, unwillingness, and the discrepancy between sex expectations can lead to rejection of a child [2, p. 64].

- The above listed aspects determine the type of child-parent relationship. Ya.A. Varga and V.V. Stolin distinguish the following types: "Acceptance - rejection", "Cooperation", "Authoritarian hyper-socialization", "Symbiosis", "Little loser."

- Type of parent relationship "Acceptance - rejection" determines the emotional attitude to a child. The contents of one pole of this type is as follows: a parent is sympathetic to his child, in all his manifestations, he perceives him as he is, with all the merits and demerits. A parent accepts and approves the child's interests and plans, sympathizes with him. At the other pole of the type: a parent sees his child as unsuccessful, uninteresting, unadapted, unable to think rationally. In general, a parent experiences irritation, anger, resentment, annoyance, discontent, disbelief and disrespect towards the child.

- Type of parental relations "Cooperation" is characterized as a socially desirable image of the parental relationship. A parent who chooses this type of relationship, is interested in a positive result in the affairs and plans of his child, always sympathizes with the failures and problems of the child, tries to help him in solving them. Such a parent appreciates intellectual and creative abilities of his own child, feels proud of him, encourages initiative and independence, tries to be on equal terms with him. A parent trusts his child, tries to stand for his point of view in almost all disputable issues and protect him from the opinions of others.

- The type of parent relationship, like "Symbiosis", reflects the contact of a child and an adult. A parent seeks to work together with a child, feeling himself one with him, strives to satisfy all the needs of the child, protect him from the difficulties and trouble in life. But at the same time, a parent constantly experiences a feeling of anxiety for a child, almost never gives a child independence.

- The type "Authoritarian hyper-socialization" reflects the form of control over a child's behaviour. A parent requires the child to unquestioningly obey and discipline. While he is in power over the child, he tries to deprive him of his own views, imposing his own opinion and his will on him. For the slightest attempts of the child to show his own initiative, he is severely punished for his independence. A parent closely follows the social achievements and victories of the child, as well as his defeats, most often criticizes and looks for failures.

- The type of parent relationship "Little loser". In this type of parental relationship parents show a desire to protect the child from possible life difficulties, while attributing to him personal and social inconsistency. A parent sees the child younger than he really is. The child seems unsuitable, not successful, open to other people's influences. A parent blames the child for not being successful and inept. Therefore, a parent tries to protect the child from difficulties in life and strictly controls his actions.

The above aspects, the conditions of family upbringing and the types of child-parent relations form different levels of development of a preschooler's self-esteem.

Low self-esteem is associated with parents' attempts to develop a child's ability for adaptive behaviour. This is expressed in the requirement of obedience, dependence on adults in daily life, conflict-free relationships with peers, in the ability to adapt to the desires and demands of others, with the exclusion of the possibility of expressing personal views on the situation and evaluating judgments. Moreover, children with low self-esteem grow in families where conflicts between parents are frequent. Mothers in such families are not satisfied with the relationship with the spouse, they do not feel on his part an active support in the child's upbringing. The desire of parents to put the child in a subordinate, dependent position leads to a decrease in self-esteem. The child in this situation does not feel confident psychologically, he does not trust the world around him, he lacks a sense of personal significance. Children with low self-esteem are characterized by simple, meager goals and there is no certainty of the possibility to achieve them.

Children with an average level of development of self-esteem grow in families where parents tend to take a lenient attitude towards them. The level of parental requirements is low and simple goals allow them to accept

their children as they are, to show tolerance to their behaviour. At the same time, some independent actions of children cause anxiety in parents. Therefore, personal experience outside these children's homes is limited. For children with an average level of development of self-esteem, the opinions of others about them acquire considerable value.

A prerequisite for the formation of high self-esteem is the pronounced position of parents in accepting their child as he is. An important feature of such parents is clear, pre-established decision-making authority, unambiguous display of authority and responsibility. In such families an atmosphere of mutual trust reigns, every member of the family feels included in the common home circle. High self-esteem develops in children in families that are characterized by solidarity and support. More positive is the attitude of the mother to herself and her husband. In the eyes of the child, parents always succeed. He readily follows the behaviour patterns he sets himself, persistently and successfully solves the daily tasks that arise before him, as he feels confident in his own abilities [2, p.153].

Thus, we can draw the following conclusion: it is necessary for a child to grow up in the atmosphere of love and respect, a positive attitude and interest in his affairs and activities, and create situations of confidence in his achievements. Therefore, the most favourable type of parental relationship will be the "Cooperation" type. When assessing a child's abilities, it is necessary to evaluate his actions, not his personality, to find the causes of difficulties and mistakes, as well as ways to correct them. It is important to form a child's confidence that he will cope with difficulties, achieve good success, and that he will succeed. It is also necessary to create conditions for an efficient communication between a child and other children. If he has difficulties in dealing with children, it is necessary to find out the reason and help the child gain confidence in the peer group.

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UDC 342

PRINCIPLES OF INCLUSIVE EDUCATION

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In this paper, the principles of inclusive education were considered. In addition, we offered to elaborate and approve the order of the Ministry of Education of the Republic of Belarus the Plan for 2018-2023 «On measures to implement the principle of accessibility of education».

Any system in the world is built on the principles that there are the basic ideas and the beginnings. The same can be said about the system of inclusive education.

The legislation of the Republic of Belarus in the field of inclusive education does not contain a single normative legal act, which completely regulated this sphere. In the Belarusian legislation there are such normative legal acts as the Constitution, the Education Code, the Law of the Republic of Belarus «On Social Protection of Persons with Disabilities in the Republic of Belarus», which to a certain extent affect the sphere of inclusive education. They contain the basic provisions on education in general, which can be attributed to inclusive education, and moreover serve as a basis for the further development of inclusive education in the Republic of Belarus.

However, we believe that during studying the principles of inclusive education, first of all, it is necessary to rely on international sources that have been ratified by the Republic of Belarus, due to the underdevelopment of the national legislation on this issue.

The first international act that we will consider is the Convention on the Rights of the Child, which was ratified by the Republic of Belarus on October 1, 1990. Part 1 of Art. 2 of this Convention contains the principle of non-discrimination: «States Parties shall respect and ensure the rights set forth in the present Convention to each child within their jurisdiction without discrimination of any kind, irrespective of the child's or his or her parent's or legal guardian's race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status [1]». It should be noted that in this norm, during listing the signs of discrimination, an emphasis is placed on the health of the child, which allows us to prove that children with disabilities have the right to enjoy their rights on an equal basis with healthy children, including the right to education.

In addition to the above-mentioned rule, the Convention on the Rights of the Child contains a special rule that relates to the right to education in general. So, according to part 1 of Art. 28 States Parties recognize the right of the child to education, and with a view to achieving this right progressively and on the basis of equal opportunity, they shall, in particular:

- a) Make primary education compulsory and available free to all;
- b) Encourage the development of different forms of secondary education, including general and vocational education, make them available and accessible to every child, and take appropriate measures such as the introduction of free education and offering financial assistance in case of need;
- c) Make higher education accessible to all on the basis of capacity by every appropriate means;
- d) Make educational and vocational information and guidance available and accessible to all children;
- e) Take measures to encourage regular attendance at schools and the reduction of drop-out rates [1].

Analyzing this norm, we can single out the following principles, which, in one way or another, affect the sphere of inclusive education:

1. The principle of free education;
2. The principle of compulsory primary education;
3. The principle of accessibility of education on the basis of capacity by every appropriate means.

In our opinion, the most important principle is the principle of accessibility of education, since it is with this problem that they are faced most often, and not only in the sphere of education. The main reason of this problem is the lack of material and technical support in educational institutions, namely:

- Lack of ramps, elevators or stairs;
- Lack of carpets that must be present along the path of disabled wheelchair users;
- Absence of nameplates and announcements with Braille;

- Narrow stairs and doors;
- Numerous thresholds (a barrier-free environment has not been created), etc.

Thus, according to the Report on the work of the Special Education Department of the Ministry of Education of the Republic of Belarus in 2016 [2], the share of educational institutions with a barrier-free environment is 3.3% out of 100 of the total number of pre-school, general secondary and special education institutions. Among the institutions of higher education, in whose buildings a barrier-free environment has been created today, it is worth noting Polesky State University, Polotsk State University and Baranovichi State University. In other institutions of higher education, we can talk about the elements of a barrier-free environment (the presence of ramps, equipped bathrooms, etc.), since these are mostly old architectural buildings [2].

Returning to Part 1 of Art. 28 of the Convention on the Rights of the Child [1], we draw your attention to the phrase «on the basis of capacity by every appropriate means». This phrase is the fundamental idea of the principle of accessibility of education, because if we interpret the word «capacity», then it means both physical and mental capacities. In addition, the word «every» is understood as a healthy child, and with disabilities. It should also be noted that the principle of accessibility is enshrined in the Universal Declaration of Human Rights of 1948 in Part 1 of Art. 26 [3].

The Republic of Belarus also ratified the Convention against Discrimination in Education in 1960 [4]. In the first article of this Convention, the term «discrimination» is deciphered [36]: For the purposes of this Convention, the term 'discrimination' includes any distinction, exclusion, limitation or preference which, being based on race, colour, sex, language, religion, political or other opinion, national or social origin, economic condition or birth, has the purpose or effect of nullifying or impairing equality of treatment in education and in particular:

- a) Of depriving any person or group of persons of access to education of any type or at any level;
- b) Of limiting any person or group of persons to education of an inferior standard;
- c) Subject to the provisions of Article 2 of this Convention, of establishing or maintaining separate educational systems or institutions for persons or groups of persons; or
- d) Of inflicting on any person or group of persons conditions which are incompatible with the dignity of man.

Analyzing this rule, it can be noted that this convention does not recognize discrimination as a difference, exclusion, restriction or preference based on health, both physical and mental. However, this article contains a very interesting position, namely the creation or preservation of separate educational systems or educational institutions for any person or group of persons. In paragraph «c» of this article, there is a reference to Article 2 of the same Convention, which contains the following rule [4]: When permitted in a State, the following situations shall not be deemed to constitute discrimination, within the meaning of Article 1 of this Convention:

- a) The establishment or maintenance of separate educational systems or institutions for pupils of the two sexes, if these systems or institutions offer equivalent access to education, provide a teaching staff with qualifications of the same standard as well as school premises and equipment of the same quality, and afford the opportunity to take the same or equivalent courses of study;

- b) The establishment or maintenance, for religious or linguistic reasons, of separate educational systems or institutions offering an education which is in keeping with the wishes of the pupil's parents or legal guardians, if participation in such systems or attendance at such institutions is optional and if the education provided conforms to such standards as may be laid down or approved by the competent authorities, in particular for education of the same level;

- c) The establishment or maintenance of private educational institutions, if the object of the institutions is not to secure the exclusion of any group but to provide educational facilities in addition to those provided by the public authorities, if the institutions are conducted in accordance with that object, and if the education provided conforms with such standards as may be laid down or approved by the competent authorities, in particular for education of the same level.

Analyzing this article, we can note that the first two items do not suit us in the sense of inclusive education and, in our case, it is worth paying attention only to the last point. The paragraph «c» refers to the establishment or maintenance of private educational institutions, the purpose of which is to supplement the possibilities of public education. At first glance, it may seem that this paragraph involves the creation of special institutions for a certain group, including for children with disabilities, but in this case it is meant that children, besides attending public school, will attend a private school for a certain fee, i.e. not instead of the state school, but with it.

Based on the above, we can conclude that since people with disabilities belong to a certain group of people, according to the Convention against Discrimination in Education in 1960, the establishment of special institutions for people with disabilities is a significant violation of this Convention.

The next document that we will consider is the Convention on the Rights of Persons with Disabilities of December 13, 2006 [5]. It should be noted that, despite the fact that this Convention was adopted in 2006, it was ratified in the Republic of Belarus only in 2016 and entered into force on December 29, 2016.

Article 24 of this Convention is devoted to Education, which consists of several parts. The first part of this article contains the following rule [5]: «States Parties recognize the right of persons with disabilities to education. With a view to realizing this right without discrimination and on the basis of equal opportunity, States Parties shall ensure an inclusive education system at all levels and lifelong learning». Analyzing this rule, we can conclude that the state should take all sorts of measures to ensure the possibility for people with disabilities to receive education, from kindergarten to university. In addition, this norm also duplicates the principle of non-discrimination, which we identified in other international documents.

Part 2 of Art. 24 of this Convention contains rules that the state must ensure compliance with [5]: «In realizing this right, States Parties shall ensure that:

- a) Persons with disabilities are not excluded from the general education system on the basis of disability, and that children with disabilities are not excluded from free and compulsory primary education, or from secondary education, on the basis of disability;
- b) Persons with disabilities can access an inclusive, quality and free primary education and secondary education on an equal basis with others in the communities in which they live;
- c) Reasonable accommodation of the individual's requirements is provided;
- d) Persons with disabilities receive the support required, within the general education system, to facilitate their effective education;
- e) Effective individualized support measures are provided in environments that maximize academic and social development, consistent with the goal of full inclusion».

In addition, the Convention on the Rights of Persons with Disabilities provides for a practical solution to one of the most important problems of disabled people in modern society - the problems of the process of socialization of disabled people.

Part 3 of Art. 24 of the Convention [4] provides that States Parties shall enable persons with disabilities to learn life and social development skills to facilitate their full and equal participation in education and as members of the community. To this end, States Parties shall take appropriate measures, including:

- a) Facilitating the learning of Braille, alternative script, augmentative and alternative modes, means and formats of communication and orientation and mobility skills, and facilitating peer support and mentoring. For example, one of such schools in the Republic of Belarus is the State Educational Institution «Special Boarding School for Children with Visual Impairment in Vasilevichi»;
- b) Facilitating the learning of sign language and the promotion of the linguistic identity of the deaf community. For example, in 2015 in the Palace of Culture, N.F. Sharko in the city of Minsk were opened free courses on the study of sign language [6];
- c) Ensuring that the education of persons, and in particular children, who are blind, deaf or deafblind, is delivered in the most appropriate languages and modes and means of communication for the individual, and in environments which maximize academic and social development.

In the Convention on the Rights of Persons with Disabilities, in addition to the previously mentioned principle of non-discrimination, the principle of accessibility of inclusive education is enshrined. Part 5 of Art. 24 of this Convention contains a provision that States Parties shall ensure that persons with disabilities are able to access general tertiary education, vocational training, adult education and lifelong learning without discrimination and on an equal basis with others. To this end, States Parties shall ensure that reasonable accommodation is provided to persons with disabilities. [5]

Many people don't understand the importance of inclusion for people with disabilities at all, which is a huge problem for the Republic of Belarus. In order to solve it completely, it will take a lot of time, because the decision is to re-educate the younger generation. In our opinion, in order to introduce something radically new in any process and to reconstruct the consciousness of the population of your country, it is required to begin with the upbringing of children in schools. For example, if children with disabilities are initially from the first class with fully healthy children, then in the minds of both groups the thought will not develop that this phenomenon is abnormal, unacceptable, that it should not be so that they need to be divided. If children with disabilities are

initially placed in a society where they will consider themselves equal in terms of exercising their rights and legitimate interests, it can be assumed that both groups in the future will become full members of society who do not see the difference in the rights of ordinary people and people with disabilities. Discrimination will disappear here.

On the basis of all of the foregoing in this paper, we can distinguish two principles that definitely should form the basis of inclusive education and form its foundation:

1. The principle of non-discrimination in the field of education;
2. The principle of accessibility of education.

Without exception, all the principles listed in this paper undoubtedly play an important role in the education system of any country, they must be guided by each country in building their own education system. But, based on subjective opinion, we believe that the most important of all the principles we have studied is the principle of accessibility of education. As for the problem of implementing this principle, on the basis of all the above, we propose to develop and approve the Plan for 2018-2023 by the order of the Ministry of Education of the Republic of Belarus. «On measures to implement the principle of accessibility of education» by allocating funds from the republican budget for equipment and creating a barrier-free environment:

- 1) at least one school in each city of the Republic of Belarus in order that each child has the right to receive general basic and general secondary education;
- 2) each secondary specialized and vocational education institution (including all buildings) so that everyone has the opportunity to get a secondary vocational education;
- 3) all institutions of higher education (including all buildings) in the Republic of Belarus.

However, we cannot fail to mention that any convention, whether the Convention on the Rights of the Child, the Convention on the Rights of Persons with Disabilities, the Convention against Discrimination in Education or any other convention in the world are only recommendatory, which means that even if the country has ratified this or that convention, this does not mean that it will fully fulfill its demands. And in this, in our opinion, there is a huge problem. At the moment there is no such international or normative legal act in the world that would completely regulate the sphere of inclusive education. Therefore, first of all, we propose to include in the Education Code a separate chapter that would only deal with inclusive education, consolidate the basic principles, rights and duties of subjects of inclusive education, etc.

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**RESPONSIBILITY FOR DEFECTIVE LAWMAKING:
THE EXPERIENCE OF THE REPUBLIC OF BELARUS****PAVEL SALAUYOU**

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The article deals with the issue of responsibility for defective lawmaking in the Republic of Belarus. It concludes that it is necessary to build an integral institution of legal responsibility for defective lawmaking in the social and legal aspects.

One of the basic provisions for the construction of any legal institution in the legislation is the completeness of legal regulation and lawmaking as the activity for the preparation, and adoption of formal sources of law is not an exception.

The Constitutional Court of the Republic of Belarus often uses the category "completeness of legal regulation" in its acts. The Court determines that "the completeness of legal regulation" is an inalienable element of the rule of law (art. 7 of the Constitution of the Republic of Belarus [1]) and the principle of legal certainty. The content of the category "completeness of legal regulation" by the Constitutional Court of the Republic of Belarus is disclosed by the formulas "timely creation of mechanisms for the implementation of relevant provisions of laws" [2], "not allowing gaps in legal regulation" [3] and others.

In the legal science, the category of the completeness of legal regulation is also associated with the rule - "every rule of law has a complete design (hypothesis, disposition and sanction), or contains references to other legal acts" [4, p.347].

Lawmaking, because of its importance in the regulation of political, economic, social and other relations, is subject to extensive legal regulation. The core of legal regulation is the Constitution because of the importance of regulated relations. In the Republic of Belarus, the Constitution defines a system of lawmaking bodies, which is built on the principle of separation of powers and the mechanism of counterbalances. The Constitution establishes the basic normative powers of the President, Parliament, Government, The Supreme Court, The Constitutional Court and local government bodies. The Constitution determines the essential aspects of the implementation of normative powers (the procedure for adoption, forms of acts, legal force and other).

The provisions of the Constitution on lawmaking are developing in other legal acts, which, as a rule, detail the legal status of subjects of lawmaking. For example, the Act on the National Assembly of the Republic of Belarus [5] regulates the organization and activities of the Parliament of the Republic of Belarus, the main subject of lawmaking.

In the theory of lawmaking, the point of view about the need for a special legislative act on lawmaking in the state. This Act should regulate in detail the technology of creating legal acts [6. p.154]. In the Republic of Belarus, the Act on Legal Acts was passed 2000 [7]. This Act is a special legislative act, which contains the legislative code of compulsory rules of lawmaking activity. This Act defines the concept and types of normative legal acts of the Republic of Belarus, establishes a general procedure for their preparation, processing, acceptance (publication), publication, action, interpretation and systematization. However, all the specified normative acts don't contain sanctions for their violation of the rules of lawmaking.

Let's pay attention to a problem of responsibility of lawmaking subjects for defective normative acts.

Criminal and administrative law doesn't establish liability for violations of rules of lawmaking. However, within the framework of the existing offenses, significant violations of the principles of lawmaking (for example, constitutionality or efficiency) can be qualified as abuse of power or official authority (art. 424 of the Criminal Code of the Republic of Belarus [8] or inaction of an official (art. 425 of the Criminal Code.) Inadequate consideration of applications of citizens and legal entities on the issues of improving legislation may constitute the offense specified in art. 9.13 of the Code of the Republic of Belarus on administrative violations [9] (violation of the legislation on citizens' appeals). Disciplinary liability is also possible.

The Civil Code of the Republic of Belarus contains a direct norm that establishes civil liability for harm caused to a citizen or a legal entity as a result of issuing an act of a state body or local government that does not

comply with the law (art. 938) [10]. The above norm is found in the Act of the Supreme Council of the Republic of Belarus of June 16, 1993 No. 2415-XII, which approves the Regulation on the procedure for compensation of damage inflicted on economic entities by illegal actions of state bodies and their officials [11].

In the legal science, it is customary to refer to the institution of constitutional responsibility for unfavorable consequences for defective lawmaking activities. Studies of constitutional responsibility in the sphere of rulemaking can be found in the works of G. Vasilevich, S. Bosch, S. Avakyan, J. Ovsepyan and others [12, p.65; 13, p.19]. They propagandize the thesis about responsibility for defective lawmaking, which should be implemented in constitutional law

Constitutional responsibility is a special type of legal responsibility implemented in the system of state bodies and, as a rule, has a clearly expressed political character.

Constitutional responsibility, like any other type of responsibility, is applied only in the presence of an offense. Z. Ovsepyan writes that constitutional offenses are "offenses committed by state bodies (officials) of public authority (primarily, the supreme state power) in connection with their legislative and other lawmaking activities (in rare cases, law enforcement); (normative act) that violates the principle of supremacy, supreme legal force and direct (direct) action of the Constitution and its norms, or associated with the adoption of law enforcement acts that have resulted in large-scale negative (harmful) social consequences, widespread violations of constitutional human rights "[14, p.26]. There are two types of rule-making defects: social and legal, which can equally be the basis of constitutional responsibility in the field of lawmaking.

As is known, the normative act is characterized in two aspects: social and special-legal. The first characteristic covers such properties of the normative act as the satisfaction of the interests of society and the state in the act, the timeliness of the adoption of the act, the choice of the correct methods of legal regulation, etc. The second is the clarity of the completeness of the logicity of the act, the choice of the correct form of the act, adherence to the procedure for preparing and adopting the act, and so on. Social and special-legal defects can be grounds for involving lawmaking bodies in constitutional responsibility.

Sanctions of constitutional responsibility in the sphere of lawmaking can be represented by the following list: early termination of powers; cancellation (suspension) of normative acts; compulsion to perform constitutional duties (adoption of a normative act), etc.

It should be noted that the cancellation (suspension) of normative acts in the constitutional doctrine is considered either as a sanction or as a measure of protection. The first point of view is justified by the fact that "with the cancellation of the act ... adverse consequences consist in diminishing authority, prestige, respect for the guilty body or official", the second one - "the sanction" to the law is hardly applicable ... in this case it is necessary to speak about interim measures" [15, p.5].

Some examples of the implementation of constitutional responsibility for defective lawmaking can be found in the Constitution of the Republic of Belarus: The President of the Republic of Belarus has the right to abolish acts of the Government (art. 25, art. 84); The Council of the Republic decides to dissolve the local Council of Deputies in the event of a systematic or gross violation of the requirements of the law and in other cases provided for by law (such violations can be committed while carrying out normative activities) (art. 98), etc.

Subjects of constitutional responsibility, which may be sanctioned for defective lawmaking, should include state authorities, local government bodies, officials of these bodies. Subjects attracting to constitutional responsibility are the body of constitutional justice, higher state bodies.

In general, the current legislation of the Republic of Belarus does not contain a holistic institution of constitutional responsibility for improper lawmaking. The completeness of the legal regulation of lawmaking should also be achieved through the establishment of responsibility for defective law-making in the social and legal aspects. Responsibility for defective lawmaking must be built on the basic provisions of constitutional responsibility.

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GENDER DIFFERENCES IN MOTIVATION OF PARENTHOOD AND ATTITUDE TO PARENTHOOD

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This article represents a research on gender differences in motivation of parenthood and attitude to parenthood. Recently interest in the study of family relations has increased significantly. Researchers of various areas of scientific knowledge, both theorists, and practitioners are conducting various investigations. Until relatively recently most socialization research focused on the processes and parental child-rearing strategies. For the most part psychologists paid little attention to the parents themselves and the context in which they carried on their parenting.

Introduction. The family is the main institute of socialization. Most authorities agree that parenting is one of the most difficult tasks any adult faces. Parenting is influenced by the relatively enduring characteristics or personality of a man or a woman. It is understood that troubled parents are more likely to have troubled children. Parents do not undertake their parenting in a social vacuum. They are immersed in networks of relationships with friends and relatives. These arenas of social interaction may be sources of stress and support, or both.

Various functions and types of parenting were investigated. Many agreed that rearing children is one of the main essences of a family. Being a parent is often described as a key developmental milestone in the adult life course, and research suggests that the decision to become a parent is driven by a variety of motivational factors [7].

In numerous studies of parenting, social and psychological factors and conditions of formation of ideas of parenting were described. For more than fifty years psychologists dedicated themselves to the task of uncovering the part that different parenting practices have in shaping a child's personality and behaviour. There dimensions emerged from the study: the warmth or hostility of the parent-child relationship, the control or autonomy of the disciplinary approach, the consistency or inconsistency that parents show in using discipline.

Parenthood is biological and social ties between spouses and children including the birth and upbringing of a child providing his familiarizing with cultural, spiritual, and moral values of society. Completion of formation of a parental role can be judged by motives of future mothers and fathers.

Main part. Causal and functional dependence of reproductive attitudes and reproductive behaviour of an individual are widely discussed in psychological and pedagogical studies (A.I. Antonov, 1973; V. Boyko, 1981; V.A. Borisov, 1976; A.I. Kuzmin, 1997; L.I. Savinov, 1996, etc.). In addition, researchers often point out that there is a factor depending on the parental family. They study the similarity of various dynamic parameters of the functioning of one's own and the parent family, "parental family has a powerful influence on the choice of career and spouse" (N. Peseshkian). E. Byrne notes that decisions involve unconscious attitudes inherited in childhood by parents. R. Skinner and D. Kliiz mention the similarities in the choice of a spouse, which operates similarly to one's own and has approximately the same set of problems [1].

In the research on heterosexual couples' motivations to parent, men and women often highlight perceived psychological or personal rewards of children, such as the emotional benefits of the parent-child bond, enjoyment of children, and personal fulfillment [6,8,9]. For instance, in their sample of 34 heterosexual couples, Langdridge (2000) found that the desire to give love and to receive love were described as the most salient motivators by both men and women[8].

The analysis of psychological literature has shown that the system of factors which determine the formation of parenthood, has not been specified yet. As a rule, theoretical and practical aspects of research in the field of family relations concern certain aspects that do not affect the formation of a person as a parent.

Main motives of child birth are a child from a loved one, compliance to social expectations, preservations of the relations with a loved one, a child as a protest to people around, rejection of a past life, withdrawal of the present, the child's birth for the sake of maintaining own health, self-affirmation[4, 5].

Russian psychologists consider parenthood from a gender perspective. K.N. Belogay studied gender differences in the structure of the parental relationship. She was able to identify differences in the needs and motives, behavioral and functional areas of maternity and paternity. For example, in her study it was found that

the main motives for fathers were the motives of self-change and motives of maternity were the motives associated with the development of relations with a partner. In addition, women were significantly more likely than men to see a child as the essence of their lives. There were also differences in parental behaviour of mothers and fathers. Mothers spent much more time with their child than fathers. Attitudes to interaction of mothers and fathers significantly differed: mothers increasingly encouraged verbal expression of the child, and fathers were more focused on the promotion of the activity of their children. The parents were different in the functional purpose of motherhood and fatherhood: mothers were attributed by the function of love and care, while fathers - protection and education [2].

The subject of our research is identification of motives of parenting that are common and whether motives of parenting are determined by gender. The issue is very important but there is not much data. It is also necessary to study whether there is any gender difference in motives of parenting.

In our research 72 males and females (36 – females and 36 – males) aged from 20 up to 25 and from 25 to 65 were engaged. According to Eric Eriksson they represent young adulthood and adulthood. All of them had children. The research was conducted with people of various occupations and of different social status, such as teachers, engineers, workers, and students. It helped us to collect different opinions and points of view.

The questionnaire used in the research was developed on the basis of the materials presented in "Fundamentals of Psychology of Family and Family consultation", the edition of N.N. Posysyoyev and "Psychological Maintenance of parenthood" by R.V. Ovcharova [4, 5].

In addition to the questionnaire, we used a survey "Attitude to Motherhood and Paternity" [3]. The purpose of this technique was to study the attitude to parenthood determining the level of predisposition of respondents to a certain model (degree of traditionalism or an alternative). In this technique individuals were to estimate the offered statements using a scale from 1 to 7 points.

As a result, we got data of parenting motivation. Analyzing the data we could realize how the motives of parenting were estimated, what motives were at the top of the list, what motives were the last to choose.

The results of the analysis was as following: males first chose the motive "a child from a loved one", females – the motive "conscious desire". The second chosen male motive was "procreation", and for females – "a child from a loved one". The third motive of males was "conscious desire", and of females – "procreation". The fourth motive males and females chose was "maintaining relationships with partners". In the choice of the last motive, the fifth, males and females differed again. For males it was the motive of self-affirmation, and for females – "to change one's life making it different".

Using nonparametric U-criterion by Mann-Whitney in the STATISTICA program, we made a correlation analysis of our data. The level of significance was not significant ($p < 0,05$). This fact demonstrates lack of significant differences between men and women in attitude to paternity and motherhood. In addition, this questionnaire allows to reveal predisposition of the respondents to a certain model (degree of traditionalism or an alternative). The predisposition of the respondents, both males, and females to a traditional model of parenthood was found. This information can be seen in diagram 1.

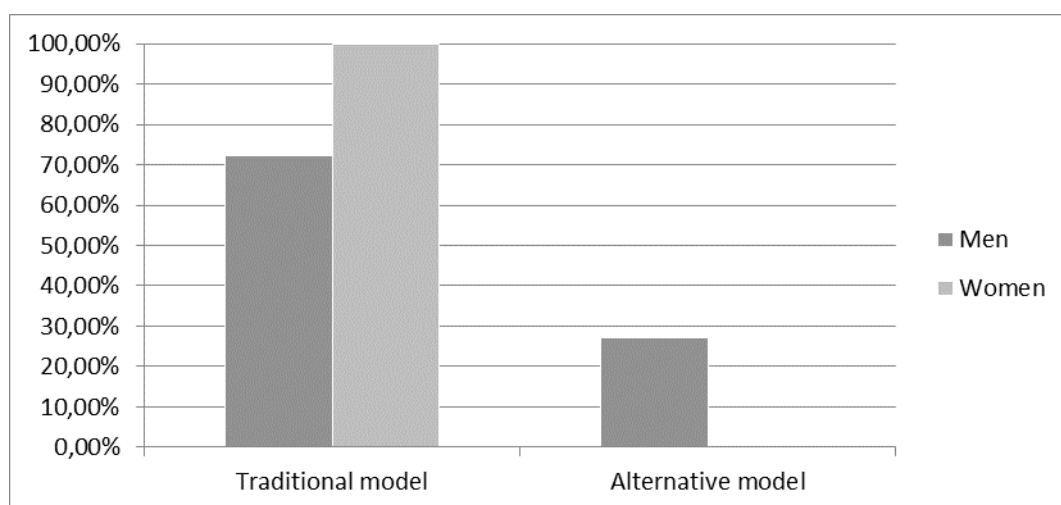


Fig. 1. The degree of traditionalism or alternatives of parenting model

Motivation associated with parenthood varies systematically over time and is influenced by attainment of cultural fertility norms and the impact of a birth.

There have been considerable changes in motivation of parenthood in the latter half of the twentieth and early part of the twenty-first centuries. Increasing numbers of people are choosing to be child-free or to delay childbearing. These changes have produced a concern with understanding motivation of parenthood.

Conclusion. The analysis of psychological literature on the issue showed that there were few findings about the factors determining formation of parenthood.

The problem of motives of parenthood arises especially focally in connection with ambiguity of understanding of this phenomenon in modern psychological literature. Comparative-historical data convincingly show that modern everyday representations of the issue are not universal, therefore, parenthood as we understand it today is a product of continuous and very contradictory historical development.

Adults weighing the decision to start a family are increasingly surrounded by books, scientific articles and websites spotlight the costs and sacrifices ahead of them. Those messages encourage couples to think hard and long.

Parenting practices around the world share three major goals: ensuring children's health and safety, preparing children for life as productive adults and transmitting cultural values. A high-quality parent-child relationship is very important for healthy development.

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CYBERSQUATTING IN THE UNITED STATES OF AMERICA: LEGAL ISSUES AND TRENDS

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Our article looks deeper into the phenomenon of cybersquatting by analyzing the most common types of cybersquatting, discussing cybersquatting-related monetization practices, examining the most vulnerable sectors affected by cybersquatting, and recommending ways to combat cybersquatting.

Introduction. Protecting company's intellectual property, including designs, patents, trade names, and domain names, is an essential condition for establishing a successful business. The standard way to protect a brand is to register a trademark, a trade name or a logo that distinguishes the brand from other businesses in the field. The failure to register a trademark may result in financial losses, reputational harm, and circulation of counterfeit. Registering a trademark is also an important step in preventing cybersquatting.

The US Anticybersquatting Consumer Protection Act (ACPA) defines cybersquatting as an opportunistic practice of registering, trafficking in, and using a domain name resembling a trademark belonging to someone else with the aim to profit from it. Cybersquatting started emerging in the middle of 1990s.

Cybersquatters usually aim to resell the domain name back to the trademark owner or benefit from the web traffic generated by the domain name. For example, domain names registered as a result of cybersquatting may include «www.google.com», «faceboook.com», «www.amozon.co.uk», «MikeRoweSoft.com», and «www.parishilton100.net».

The tendency of abusive domain name registration is growing steadily. In 2017, The Arbitration and Mediation Center of the World Intellectual Property Organization (WIPO) received 2.754 complaints related to cybersquatting, 5% more than in 2016. The fraudulent gTLD registrations are anticipated to increase further as new domain name extensions (e.g., .shop) are about to launch.

Types of cybersquatting. Cybersquatters are free to register any available domain names, even if such domain names significantly resemble already registered domain names. Cybersquatters usually use a combination of legal and illegal schemes to get profits. Such schemes may include the following elements: (1) registering domains which include common English words with the aim to resell them in the future; (2) registering mostly mistyped spelling of the names of popular websites; (3) purchasing recently expired domain names; (4) publishing derogatory remarks about a company or a person on the cybersquatted website; and (5) monetizing the content by publishing affiliated links and encouraging users to click on them. As a result of such practices, the owner of the legitimate website may experience serious financial and reputational consequences. At present, there are four dominant cybersquatting types, namely, typosquatting, identity theft, name jacking, and reverse-cybersquatting. They are briefly discussed below.

Typosquatting. Typosquatting is often referred to as «URL hijacking», «a sting site», and a «fake URL». Typosquatters rely on common mistakes made by Internet users when typing a web address into a web browser. Such mistakes include misspelling (e.g., «www.intrenet.com»), different phrasing of a domain name (e.g., «www.internets.com»), other top-level domain («www.internet.net»), and use of Country Code Top-Level Domain (ccTLD) (e.g., «www.internet.co»). More advanced typosquatting techniques exploit visual, hardware, and sound similarities of trademarks. For example, homograph attacks rely on the visual similarity of symbols that can be confused, as well as on letters or strings that might be confused with one another, such as confusion between «vv» and «w» in the domain name «www.bankofthewest.com» («www.bankofthevest.com»).

To trick Internet users, typosquatters may also create a fake website that resembles the source by using a similar layout, color schemes, logos, and content. Typosquatters use such fake websites to (1) compel legitimate website owners to buy the cybersquatted domain names, (2) generate more web traffic, and (3) spread malware.

Identity theft. Cybersquatters may purchase a domain which was unintentionally not renewed by the previous owner. Cybersquatters use special software applications which allow them to monitor the expiration dates of targeted domain names easily. After registering the expired domain names, cybersquatters may link them with websites which duplicate the websites of the previous domain name owners. Thus, cybersquatters

will mislead the visitors of their websites into believing that they are visiting the websites of the previous domain names owners.

Name jacking. Name jacking refers to the registration of a domain name associated with the name of an individual, usually celebrities and well-known public figures. Name jackers benefit from web traffic related to the targeted individuals.

In the USA, personal names can have trademark protection if they acquire distinctiveness through advertising or long use and establish a secondary meaning. Personal names that do not fulfill this condition cannot be registered as trademarks because many people within the same territory may share the same name. Hence, name jackers may fall outside the scope of the US Anticybersquatting Consumer Protection Act.

The registration of the domain name «Madonna.com» was a typical example of name jacking. The domain name, which is identical to the name of the pop diva Madonna, was used for spreading pornographic materials.

Reverse-cybersquatting. Reverse-cybersquatting refers to an attempt to secure a domain name legitimately owned by another person. Reverse-cybersquatting may include intimidation and pressure to transfer the legitimate ownership of a domain name to the person or organization which owns a registered trademark reflected in the domain name.

It should be noted that reverse cybersquatting may be considered an abuse of domain name dispute resolution procedures. Reverse-cybersquatting may also constitute a tort or an unfair business practice within the meaning of the laws of some jurisdictions and, therefore, entitle the victims of reverse-cyber squatters to compensation for damages.

Monetization Practices. Cybersquatters employ at least the following five techniques to obtain profits from their activities: (1) domain parking; (2) ransoming domain names; (3) affiliate marketing; (4) hit stealing; (5) scams. These five techniques are examined in more detail below.

Domain parking can be defined as redirecting a domain name to a website that contains advertisements for the purpose of generating web traffic.

Ransoming domain names refers to the use of domain names for spreading ransomware. It usually blocks access to the files of the infected systems until the victim pays a ransom. Some forms of ransomware (e.g., Locky) decrypt the files of the infected system, thus making the recovery of the encrypted files virtually impossible.

Affiliate marketing means redirection to web pages used for selling product and/or services in exchange for commissions on the sales of those products and/or services.

Hit stealing is the practice of referring an Internet user who visits a website associated with a cybersquatted domain name to the website of a competitor.

Scams related to cybersquatting may include, for example, identity theft and credit card fraud. By way of illustration, operators of cybersquatting websites may announce that people who register accounts on their websites may win various prizes. The personal data collected in this way can be used for identity theft.

Most vulnerable sectors affected by cybersquatting. The website of the World Intellectual Property Organization (WIPO) indicates that, in 2017, most domain name cybersquatting cases were related to the following 5 areas of commerce: (1) fashion (10% of cases); (2) banking and finance (9% of cases); (3) Internet and IT (9% of cases); (4) retail (8% of cases); and (5) biotechnology and pharmaceuticals (7% of cases). In 2015, multinational corporations, including «Hugo Boss» (62 cases), «Philip Morris» (60 cases), and «Electrolux» (48 cases) were the most active complainants.

Combating cybersquatting. The domain name registrars can contribute to the fight against cybersquatting by requiring potential registrants of domain names corresponding to registered or unregistered trademarks to present trademark certificates or authorizations from trademark holders. However, the main actor in counteracting cybersquatting is the Internet Corporation for Assigned Names and Numbers (ICANN), the organization responsible for maintaining the global domain name system, which allows victims of cybersquatting to resolve their disputes by using procedures organized under the Uniform Domain Name Resolution Policy (UDRP). Such procedures are quicker and cheaper than traditional litigation.

Before submitting a UDRP claim, one needs to meet the following conditions:

The complainant has to have a registered or unregistered trademark. Evidence proving the existence of such a trademark should be submitted to the arbitral panel.

The complainant has to explain how the trademark owned by him is identical or confusingly similar to the disputed domain name.

The complainant has to prove that the holder of the disputed domain name does not have the rights in the disputed domain name.

The complainant must prove that the disputed domain name was registered in bad faith.

Commenting on the importance of the UDRP, WIPO Director General Francis Gurry states: « By combating opportunistic domain name registration practices, WIPO's services help consumers to find authentic web content and enhance the reliability of the Domain Name System».

Despite the effectiveness of the UDRP, owners of trademarks willing to preserve their good reputation should rely not only on post-factum measures to remedy the effects of cybersquatting, but also take preventive measures aiming to reduce the risks of cybersquatting. For example, trademark owners may register domain names which are confusingly similar to their trademarks, thus preventing cybersquatters from registering those domain names.

Conclusion. Cybersquatting has become a lucrative online practice that may negatively affect the reputation of well-established commercial brands. The owners of such brands may face legal challenges related to overcoming their cybersquatting issues. This is because the demarcation line between the legality and illegality of cybersquatting is difficult to draw, as the phenomenon combines both legitimate and illegal activities.

Although domain name disputes related to cybersquatting and related practices can be resolved in a timely and affordable manner through UDRP procedures, preventive measures can save trademarks owners the fees for initiating such procedures.

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THE REALIZATION OF THE RIGHT FOR ELECTRONIC SUBMISSION OF PETITIONS:
THE IMPORTANCE OF IDENTITY VERIFICATION AND THRESHOLD VALUE

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This article is the investigation of the current problem of legal regulation of electronic petitions in modern democratic states, the importance of identity verification in the institution of electronic petitions is considered and examples of existing systems of petitions in foreign countries are given.

At present, the system of electronic petitions is the most appropriate and effective mechanism of interaction between citizens and state bodies. One of the most important elements of the legal regulation of an electronic petition is the citizens' identity verification.

The right to file and sign petitions is different in foreign countries. Some states are obliged to accept submitted motions from any person, whether a citizen of a country or a resident.

For example, Scotland has the most accessible petition system, permitting petitions from any people: Scottish citizens, the others, even if they do not live in Scotland. The newly created Irish system follows the example of Scotland [1]. The «We the people» platform in the United States also provides an opportunity to file and sign petitions not only to citizens, but to all comers. [2]

In Germany, the right to file and sign the petition is granted exclusively to citizens, as well as to people residing in the territory of Germany [3].

There are also countries where the platforms for petitioning reserve this right only for their citizens. Petition systems in the Netherlands, Italy, Portugal and the United Kingdom allow only petitions from citizens of these states. To do this, the platform has a special verification of the individual, which allows to submit and sign petitions exclusively to citizens [1].

For example, the "Epetitions. direct. Gov. UK" platform in the UK conducts special verification of the identity through registration, which includes the passport data of the citizen, as well as the number of his national insurance [4].

The Russian platform "Russian Public Initiative" also has certain requirements for filing petitions. Registration on this site passes through the portal of public services, which excludes the possibility of creating unreal profiles, since the accounts of the public services portal are attached to a specific citizen. To activate this account, citizens need to contact the branch of the telecommunications company with a passport or identity document, only after this procedure, it becomes possible to create or sign petitions [5].

Some of the countries supplement the requirements with verification of the minimum age of the signatory, for example, in the US, citizens who have reached the age of 13 have the right to sign or file a petition on the «We the people» platform. Other countries reserve the right to file or sign the petition only to people entitled to participate in the electoral process [2]. The right to file a petition may also be restricted to certain categories of citizens, for example, to military personnel in Spain [1].

Verification of the identity and authentication of accounts is an effective measure both for turning down motions from people who don't have the right to file a petition (for example, for foreigners) and for sorting out petitions which are considered unimportant or which were created as so called "comic" petitions.

The petition for the construction of the "Death Star", filed on the US platform "We the people" can serve as an example. It contains only the name and email address of the citizen, it collected 25 thousand signatures. The initiators of this petition argued that the creation of cult weapons from the "Star Wars" will stimulate the development of the economy [6].

According to the rules of "We the people", the presidential administration is obliged to consider the appeal and give an answer to it. The head of the Department of Science and Space of the White House Administration and Budget Office, Paul Shawcross gave the answer. He listed at least three reasons why this project will not be implemented: 1. "Construction will cost 850 quadrillion dollars, and we try to reduce the budget deficit, rather than increase it"; 2. "The President's Administration does not support the idea of the destruction of the planets"; 3. "Why spend huge amounts of taxpayers on the "Death Star "[6].

Obviously, the existence of such petitions is a senseless abstraction of the attention of state bodies and officials.

In addition to checking the identity of citizens, one of the main features of the institution of electronic petitions is the threshold value, that is, the number of signatures that oblige state bodies to examine the petition and give an official response.

The experience of foreign countries shows that the number of signatures varies greatly depending on the number of citizens, the territory of the state, as well as on the use of personal verification or granting the right to file and sign petitions to citizens of any country.

For example, the platform of electronic petitions in Germany contains the necessary requirement for the number of signatures (quorum) - 50,000, collected within 4 weeks. Under the rules of the platform, only after that the petition will be publicly considered by the Bundestag petition committee, and the applicant can be invited to the meeting [3].

The American platform "We the people" also has a certain quorum. In order to become available in the White House search engine, a petition must collect at least 150 signatures within 30 days.

The White House undertakes to consider only those petitions that will gain 100,000 votes during the remaining 30 days. After this, the petition is sent to the appropriate government department, where an official response is given [6].

The number of signatures affects not only the possibility of considering this petition, but also the level and mechanism of this special consideration. For example, the Russian platform provides, firstly, the collection of votes in support of the initiative within a period of not more than 1 year from the date of placement. Secondly, depending on the level of the initiative, specific values for the required number of votes is established: 1. The federal level - 100,000 citizens must vote for it; 2. The regional level (for regions with a population of more than 2 million) - 100,000; 3. The municipal level - 5% of the population of the municipality [31].

The Ukrainian platform "Electronic petitions" also introduced a requirement for a certain number of signatures - the petition is sent for consideration to the President if it collected 25 thousand signatures within 3 months [8].

In the UK there is also a certain threshold. On the website "petitions. direct. Gov. UK" the petition will be considered if 10,000 people voted for it. If the petition collects 100,000 signatures, it is the Parliament that reviews the petition and holds a public debate that is broadcast live on television. The petition on the platform is active, and you can vote for it for 6 months [4].

Thus, a certain number of signatures affect the compulsory nature of the petition consideration for the authorities. For example, in Finland, petitions that have collected 50,000 signatures automatically become bills, and the Finnish Parliament is obliged to consider them as a matter of priority. The Regulation of the Latvian Legislature also stipulates that any petition that has received the support of 10,000 citizens must necessarily be included in the agenda of the Sejm [9]. On some foreign platforms the threshold value of signatures is absent. For example, Scotland does not have the number of signatures. The practice of Luxembourg also shows low and unsettled threshold of signatures [9].

Thus, elements of a petition, such as checking the identity of citizens, will allow state bodies to effectively consider applications that are necessary for the state, and the establishment of a certain number of signatures will have a positive effect and encourage the applicant to share the petition with the public and draw attention to the issue indicated in the petition. Moreover, the applicants and signatories will be sure that when the required number of signatures is reached, the state authorities will be obliged to give an official response.

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PROBLEMS OF CONTRACTUAL REGULATION OF RENDERING SERVICES IN THE SPHERE OF AGRICOTURISM

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What this article deals with is the features of the legal regulation of services provided by the subjects of agriecotourism. Certain problems of contractual regulation of relations in the sphere under consideration are revealed, and ways of their solution are proposed. The issue of the need to improve legislation regulating other types of tourism, including health tourism, is taking centre stage.

By the middle of the second decade of the XXI century tourism continues to be one of the leading directions of socio-economic and cultural activities of most countries of the world. One of the most promising segments of the tourist market in the Republic of Belarus is agriecotourism. Acquisition of agriecological services is a great opportunity for residents of large cities and megacities of the world to get a proper rest in ecologically clean corners of Belarus. The development of agriecotourism is facilitated by the fact that in recent decades there has been a tendency to increase the number of travelers and increase the demand for acquaintance with the country's natural potential and national cultural traditions.

In general, the sphere of services is undoubtedly a specific area, since the subjects providing them are invoked to satisfy most of the material and spiritual needs of citizens. Expansion of consumption of services in economically developed countries is called one of the most significant phenomena of the economic life of our time. The activity of providing agriecotourism services extends not only to the sphere of satisfying social, domestic, spiritual human needs, but also affects the needs of each person for protecting health and for a favorable environment (Articles 45, 46 of the Constitution of the Republic of Belarus) [1].

The national strategy for sustainable social and economic development of the Republic of Belarus for the period until 2030, among the main tasks for tourism, determines the use of the country's natural potential and material resources through health- and *agriecotourism*. The development of these types of tourism is carried out within the framework of the "General scheme for the allocation of zones and facilities for health improvement, tourism and recreation until 2030" [2].

Resolution No. 232 of the Council of Ministers of the Republic of Belarus of March 23, 2016 approved the State Program "Belarus is hospitable" for 2016-2020, which states that the most successful projects over the past few years have been health tourism and *agriecotourism*. In 2014 there were 2037 subjects of agriecotourism in the republic (in 2010 – 1247 subjects). The number of agriecotourists from 2010 to 2014 increased by 2.3 times and amounted to more than 300 thousand people [3].

The importance of the type of tourism in question is characterized by the fact that in 2006 two Decrees of the President of the Republic of Belarus were adopted, the first of which establishes measures for the development of tourism in general [4], and the second is devoted to the direct regulation of agriecotourism. This is the Decree No. 372 of the President of the Republic of Belarus of June 2, 2006 "On measures for the development of agriecotourism in the Republic of Belarus" [5].

At present, the legislation regulating agriecotourism is undergoing significant changes. At the end of 2017, the Decree No. 365 of the President of the Republic of Belarus of October 9, 2017 (hereinafter – the Decree on the Development of Agriecotourism) came into force, which stipulates that agriecotourism is an activity aimed at familiarizing agriecotourists with the country's natural and cultural potential, national traditions in the process of rest, health improvement, temporary stay in agriecohomesteads [6].

The relations in the field of agriecotourism are complex social relations, in which agriecotourists, owners of agriecohomesteads, tourist firms, the state can take part in. In modern conditions, the coordination policy are aimed at creating the balance between the subjects of agriecotourism relations is of particular importance. The main implement in this situation is the current civil law regulation of agriecotourism activities.

In such situation, a special type of civil law contract has become important: the contract for the provision of agriecotourism services.

As K.S. Sysoy notes, the development of tourism in the Republic of Belarus over the past decade has aggravated the problem of protecting the rights of agriecotourists, as the mechanisms for ensuring their

interests, laid down in legislation with regard to contracts for the provision of agriecotourism services, have not been effective enough [7, p. 92].

According to paragraph 1 of Art. 402 of the Civil Code of the Republic of Belarus, the contract is considered concluded if an agreement has been reached between the parties in the form required in the cases to be made in respect of all the essential conditions of the contract. Among the essential conditions of the Civil Code of the Republic of Belarus there is, first of all, the condition of the subject matter of the contract [8].

Since the agreement on the provision of agriecotourism services is a variation of the contract on rendering paid services, there is a need to consider the meaning of the concept "service". This will help to consider more thoroughly the essence of agriecotourism services.

In Art. 733 of the Civil Code of the Republic of Belarus, it is established that under a contract for rendering paid services, one party undertakes, on the instructions of the other party, to render services (perform certain actions or carry out certain activities), and the customer undertakes to pay for these services.

According to the economic classification criteria, the contract for the rendering paid services can be assigned to a group of civil law contracts providing the irrevocable economic exchange.

These contracts usually include: a) purchase and sale (barter) contracts; b) turnkey contracts; c) rendering paid service contracts.

Among the contracts of this group, the contract for rendering paid services can be allocated due to the availability of a special subject of the contract – service. However, the allocation of services as an independent object of civil rights (Article 128 of the Civil Code of the Republic of Belarus) is associated with a number of their legal qualification problems: the Civil Code of the Republic of Belarus does not contain a definition of "service" ("services").

Among other acts of legislation, a legal definition of the concept of "service" can be found in paragraph 2 of Art. 30 of the General Part of the Tax Code of the Republic of Belarus: "The service is recognized as an activity whose results do not have material expression, are realized and consumed in the process of carrying out this activity" [9].

Based on this definition, it is possible to distinguish three classification characteristics of the service: 1) firstly, it is an activity; 2) secondly, the end result of such activity does not have a materially substantiated form; 3) thirdly, the result of the activity is consumed in the process of its implementation.

In civil law sense, there are certain problems for the use of the indicated characteristics: in the Tax Code of the Republic of Belarus, the definition is set for tax purposes. The service in this context is the "activity" that brings income and is taxed accordingly. Legislator in this case is not interested in the result obtained by the customer, moreover – in the availability of the result in general.

It is no accident that the question of the characterization of the category "service" in the science of jurisprudence remains to this day controversial, first of all, in connection with the attitude towards the result of such activity.

To investigate this problem is partially possible through the transition from general to specific – to the analysis of the term "agriecotourism service".

In paragraph 5 of the Decree on the development of agriecotourism, the list of agriecological services rendered is indicated:

- provision of living rooms for accommodation of agriecotourists;
- provision of agriecotourists with food (usually using products of their own production);
- familiarization of agriecotourists with natural, agricultural and architectural objects, folk traditions of the corresponding locality, carrying out sports-mass, athletic, health and cultural events;
- conducting presentations, anniversaries, banquets;
- rendering services for baths, saunas and showers;
- riding animals, except for wild animals, and cartage;
- provision of equipment for sports and recreation;
- transport services for agriecotourists.

Thus, the range of services rendered is determined normatively and is very extensive.

At the same time, it seems problematic that the list of agriecological services is closed. In this case the legislator does not allow the parties to independently determine the additional services provided. Accordingly, the parties may not specify additional services in the contract, which will lead to very serious problems in the presence of a dispute over their quality and the possibility of applying civil law liability to the guilty party.

Since in the domestic legislation there is no legal definition of the concept "service", which would connect the result of the activity of the performer with the activity itself, and the list of agriecological services does not contain all types of services, there is a need to develop a legal definition of the term "agriecotourism service". One of the important conditions that must consolidate this concept should be the focus on meeting the needs of the agriecotourist. The very purposes of such a holiday (the needs of a tourist) are set in the Decree on the development of agriecotourism.

Based on the above, the following definition is proposed to be included in paragraph 12 of the Decree on the development of agriecotourism: *"agriecotourism service is an activity, the results of which do not have a material expression, are sold and consumed in the process of its performance, aimed at meeting the needs of agriecotourists for rest, recreation, acquaintance with the natural potential of the Republic, national cultural traditions"*.

According to Art. 402 of the Civil Code of the Republic of Belarus, the essential terms of the contract, except for the conditions on the subject, are the conditions that are stated in the legislation as essential, necessary or binding for contracts of this type, as well as all those terms concerning which an agreement, upon the request of one of the parties, must be reached. As E.L. Pisarevsky notes, in a number of cases the law itself states these or other conditions of the contract as essential [10, p. 65]. Thus, Art. 17 of the Law of the Republic of Belarus "On Tourism" contains the essential conditions established for the contract of rendering tourist services:

- cost of tourist services, terms and procedure for their payment;
- information about the contractor, his location (the place of residence of the individual entrepreneur) and bank details;
- information about the customer, as well as about third parties, if the contract for them provides for the rendering tourist services, in the amount necessary for the rendering tourist services;
- a program of tourist travel;
- rights, duties and responsibilities of the parties;
- conditions for changing and terminating the contract for the rendering tourist services, the procedure for settling disputes that have arisen and for recovering the losses (harm) caused;
- other conditions, concerning which an agreement must be reached at the request of one of the parties [11].

The standard form of the contract on the rendering agriecotourism services was approved by the Decision No. 818 of the Council of Ministers of the Republic of Belarus of June 29, 2006 "On approval of the Standard Contract on the rendering services in the field of agriecotourism" (hereinafter - the Standard Contract) [12]. Conditions that do not relate to agritourism are not included in this Standard Contract.

A party in a future contract may declare its intention to include in its content a condition that is not necessary or binding for the agreement. Therefore, despite the existence of the Standard Contract in the agriecotourism, the customer has the right to insist on including in the contract for rendering tourist services of conditions that, in his opinion, are significant. Only in this case the contract is considered to be concluded (Part 2, Article 402 of the Civil Code of the Republic of Belarus). If there is no agreement on it, there will not be a coincidence of the will of the parties and the fact of the conclusion of the contract or the validity of the said transaction can be contested.

It follows from this that the parties' disagreements on any of its terms entails converting it into the essential one, and the contract itself, in the presence of disagreements, is considered not concluded.

As a rule, such conditions detail the interrelations of the parties, which corresponds to the stated in Art. 4 of the Law "On Protection of Consumer Rights" the right of the consumer to receive information about services, as well as performers [13]. In particular, the agriecotourist has the right to include in the contract the conditions for the location of rooms, the proximity of the water, forest and much more. Refusal to include in the contract the conditions on which the customer insists, suggests that the performer is not sure of the proper performance of his obligations or does not intend to perform them properly.

In paragraph 11 of the Resolution No. 4 of the Plenum of the Supreme Court of the Republic of Belarus of June 24, 2010, "On the practice of courts applying legislation in the consideration of cases on the protection of consumers' rights", the norms of the Law "On Protection of Consumer Rights" are cited and it is noted that when considering the requirements of the consumer, the court must proceed from the assumption that the consumer has no special knowledge of the properties and characteristics of the service [14]. This is a direct indication that the above mentioned Law obliges the performer to provide the consumer in a timely manner with necessary and reliable information about the service.

The corresponding rights are also available to the other party under the contract – the owner of the agriecohomestead. However, the inclusion of certain conditions, which he deems necessary, occurs with the consent of the customer (consumer) and should not violate his rights.

At the same time, paragraph 6 of the Decree on measures for the development of agriecotourism establishes that contracts for rendering services in the field of agriecotourism between agriecotourism subjects and agriecotourists are concluded by the agriecotourist adopting the conditions stipulated by the agriecotourism subject in the contract (accession agreements) – concluded in a prescribed form.

The solution to this problem is the addition of paragraph 5 of the Decree on the development of agriecotourism with the following proposal: *"other services that the parties stipulate when concluding a contract"*.

The Law "On Tourism" and the said Standard Contract operate with the term "cost", which is specified as one of the essential conditions of the contract. According to Ozhegov, cost is a concept that is part of political economy and means the amount of socially necessary labor spent on the production of goods and materialized in this commodity. The use of the concept of "cost" in the sense of "price" is allowed, but only in the second, indirect sense: price is a monetary expression of the value of a thing [15, p. 715]. According to Dahl: "Price is the value, cost, fee, in that they put a thing or work, something that is worth, what is valued in sale or purchase" [16, p. 615].

The Civil Code of the Republic of Belarus does not contain the notion of "cost" as a characteristic relating to the payment of an obligation, a contract. At the same time, Art. 394 of the said code states "Price" and establishes that the parties' settlements during the performance of the contract are carried out at the price established by the agreement of the parties with observance of the norms of legislation. In the cases provided for by law, prices (tariffs, rates, etc.) that are established or regulated by authorized state bodies are applied. With regard to provision of paid services, art. 735 of the Civil Code of the Republic of Belarus expressly provides for the duty of the customer to pay for the performer's services, and the article itself is called the "Price of Services" [8].

In our opinion, the term "price" should be used instead of the term "cost" in relation to the monetary valuation of the provided tourist services.

In Art. 3 of the Law of the Republic of Belarus "On Tourism" it is established that the specific features of the organization of certain types of tourism (agriecotourism, amateur, social, environmental and other types) are regulated by law. Obviously, there is a need not only to adjust certain norms of legislation on agriecotourism, but also to develop normative legal acts regulating other types of tourism.

In particular, by analogy with the type of tourism under consideration, it is possible to adopt a standard contract on rendering services in the field of health improving tourism, since recreation in sanatorium and health resorts may lead to various controversial situations when a party of the contract whose rights are violated uses jurisdictional and non-jurisdictional ways to protect civil rights.

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COMMERCIALIZATION OF TRANSACTIONS FOR THE SALE OF ACCOUNTS IN ONLINE GAMES

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According to the latest statistics, there are 99 million active gaming accounts in popular online games. Each of them can be bought or sold on a daily basis. Are these transactions legitimate? And what is a gaming account? The author answers these questions and tries to find them in his research.

A huge leap in the development of information technology and the large-scale dissemination of the Internet significantly influenced the change in social relations. The entertainment industry, which has received a new round of development thanks to online technologies, is rapidly capturing an increasing and larger audience. Massively multiplayer online role-playing games - MMORPG (English massively multiplayer online role-playing game) - have already become a significant part of modern culture. The law, as it is known, reacts to many events after the fact, and after all a new kind of property - virtual property has already appeared. There were also legal relations concerning this property. There are a huge number of platforms for the purchase and sale of gaming accounts in MMORPG. Such accounts can cost a fortune. How, from the legal point of view, can I define a gaming account?

Online game account is a collection of user personal data required to access a game. The important thing is that the account does not arise by itself, but acts as the result of an agreement between the right holder and the user. Initially, game developers are unlikely to plan that the account will be able to get some value, implying that the main value will still be the game itself. But the industry does not stand still, online games are becoming more and more invoicing, voluminous, the gameplay can stretch for many years. New players do not want to spend too much time developing their game characters and skills, preferring buying already "pumped" accounts from more experienced and successful players. "Veterans", in turn, see a real demand for their accounts and, using their position, expose absolutely unthinkable prices. A whole layer of people has formed, who are engaged in the purchase and resale of gaming accounts on the Internet with the help of specialized sites. Individuals, giving the account a real estimate in monetary units, begin to consider the account as their property.

However, according to the author, it is not possible to recognize an account as private property. On the one hand, because, in fact, it does not bear real value. The purpose of the account is the ability to access the service, and it is illogical to sell and buy the possibility of accessing the service. When we buy a movie ticket, a person enters into a contractual relationship with the cinema. Cinema requires the creation of all conditions for viewing the movie in 3D and transferring to person a 3D-glasses. Is it fair to say that a person acquires the right of ownership of these items, can freely sell them and make a profit? Obviously, both the rifle and the 3D glasses in the examples are only a part of the services, compulsory constituent elements. The situation is exactly the same for the account. By registering an account in an online game, the user does not acquire ownership of it, nor does it acquire ownership of the game. He acquires the right to access the game. Creating an account is one of the stages of gaining access to the game, without which the gameplay is impossible. The receipt of the account precedes the conclusion with the franchisor of a license agreement that is an agreement whereby one party that has the exclusive right to use intellectual property funds or means of individualization (licensing) grants the other party (licensee) the right (permission) to use the object of intellectual property on terms, level of contract. An account is the result of an agreement between the user and the copyright holder.

On the other hand, you can not treat your account as a property because the developer reserves the right to change the account, change the characteristics of the game and generally to maintain the game. The account whose external and internal characteristics, as well as its existence, depends on the will of third parties (i.e. developers), cannot be recognized as property.

Transactions of purchase and sale of accounts in online games, from the point of view of law, are illegal. The licensing agreements clearly state the prohibitions on their commission. This is natural, after all, the copyright owner, first of all, thinks about protecting his copyrights. A person making a transaction to purchase an account directly violates copyrights. Because the game is the result of the labor of a huge number of people. Programmers, engineers, sound engineers, designers, artists, screenwriters - a huge team of specialists working on every game. All of them release their product on the market, hoping to get financial benefits from it. In fact,

the person making the transaction of purchase and sale of the account gets financial benefits, but this income is in his favor, and not in favor of the developer, which, of course, is incorrect. Nevertheless, players continue to resort to this type of transaction, and the popularity of this process is steadily growing. The logic is simple: why waste time on "pumping" the account, if you can buy already "pumped".

Nevertheless, to date, illegal purchases and sales of gaming accounts are real problems for rights holders. Sales patterns are becoming more sophisticated, operators are not always able to identify the facts of such transactions. So, the most "cheap" version of the account on a specialized site can cost around 10Br, and the most expensive one - around 8000Br. Hourly publication of new offers and high attendance indicate the popularity of these platforms. Demand creates supply, users are willing to pay large amounts of money for accounts with a high rating of "pumping."

Developers remain aloof from this profit, although they have every right to it, because they created the product that the newly made "businessmen" put into circulation.

Illegal transactions were committed, are committed and will be committed, so is it not easier for right holders to take this process under control? Create a special platform, which will be a separate site or section on the official website of the game, where the process of trading gaming accounts will occur. Such a process can not occur uncontrollably, in view of which the author proposes several rules of organization:

- 1) Only registered users can participate in the trade process;
- 2) In order to control these transactions, it is necessary to introduce a procedure for their registration, and the right holder (developer) himself will answer for registration and correctness, which will serve the general order;
- 3) A certain percentage of each transaction will go in favor of the copyright holder (developer). It would be fair not to set a certain general interest rate, but to calculate the interest based on the amount of the transaction.

Yes, it all makes it necessary to make changes to the license agreements and to renew them. But the return on the proposed project will be colossal. Auction will be a form of work (i.e. when an account is put up for auction according to the rules of a classical auction), non-auction (i.e. contractual between two persons) or mixed - not so important. There are enough technical resources for developers to provide a thoughtful interface for this site. "Decriminalization" of purchase and sale transactions will lead to an increase in their number. The more transactions will be made, the more will be the income of the right holder (developer). The audience of illegal sites for trading accounts is quite large. If the copyright owner (developer) authorizes the purchase and sale only on his own, on the official online site, this will ensure that users begin to use more actively and willingly to use unsecured methods of buying and selling. And now such site is becoming a huge and profitable advertising platform, on which, of course, you can help out with solid money. Commercialization of transactions for the sale of accounts will give an unprecedented influx of funds that can be invested in improving the game itself, which will make it even more attractive to users.

The research showed that there is no judicial practice to challenge the purchase and sale of accounts by right holders in the Republic of Belarus. At the same time, there is also no official legal regulation of such transactions, from which it can be concluded that the Republic of Belarus chooses the tactic of non-interference, leaving the regulation of this issue to the right holders themselves.

In the author's opinion, the institution of transactions with accounts in gaming games is a modern and insufficiently researched direction of legal science, which must be further developed.

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UDK 342

**ELECTRONIC PETITIONS IN THE REPUBLIC OF BELARUS:
PROSPECTS OF LEGAL REGULATION**

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The article considers the petition as citizens' proposal coming to state bodies or to an official dealing with some issue, problem. The necessity of legal regulation of this phenomenon is justified, including electronic petitions.

The legal institute of petitions from citizens and legal entities is one of the fundamental institutions in the constitutional law of the Republic of Belarus. Petitions can be of various forms: a complaint, a proposal, a statement. A petition is a kind of citizens' proposal coming to state bodies or to an official dealing with some issue, a problem.

The concept "petition" is not formalized in our legislation. By means of including a special chapter in the Law of the Republic of Belarus "On Citizens' Appeals" or by issuing a special Law "On Petitions in the Republic of Belarus", a petition would be recognized legislatively as a special form of citizens' appeal, and a system of its regulation would be created, indicating all the nuances in its filing. Along with the formalization of the institution of petitions, it is also necessary to legitimize the concept of "electronic petitions", which have become more and more common all over the world lately. This is due to the fact that science and technology do not stand still. Many countries introduced electronic innovations to the exercise of state power. This is not common for the Republic of Belarus, and this shows that our country is lagging behind the worldwide trends. It is necessary to change the situation by creating favourable conditions for its development. We live in the 21st century, where technology and gadgets make up one of the most important components of our life [1].

Besides issuing the law on petitions, we can consider the idea of creating a special state electronic resource where citizens will leave their proposals - petitions. Such sites are functioning on the Internet nowadays, however, they are not official. Consequently, the government does not pay any attention to the petitions posted there. Citizens could leave their petitions on a specially created website, knowing that they will be received by officials and state bodies, which means these proposals will be compulsorily considered, after which citizens will receive notifications about the consideration results. Besides supporting the petition, citizens will also be able to object to any idea. This can be done with the help of the well-known system of "likes" and "dislikes". A lot of negative reaction will make it clear that citizens do not need this innovation.

It seems at least 50 thousand signatures of citizens of the Republic of Belarus must be collected for priority consideration. This means this issue is really of great importance in the life of the society.

Speaking about the institution of petitions, it should be borne in mind that citizens have little involvement in the life of the country, they do show much initiative in resolving any issues or creating any innovations. This phenomenon in the country shows a low level of interaction between citizens and the government, and this indicates that people are predominantly keep aloof from politics. The Constitution of the Republic of Belarus says that "the Republic of Belarus is a unitary democratic social legal state" [2]. However, democracy is poorly manifested in our country. Not all citizens even take part in elections. It is necessary to change the situation in our state and try to involve citizens in active cooperation with the government.

In European countries, the population has adapted to use the Internet as a means of communicating with their government. In the EU countries, there is a legal institution called the European Initiative for Democracy and Human Rights. The European Civil Initiative is singled out from this institution.

The European civil initiative is one of the programs of the Lisbon Treaty, whose goal is the development of direct democracy in the countries of the European Union [3]. The essence of the European civil initiative is that EU citizens, in the amount of a million, have the right to apply to the European Commission to make proposals that apply to all countries of the European Union. This innovation was established on April 1, 2012.

To apply to the Commission, it is necessary to go through several stages, the key ones are:

1. To register the proposal on a special website on the Internet
2. To collect at least 1 million signatures of the population within one year as a sign of approval
3. Then the Commission considers this project together with the European Parliament
4. The answer, approval or rejection must be published on the website

The European Commission accepted nine projects in this way.

The introduction of such innovations significantly influenced the society, as well as changed people's attitude towards the governmental authorities. People are ready to interact with their state. It is just necessary to create all the right conditions for this implementation. State power in democratic states should be based on the will of the population.

The use of electronic resources in the implementation of policies can significantly facilitate the activity of the government, state bodies and officials, as well as to take the political activity of citizens to a new level.

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ACCESS TO JUSTICE FOR PEOPLE WITH DISABILITIES IN CANADA

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In this article, the author claims an access to justice for people with disabilities, especially in Canada. The specific measures that have been taken in this country to improve access to the justice system and the legislation that regulates issues related to people with disabilities are set out here.

Along with the principle of independence of the judiciary, the principle of free access to justice forms the basis of the modern concept of just or proper justice. The idea of unhindered access to court was recognized by the international community as one of the fundamental. The right of everyone to free access to justice is enshrined in Article 8 of the Universal Declaration of Human Rights, in Article 6 of the European Convention for the Protection of Human Rights and Fundamental Freedoms, Article 14 of the International Covenant on Civil and Political Rights and other international legal instruments. Access to justice can be manifested in different aspects, and I will consider one of the most important aspects, which is access to justice for people with disabilities. The object of my research is Canada.

Canada seeks to reduce barriers and expand opportunities for people with disabilities, ensure their full participation in society. It has a strong legislative base that guarantees the equal rights for people with disabilities. In addition, a range of federal programs support the lives of Canadians with disabilities. The main federal laws that protect people with disabilities from discrimination are the Canadian Charter of Rights and Freedoms and the Canadian Human Rights Act.

Canadian Charter of Rights and Freedoms is a part of the Canadian Constitution, which is a set of laws containing the basic rules about how our country operates. The Canadian Charter of Rights and Freedoms is part of the Constitution of Canada, which is a collection of laws containing basic rules about how the country operates. Section 15 of the Charter makes it clear that every person in Canada - regardless of race, religion, national or ethnic origin, colour, sex, age or physical or mental disability - is treated as equal. It follows that governments should not discriminate on either of these grounds in their laws or programs. At the same time as it protects equality, the Charter also allows for certain laws or programs aimed at improving the situation of disadvantaged individuals or groups. They will be discussed further on.

The Canadian Human Rights Act of 1977 also protects Canadians from discrimination. The law prohibits discrimination based on physical or mental disorders.

There are additional resources that contain information about rights in specific areas. [1]

What exactly do the courts provide for real accessibility to justice in Canada?

One of the easiest ways to obtain the necessary information about the activities of the court is to visit its website on the Internet. The Supreme Court of Canada on its website offers a brochure which in the PDF contains information about the history and role of the Supreme Court of Canada, as well as other general information. The English and French versions of the pamphlet are also available in Braille and can be obtained upon request by email, phone or regular mail. [2]

Also, the Supreme Court of Canada in case of difficulty in using the web page, applications or device-based mobile applications suggests contacting for assistance or obtaining alternative formats, such as conventional printing, Braille or other suitable format. [3]

The Braille font (a relief-dotted tactile font intended for writing and reading by blind and poorly seeing people), as well as queries in various ways, naturally, facilitate access to justice for visually impaired people who are limited in capabilities.

If you have a disability and you have been called to give evidence in the Federal Court or the Tax Court of Canada, there are services to help you provide testimony. Communications assistance includes sign language interpreters for interviews or meetings. People with intellectual or physical disabilities may also provide testimony through videotape. Since most legal proceedings take place in provincial or territorial courts, these courts may also offer similar services. [4]

In addition, Canada has ratified the Convention on the Rights of Persons with Disabilities. The first report of Canada spells out specific measures adopted by federal, provincial and territorial governments.

Regarding the measures taken by the Government of Canada to improve access to justice, the report specifies: constitutional and statutory guarantees of equality for people with disabilities, including the right to accommodation to the point of undue hardship, apply to proceedings before federal courts and tribunals, as well

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as to any administrative services offered in support of such proceedings, such as those offered by court registrars. Section 14 of the Charter guarantees to the party or witnesses, who are deaf, the right to the assistance of an interpreter in any proceedings.

Within the criminal justice system, the Criminal Code provides for testimonial aids and other measures which make it easier for victims and witnesses with disabilities to provide testimony during criminal proceedings. These measures include: providing testimony outside of the courtroom by closed-circuit television, behind a screen or by recorded video; allowing a support person to be present during testimony; and appointing a lawyer to conduct a cross-examination of a witness with a disability when the accused is self-represented.

For example, in the Yukon, all parts of the courthouse, including the prisoner and jury boxes, are accessible by wheelchair. The building has a vehicle access ramp and elevators. Arrangements are made for American Sign Language interpreters for deaf witnesses or accused, at no charge.

A legal aid project - The Mental Health Office - was launched in Newfoundland and Labrador. It provides persons with mental illness with psychiatric help and legal assistance for civil and criminal matters. The Legal Aid Act allows an application for legal aid from a person found to be mentally incompetent, mentally ill or incapable of managing their own affairs to be accepted if made on that person's behalf by a third party. Recognizing that certain offenders with a mental disorder may commit offences as a consequence of their mental disorder or due to lifestyle issues related to their disorder, the province has instituted a Mental Health Court that provides increased supports to persons who appear before it.

A guardian ad litem may be appointed for persons with disabilities in Family Court in Nova Scotia. There are also processes to ensure that the special communication needs of victims and witnesses in criminal court are met. Some persons may have their criminal charges dealt with through the Mental Health Court. There are new guidelines for correctional workers on the use of conductive energy devices, and corrections workers receive training on dealing with emotionally disturbed individuals. Legal Aid is generally available for low-income persons for criminal and family matters, and legal assistance for persons with disabilities is also available through Reachability, a charitable organization supported by the province.

In Ontario all custody/detention (correctional) staff and probation office staff are required to be trained in accommodating or admitting persons with disabilities, in accordance with the Public Service of Ontario Act, the Child and Family Services Act, the Youth Criminal Justice Act and the Criminal Code of Canada and standards, policies, procedures and directives established by the ministry.

The Ministry of Community Safety and Correctional Services has developed the Police Response to Persons who are Emotionally Disturbed or Have a Mental Illness or a Developmental Disability Guideline to assist police services in the implementation of the Police Services Act and its regulations.

The Ontario Provincial Police piloted the use of video conferencing equipment to provide access to sign language interpreters for both victims and witnesses who are deaf/hard of hearing. It also recently revised its policy to ensure that officers consider the provision of a support person when interviewing an accused with a cognitive-related disability. [5]

We can draw a conclusion that the process of improving access to justice for people with disabilities is going on throughout the country. It is good that people with disabilities can get adequate support.

Not only in Canada, but everywhere it is important every individual can have, and believe they can have, access to justice when they need it. It is necessary to identify and improve the system and increase the confidence disabled people have in justice. Perhaps in other spheres of life, people with disabilities may have some restrictions, because of their health problems, but with regard to access to justice, it is in the power of society to ensure equality and adequate provision.

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HISTORY, CULTURAL STUDIES, TOURISM, SPORTS

UDC 94(476)

SHARKOVSHCHINA IN THE FIRST POSTWAR YEARS (ON THE MATERIALS OF ORAL HISTORY)

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The article deals with the results of the research conducted in the summer of 2017 in the genre of oral history in the Sharkovshchina district of the Vitebsk region. Western Vitebsk region is a part of the modern Vitebsk region, in the interwar period it was a part of Poland. The memories of the postwar reality of the inhabitants of the West Belarusian region of the modern Belarus have their own specifics. The return to peaceful life took place against the backdrop of not only overcoming the postwar devastation, but also the continuing sovietization of the region. The attitude towards the implementation of collectivization, the religious and cultural policies of the Soviet government were reflected in the memories of the inhabitants of the region. The article is written on the basis of oral sources, which contain not a detailed linear narrative, but episodes that are most important for the life of the narrators (mostly interviewees were born in the late 1920s and 1930s).

In July 4, 1944, Sharkovshchina was liberated under the command of Colonel Khalaev as a result of an offensive operation with the 44th mechanized brigade involved. A resident of Sharkovshchina, Anfinnia Tsyrykina (born in 1922) recalled that it was a warm day, bridges, which were set on fire by Lithuanian and Latvian legionaries during the retreat, burned. Soviet soldiers were driving along the road, they were met with flowers or simply hugged and kissed. But at the same time she noted that "there were no either joy or sorrow on the people's faces, because many of them lost their relatives, who could not be returned. However, we accepted this and after liberation began to build a new life" [10, p. 455].

During the years of occupation, 2,027 civilians were killed in the Sharkovschinsky district, 1 484 people were taken to Germany. The Nazis destroyed 700 houses, 2,000 agricultural buildings, 3,000 horses, 5,000 pigs. The industry and transport system of the region were destroyed; schools, clubs, libraries were burned. Total damage was amounted to 70 million rubles [10, p. 460].

Immediately after the liberation of the area from the Nazi troops, the residents began reconstruction work. The Sharkovshchina peasants conducted personal, independent agricultural activities, cultivated their allotments of land. The Soviet and party verticals were restored. Experts from different levels from all over the republic were sent to the region. Local leaders, former partisans and underground fighters were nominated for leadership positions. September 22, 1944, the first meeting of Sharkovshchina Council was held [10, p. 461].

As the war was not over yet, compulsory supplies of grains, potatoes and meat to the front remained. However, not everything went according to its intended purpose, and the part of the supplies was taken by the district leadership. For example, Zhuravskaya Nina Vladimirovna from the village of Savarina (born in 1920) recalled that everyone hoped to start a new life after the war, but the authorities began to build collective farms and collect high taxes from people. "They took away the last utensils and cattle, as they said for the needs of the army", although I myself saw how they used the things taken and did not send them to the aid of the front. An ordinary man's attempt to stand up against the Soviet regime was punished by exile to remote regions of Russia. We had 40 such people. Someone for stealing a simple grain, and someone for "contact with the German occupiers" [5].

The recollections of the Sharkovshchina residents indicate that the most painful in the first postwar years was the creation of collective farms. People did not want to give land and livestock for general use and they were very pressed by the accelerated postwar collectivization. First of all, small or landless peasants joined the collective farms. This is how the resident of the village Zhukovshchina, Baturonok Gordei Vladimirovich, recalls the process of creating a collective farm: "Almost in every village, collective farms began to be created. People did not want to join them. And our fellow villager, Lysenok Fyodor, was the first to join a collective farm called "Iskra". His parents died during the war, he lived with his grandmother and almost did not have his land. The rest, unwilling to join, were "tortured" for a week. They gathered the hosts in the same house in the evenings, often in the presence of the prosecutor or the district police officer, and told about the "happy" life on the collective farm. They said that they would take the land from the rich to the collective farm and everyone would

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live well. The one who did not want to join a collective farm was intimidated. They were threatened to have their property confiscated and be sent to the Far East. The last ones who entered the collective farms were those who had more land (about 9 hectares). Soon they made the land common, left only a small part. All the economic assets were taken away: harness, wheels, equipment, horses and grain. They left only a small part of the crop and allowed to harvest the crop for the last time. Small animals were not taken away: chickens, ducks, goats, sheep." [1]

Shestakevich Maria Antonovna from the village of Germanovichi told about the creation of the collective farm due to the directim: "Here comes the order from above about creating collective farms. The order was as follows: first of all, to give away the horses, to remove the superfluous buildings. They also took away the cattle. If there were 2 cows, they took one. It was necessary to give as much grain as much as land you have. We gave grain, but parents buried some in the ground to feed us, the children (5 people)" [4].

By 1950 there were 100 collective farms and one state farm in Sharkovinsky district [9]. The mass media talked about a flourishing agriculture, about the increasing well-being of people. However, the real life of that time was very difficult, the peasants were virtually disenfranchised, had no passports, and for their hard work they received workdays. In the memories of the Sharkovshchina residents, the personality of the chairman or foreman often appears. In the traditional rural residents' worldview, the authorities were associated with coercive, punitive measures. On collective farms, in fact, the peasants were completely dependent on the collective farm management. Purvin Maria Iosifovna from the village Iodia recalled that once she danced with her friends in a village club until morning and immediately went to work to weed beetroots. "It was afternoon. We weeded, and wanted to sleep. Nearby there was a haystack, and I and my friends decided to rest a little. Several people stayed and worked and had to warn us if the brigadier was coming. But we were not warned. The brigadier galloped on his horse and started to whip us with a whip without pity. I had the whole face spoiled and there were bloody stripes on the body" [3]. Violation of discipline on the collective farm was punished severely, and sometimes took the form of bullying. Maria Iosifovna gives an example that once, after completing the work and taking the horse and the cart to the collective-farm shed, they decided to go home earlier. However, the working day was not over and the brigadier noticed this. The punishment was as follows: "We had to run three circles around the barn with horse-collars on the neck" [3].

The content of the oral stories indicates that the collective farm chairman was evaluated depending on what position the family had in those years and the neighborhood-kinship ties. The person's character played not the least role played. For example, Gordei Vladimirovich Baturonok recalled the first chairman of the Iskra collective farm, who was constantly afraid that he would be shot for failing to fulfill any order or task: "So he spent his nights in a shed. He was afraid of the Soviet people who served in the NKVD, at that time they were responsible for order in the state" [1]. Medvedka Anna Ivanovna from the village Radyuki (born in 1930) recalled the abuse of the authorities: "the chairman was given a plan: how many types of products should be gathered from the peasants. He tried to fulfill the plan and took all the "extra" for himself" [2].

A tragic page within the framework of collectivization was the process of dekulakization, which was reflected in the memories of Sharkovshchina residents. As a result of dekulakization, the most capable groups of the population suffered, which led to a social and psychological imbalance. Some researchers note that after the end of the campaign of complete collectivization in 1952, the eviction of the majority of peasants, classified as kulaks, among the rural population of Western Belarus the mood of apathy prevailed [10, p. 512].

The memoirs feature stories about the use of repressive measures for encroachment on collective farm property, which was considered a grave offense. For example, Shestakevich Maria Antonovna, responding to the interviewer's question, recalled the case of two women stealing wheat sheaves from the collective farm field to feed their families and for this they were convicted for 7 years.

The rejection of collectivization aroused dissatisfaction with the Soviet authorities. The forms of protest were different. For example, they poured paint on the monuments of Lenin, the houses of the party workers. Some residents went to the forest, where gangs of bandits were stationed for several years after the war. The bandits had weapon and robbed shops, people on roads. The struggle against them was conducted by the police and specially organized detachments. Alexei Lukyanovich Tankonog (born in 1930) who was directly involved in the capture of one of the gangs, recalled that the years 1944-46 were very hectic. "Usually we gathered at night on alert and went to catch a gang. In the fight against the bandits, some of our comrades died. Thus, Sudakov, the head of the district police department in the village Rabartovo, and Tretyakov, the secretary of the district executive committee in the village Ruchai, died at the hand of the bandits. The bandits shot Lieutenant Ganyushin, the first chairman of the Voronkovsky village council [6]. In the Sharkovschinsky district the most dangerous was Murzich's gang of 12 people. They acted on the territory of the state farm named after Markov. Alexei Lukyanovich recalled that "it was hard for us to find this gang. We checked every farm, but did not find anything suspicious. And in one of the houses we noticed smoke. We decided to check. As soon as we

got close to the house, the people ran out of the house. We started shooting. We wounded Murzich's brother and another bandit. The rest ran away”.

In 1950 the Sharkovshchina district was completely cleared of bandits.

During the field research, the data on the education system restoration has revealed. A month after the liberation from the Nazis in Sharkovshchina, schools began to work [8]. The network of cultural and educational institutions gradually expanded. The work of amateur cultural groups began [10, p. 466]. One of the biggest problems was the problem of illiteracy. There were 3,200 illiterate families in the district. Night schools and courses on the eradication of illiteracy for adults began to work. By September 1945 there were 48 primary schools and 3 incomplete secondary schools. According to the recollections of the local residents, the teachers were different, but there were few local ones. For example, Purvin Maria Iosifovna recalled: "There was one teacher. He taught arithmetic. He was not local, he was sent from somewhere. For the unprepared homework he beat us with a leather lash. That's how we learned." [8].

Many schools in the postwar period were located in the surviving outbuildings. Classes were organized in two shifts. Children of different ages often sat at school desks in primary classes. There was lack of furniture, textbooks, paper. For example, Maria Iosifovna recalled that the school did not have notebooks, and if anyone had, it was believed that their parents got it in a difficult way [3]. In winter school buildings were very cold. But these difficulties were gradually overcome. In 1949, there were 2 secondary, 10 seven-year, 42 elementary schools attended by 4,726 children [10, p. 477].

A separate block in the memoirs of Sharkovshchina residents features plots from everyday life in the first years after the end of the war. Many noted that there was no food and no essential goods. People survived at their own household or went to work in neighboring Latvia or Lithuania. Together with difficulties, they remembered also good moments: going out for dances, participation in festive events, joint work. However, they were sometimes clouded by tragic circumstances. For example, Vasilevsky Alexei Yakovlevich, a resident of the village of Radyuki, recalled that one day during a dance a young guy came with a homemade gun and wanted to attract attention, to have fun. On the wall of the club there was a portrait of Stalin. The guy accidentally shot and got into this portrait. Someone informed the authorities and this guy was convicted for 10 years. Oppression of believers was a common fact. Many churches were closed. Priests were not exiled to Siberia, but they were kept far from the political and ideological life of the society. All the jewels from the Catholic and Orthodox churches were taken for the needs of the state. All temples were closed, but priests organized illegal church services.

Nowadays we still have an opportunity to imagine some events, that took place in the first postwar years, but not reflected in modern historiography. The processes of collectivization and dekulakization as well as everyday life have been reflected in the materials of oral history. The value of these sources is predetermined by the peculiarities of their origin, since they belong to a specific author, and reflect the perception of the world, historical events and phenomena. First of all, they contain specific information at the socio-psychological level. Secondly, materials of a personal origin often contain such information, which is not available in other sources. Using them, historians can reproduce individual events and some characteristic features of certain epochs in more detail and more colorful.

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