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## LINGUISTICS, LITERATURE, PHILOLOGY

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### GOTHIC REVIVAL IN THE WORKS OF THOMAS CHATTERTON

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*The second half of the 18th century in the history of English literature envisages the decline of Enlightenment ideas under the influence of the gradually increscent Romantic movement. This cultural trend, new and fresh, aimed to challenge the inconsistent and utopian ideals of the Ratio Epoch. It is not by accident that the establishment of Romanticism is closely related to the revival of Gothic tradition in literature. Gothic, both as a separate genre and an essential element of Romantic culture was revived as a reaction against the excessive and blind belief in the power of human's rationality. Gothic supernatural images and feature, doomed and oppressive atmosphere, despair and fatality of a character's life in the face of villains and hostility of the outside world makes apparently perfect contrast to the ideas and ideals promoted by the Enlightenment and depict the disappointment in them by means of strong rejection of anything related to common sense. Thomas Chatterton was the first in the poetic genre to take up Gothic elements and use them skillfully in his creations. In this article we will try to explore the way he employed the gothic in his poetry and thus created a powerful incentive for the establishment of a completely new trend in literature and found himself acknowledgement of such powerful figures of Romanticism as W. Wordsworth, S.T. Coleridge, J. Keats, R. Southey who admired him and continued to develop this tradition.*

The later part of the 18<sup>th</sup> century is important in the history of English literature not only because of the commencement of the Romantic Movement but also for the fact that this was the era when Gothic literature staged a comeback. Both Romantic and Gothic creations can be seen as two parallel streams enriching English literature and complementing each other at the same time. Just like Romantic literature, Gothic can be seen both as a reaction toward the inconsistent ideal and principles of the preceding age of Enlightenment. *"The inclusion of the Gothic elements was not accidental but a choice deliberately made with several purposes. Gothic, both as a self-content genre and an indispensable part of Romantic literature, was revived as a reaction against neoclassical rationality"* [5, p. 485]. At the same time this come back of the Gothic can be explained by the common climate in the society. Gothic style of writing resulted from the cruel and reprehensible reality after industrial revolutions which brought about social and thus cultural stratification. *"As a reflection of the harsh English society, writers reached back into Medieval Europe and reintroduced the Gothic genre by incorporating eerie plots, apparitions, and mysterious deaths"* [4]. As it is stated by a Russian literary historian N. Solovyova in her work "The History of the Foreign Literature. Pre-romanticism": "The common mood of all writers of that period can be characterized as melancholy and frustration, sentimental apology, attraction to wild nature, antiquity, folklore, ultimate denial of the Enlightenment rationalism" [7, p. 7]. Supernatural imaging of the outside world in Gothic literature symbolizes deep social and individual crisis, inability to percept and comprehend the reality by means of common sense and as a result fear of the reality full of distemper and disappointment, and total awe with the unknown, inexplicable, metaphysical. The dark trend in literature found its realization first of all in the genre of The Gothic romances like "The Castle of Otranto" (1765) by Horace Walpole, "The Romance of the Forest" (1792) by Ann Radcliffe, "The Monk" (1796) by Matthew Gregory Lewis, "Frankenstein; or the Modern Prometheus" (1818) by Mary Shelley. They made the readers shiver with fear and kept them in constant suspense. The action of a gothic novel usually take place in a medieval haunted castle, in a solitary outcast, on a health moorland, a dark thick forest and a sleepy hollow from where there are mysterious sounds to be heard and the main dwellers of which are owls, ravens and snakes. The main character is normally a cursed figure, a victim, doomed to withstand or fight against the obscure forces that keep him in a constant state of horror, oppression and despair. the deep dark forest, doomed roaming, the cursed wanderer. The same tradition was acquired in poetic literature. The most vivid examples are Samuel Taylor Coleridge's poems "The Rime of the Ancient Mariner" (1797–1799) and "Christabel"(1797–1800), Lord Byron's poem "Manfred" W. Wordworth's "Lucy Poems", "The Thorn" and "Goody Blake and Harry Gill". Gothic elements are to be found in the works of W. Blake, R. Southy, J. Keats. They are all great and acknowledged representatives of the

Romantic movement. Nevertheless, the gothic tradition in poetry takes its roots in the lyrical works of a less known but no less prominent poet Thomas Chatterton.

The first traces of darkness and mystery appear in his early poems like "Sly Dick" and "Church Warden and Apparition" both related to 1764. But the works are not really scary, they are quite plain in structure and stylistics and the author introduces the images of supernatural beings in order to scarify the mean protagonists on the way to fulfilling their dishonest intentions. But his later works and especially the pseudo-medieval forgery "Rowley Poems" become more sophisticated in their ideas and stylistic devises. Chatterton can be truly called a dark and even to some extent blood-thirsty poet since a great number of his works are either entirely gothic or contain certain features of the genre. "Elegy Written at Stanton Drew" serves as vivid example of a pure gothic poetry. Stanton Drew is a cemetery, where the narrator gets at night to see the violent death of his lover Maria. At first thought the choice of plot and setting is quite explicable. The idea of placing the action of the poem on a cemetery comes from Sentimentalism and the Graveyard School in particular. The poets of this movement Edward Young (1683–1765), Thomas Grey (1716–1771), James Thompson (1700–1748) made an attempt to change the course of poetry. They achieved certain progress in changing the setting and ideas from the life of upper-class society more to the countryside, to the wild nature and life of ordinary people. What is more, they focus on the individual feelings of the main character as they arise out of external objects, such as in Gray's "Elegy Written on a County Churchyard". However sentimentalism made a considerable step towards Romanticism failed to burst the bonds with philosophical reasoning of the Enlightenment. Their poetry is mensural and sometimes monotonous, nature images are smoothly picturesque and idyllic. Despite its unusual title, Graveyard Poetry presupposes but doesn't suggest anything supernatural or horrific in its contents. It touches upon quite earthly philosophical issues like the temporality of the terrestrial existence and eternal life, hardships of a simple man's daily life and injustice of the social inequality. The atmosphere of cemetery and the view of graves do not create the sensation of fear but involve the narrator into monotonous reasoning about the sense of life. Melancholy and harmony with nature are the general characteristics of sentimental poetry:

The breezy call of incense-breathing Morn,  
The swallow twitt'ring from the straw-built shed,  
The cock's shrill clarion, or the echoing horn,  
No more shall rouse them from their lowly bed.

For them no more the blazing hearth shall burn  
Or busy housewife ply her evening-carer  
No children run to lisp their sire's return,  
Or climb his knees the envied kiss to share [3, p. 84].

Chatterton's works contemporary to Sentimentalists cannot but get under their influence. However unlike his experienced counterparts the unfledged poet brings a very different tune and mood into his verses. In Chatterton's works sentimental melancholy turns into deep and intense pre-romantic depression. The author loses harmony with nature and his perception of the outside world is full of fear and obscurity. Philosophical reasoning almost doesn't occur in his "Elegy Written at Stanton-Drew" (1769), while a great attention is paid to the images of nature which are far more dynamic and picturesque than those with the sentimentalists. As in any gothic work, the description of nature plays the main part in the elegy, it becomes a living element and acquires enormous poetic power. The author mystifies the image of graveyard in the reader's perception, using endless epithets, metaphors, allegories like the "*The bird of omen with incessant scream*", "*thickening veil of evening's drawn. // The azure changes to a sable blue*", "dreary stillness broods", "*the clouded moon emits a feeble glare*". In front of the reader there arise truly frightening scenes of a falling night, dusky tombs, ritual dances and victim writhing in agony:

The solemn dirges sung,  
And drove the golden knife  
Into the palpitating seat of life.  
When, rent with horrid shouts, the distant valleys rung.

The bleeding body bends,  
The glowing purple stream ascends.  
Whilst the troubled spirit near  
Hovers in the steam of air [1, p. 61].

Chatterton's cemetery is not a place for meditative wandering and speculative thoughts, but a ghastly baleful place where most unconceivable and repugnant things can happen to an unprotected and helpless human being. A most barbaric and bloody scenes of oblation, despair and human's weakness make a strong contradiction to any principles and ideals of the enlightening epoch.

It is mostly his pseudo-medieval hoax "Rowley Poems" that abandons in gothic elements, which is not accidental as the hole atmosphere of Middle Ages was sunken into darkness, obscurity and fear. By turning to that period of English history in his works he automatically revived the gothic tradition. Gothicism in Chatterton's medieval poetry first of all penetrates into the attributes of nature. Pictures of sombre and mysterious landscape inhabited by supernatural beings like ghosts, elfins, fairies, witches, set the spine-chilling atmosphere of doom and mourning. Such image of nature plays a significant part in any gothic work, it tightly encompasses the character's life and thus helps to reflect his depressed and grievous inner state and intensifies the readers perception of the poems mood. So It happens in the tragedy "Aella" where the dark and eerie pictures of nature serve as precursors of the forthcoming affliction. Bertha, Aella's beloved wife, desperate and frightened to death, is wandering in a dark thick forest in search of her dying husband. All her despair and fright are aggravated by the following lines:

The world is dark with night; the winds are still,  
Faintly the moon her pallid light makes gleam  
The risen sprites the silent churchyard fill,  
With elfin fairies joining in the dream;  
The forest shineth with the silver lime... [2, p. 74].

Likewise tragic and doomed is the motive of Minstrel's song for Bertha. Its inherent gothic attributes such as croaking raven, hooting owl in the darkness of a dell are all appear to be an ill omen:

Hark! the raven flaps his wing,  
In the briar'd dell below;  
Hark ! the death-owl loud doth sing  
To the nightmares, as they go [2, p. 72].

And of course the refraining lines: "*My love is dead, / Gone to his death-bed, / All under then willow-tree*", – which comes after each couplet charges the atmosphere of the play with doom and fatality.

Chatterton was a young artist ready for fresh ideas and challenge. And thanks to this valuable assets which due to his early decease he never had an opportunity to spoil by age and experience he managed to make some brave experiments not only with the verbal contents of his works but also with the genre. Thus his cycle of 4 eclogues ("Elinour and Juga" and 3 untitled ones) together with the "Eclogue Written at Stanton-Drew" suggest a considerable transformation of this genre from idyllic pastorals of the Antiquity into authentic English context with an intense hue of Gothicism. Eclogue the First and his eclogue "Elinoure and Juga" especially bare this idea of pessimism and despair, mixed with the uncanny and ominous surrounding and so characteristic for the early English Romanticism.

"Elinore and Juga" is Chatterton's earliest eclogue, which was written at the age of 12, and one among the small number of works printed during his life. It is presented in a form of a lamenting of two maidens "sisters in sorrow". Their heart mates go to the war "to fight for York" and perish there, and so the two young wives are inconsolable in their grief. A most sombre and mourning images are used by Chatterton to depict the women's hopelessness and heartache. The action takes place in an extremely picturesque and melancholic natural surrounding. What can be more doleful than an abandoned castle, once full of light and warmth and now forgotten and dark. A person's inner world and sole are like "*halls of merriment*", they need happiness and hope to preserve the atmosphere of joy, but when abandoned they fade away and turn into "*ghastly mitches / hold the train of fright / Where lethal ravens bark, and owlets wake the night*" [2, p. 209]. And again the author leads us to the with supernatural attributes as if preparing the reader for the approaching tragedy:

All night among the grav'd churchyard I will go.  
And to the passing sprites relate my tale of woe.  
When murky clouds do hang upon the gleam  
Of waning moon, in silver mantles dight;  
The tripping fairies weave the golden dream

Of happiness, which flieth with the night.  
 Then (but the Saints forbid !) if to a sprite  
 Sir Richard's form is lyped, – I'll hold, distraught,  
 His bleeding clay-cold corse, and die each day in thought [2, p. 210].

To the same period relates another eclogue "Eclogue the First" which presents a dialogue between two English shepherds full of fear and grief. At first it seems they are frightened by the unknown dark place where they find themselves in the dusk of evening:

Then in a dell, by eve's dark mantle grey,  
 Two lonely shepherds did a-sudden fly,  
 (The rustling leaf doth their white hearts affray),  
 And with the owlet trembled and did cry [2, p. 195].

Robert invites his mate Rauf to listen to the story about his "baleful doom". In return he hears "a tale that a Sabalus might tell". The characters of the eclogue narrate about their real concerns and fears. From their stories we learn that they both have lost their property and now have to hide from the atrocities of the "baron's war"<sup>1</sup>. But the supernatural and frightening atmosphere with gothic elements contributes to more vivid reproduction of the protagonist's depressed and desperate state. In their view the world is the enemy. In this work absolute early romantic state of pessimism is presented in the form of Gothicism and horror. The common sense was no longer capable to cope with the reality and it was replaced by omnibus fear:

The Barons war ! Oh, woe and well-a-day!  
 I have my life, but have escaped so.  
 That life itself my senses doth affray.  
 Oh Raufe, come list, and hear my demie tale.  
 Gome hear the baleful doom of Robin of the dale [2, p. 196].

It does not seem to be an accident that Chatterton turns to the war period. His England is very close in its state to the War of Roses. The country is in the total disorder and chaos created by revolutions, constant changes of power and oppression. It must be one of the reasons why the poet turns to this period in his forgery. The beautiful optimistic idea of the power of human's reason collapsed in the mid 18<sup>th</sup> century and turned into obscurity equal to that of the Middle Ages. To create a more vivid impression of the horror of the war Chatterton turns to his favourite grotesque images, blood metaphors and personification. The image of blood or poetic gore of intense colours "purple", "smoking", "clotted" quite often emerges in his works. He is very brave with developing the image and when it comes to blood his imagination knows not limits:

Now doth fair England wear a bloody dress,  
 And with her champions' gore her face depeint;  
 Peace fled, disorder sheweth her dark rode,  
 And thorough air doth fly, in garments stained with blood [2, p. 189].

A great number of his verses, mostly those from the "Rowley Poems" are swarming with most dreadful metaphors and scenes of murderous cruelty which are colorful and fascinating at the same time. Young and full of impassioned imagination the poet dwells on every scene of violence and sometimes even sophisticated way of murdering. This grotesqueness in painting blood scenes was, apparently, acquired from H. Walpole's "The Castle of Otranto" which came out in 1764 just at the beginning of Chatterton's writing career and got immense popularity. At the same time Chatterton proves to be a real original artist worthy of all the admiration he was, unfortunately, posthumously honored. He tends to be very poetical and rich in vivid and colorful metaphors and epithets. The perfect example of Chatterton's poetical barbarity is "The Battle of Hastings" an epical poem equal in its significance for England to the Homer's "Iliad" for ancient Greek culture:

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<sup>1</sup> The action takes place during the War of Roses "The Barons war!"

Like wolves in winter did the Normans yell.  
 Curth drew his sword, and cut his burl'd hide;  
 The proto-slain ' man of the field, he fell;  
 Out streamed the blood, and ran in smoking curls,  
 Reflected by the moon, seemed rubies mixed with pearls [2, p. 159].

In Chatterton`s vivid imagination slaughterous process turns into something sublime and extremely captivating and picturesque. The incredible comparison of swirling blood streams in the moon light with a pile of white pearls and rubies is worth special admiration. For this metaphor only Chatterton deserves the poetic pedestal on which the romanticist willingly placed him without any compromise.

Thus at the crucial time between Enlightenment and Romanticism Chatterton becomes the first poet to cross the bridge built by sentimentalists between the canonical and conservative Neo-classical poetry and absolutely revolving and fresh Romantic. And one of the considerably means on his way to Romanticism was the revival of gothic tradition in poetry, which acquired wide popularity in the later period by the most prominent figures of English Romantic Epoch.

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UDC 811.811

#### ACTS OF APPROVAL IN TEACHING ENGLISH

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*Speech acts of approval are central in creating positive psychological environment in an English classroom. The article considers their status among other speech acts and their role in teaching strategies of foreign language instructions.*

Speech acts have been extensively studied by linguists and philosophers. To understand the meaning and importance of speech acts of approval we should first of all classify their location in the classification list of speech acts.

Classifications are many. For practical purposes it is wise to use those which can be helpful for effective communication. One of the best descriptions in that respect is given in the textbook written by G.P. Delahunty and J.J. Garvey to meet the needs of teachers. In this paper we draw heavily from their book *Language, Grammar and Communication* [1, p. 52–54].

Speech acts can be either explicit or implicit. An explicit promise is one in which the speaker actually says *I promise...*, e.g. ***I promise that I will return the money tomorrow***. That is, the utterance contains an expression, usually a verb, which makes the intended act explicit by naming it.

But we don't have to say *I promise...* in order to make a genuine promise. We can merely say *I will return the money tomorrow*. When the speech act isn't named by a specific verb in the sentence, we are performing the speech act implicitly.

What matters in performing a speech act isn't whether it's explicitly named but whether the act meets certain contextual or background conditions, called **felicity** or **appropriateness conditions**. For example, imagine a situation in which you promise your instructor to finish an assignment by the beginning of the next class period. For this to count as a genuine promise, you must say something to the effect that you will finish the assignment by the next class period; the instructor must want you to complete the assignment by that time; you must be able to carry out this task; you must sincerely intend to finish the assignment by that time; and you must intend your instructor to interpret your remarks as your commitment to finish the assignment by the next class time.

No doubt these conditions all seem perfectly ordinary. However, articulating them, makes explicit what we usually take for granted and which we pay attention to only when things go wrong. They're also very useful in helping us to characterize the differences between speech acts. Promises are distinct from threats, for example, in that a promised act is one desired by the addressee, whereas a threatened act is one which the addressee would prefer not to happen. That is, they fulfill distinct felicity conditions.

Analysts typically distinguish among four types of felicity conditions:

1. The **propositional content condition** expresses the content of the act. Thus *I will return the book tomorrow* denotes the promised act, i.e., returning the book tomorrow. Sometimes conventions require that a precisely specified expression be used. For example, in some marriage ceremonies, the bride and groom must respond *I will* to the question *Will you Joan take John to be your lawfully wedded husband?* No other form, even if it means *I will*, is acceptable.

2. The **preparatory condition(s)** express the contextual background required for a particular act. For example, *I will* constitutes a marriage vow only in the context of a real wedding; a promise requires that the promisee be able to perform what she/he promises; a speaker making an assertion must have evidence to support the assertion.

3. The **sincerity condition** requires that the speaker be sincere. For example, a promise must willingly intend to keep the promise; a speaker who makes an assertion must believe what she/he asserts.

4. The **essential condition** is that the speaker intends the utterance to have a certain force. For example, someone uttering *I promise to return tomorrow* must intend this utterance to be a commitment to return tomorrow; an assertor must intend the utterance to represent a true representation of a state of affairs.

In sum, for an utterance as (*I promise that*) *I will return the book tomorrow* to be a "felicitous" promise, 1) it must denote the promised act, 2) the addressee must want the book to be returned tomorrow, 3) the speaker must intend to return the book tomorrow, and the 4) speaker must intend the addressee to take the utterance to be a promise to return the book tomorrow.

Various classifications of speech acts have been proposed, but the one most widely used classifies speech acts as:

1. **Representatives**, which denote states of affairs, or at least speakers' purported beliefs about states of affairs, including assertions, descriptions, reports, statements.

2. **Directives**, which attempt to get addressee to do something, including questions, requests, orders.

3. **Commissives**, which commit a speaker to a course of action, including promises, threats, vows.

4. **Declarations**, which bring about states of affairs, including naming, firings, hirings, pardons, resignations.

5. **Expressives**, which denote a speaker's psychological state or attitude, including apologies, compliments, greetings, thankings.

6. **Verdictives**, denote an assessment or judgment, including assessments, appraisals, judgments, verdicts.

As is obvious from above classification approvals go into the group of expressiveness. They denote the speaker's psychological state or attitude. If the attitude is favourable then the acts of approval skillfully used by teachers are sure to result in better psychological environment in the classroom. Students will get encouraged and more motivated in their further studies.

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**THE PROBLEM OF TRANSLATING THE UNTRANSLATABLE:  
THE NONEQUIVALENT LEXIS****OLGA DARONDA, EKATERINA BLAGODYOROVA**  
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*The article deals with the different ways of the nonequivalent lexis translation. A detailed description of the nonequivalent lexis is given. This lexis is divided into three groups: referentially nonequivalent, pragmatically nonequivalent, alternatively nonequivalent. The author emphasizes the fact that the nonequivalent lexis can cause serious difficulties during translation and it requires specific approaches.*

Differences between languages caused by cultural distinctions are noticeable most of all in the vocabulary and phraseology because the nominative means of a language are related most directly to the extra-linguistic reality. In any language or dialect there are words that do not have one-word translation in other languages. This is the so-called nonequivalent lexis [1, p. 52]. The nonequivalent lexis includes words that do not have analogues in other languages, and lack semantic correspondences in the content system of another language) [2, p. 11].

The most frequently used terms are "nonequivalent lexis", "exotic lexis" or "exotisms", and along with them, "barbarisms", "localisms", "ethnographisms", "ethnolexemes", "ethnocultural vocabulary", "words with a zero equivalent", and others. National, historical, local, everyday connotation, absence of equivalents in the target language and in some cases foreign origin make these notions related [4, p. 44]. As a rule, the nonequivalent lexis causes the greatest difficulty for translators. An example of a specific approach to the nonequivalent lexis translation is translation of semantic gaps, i.e. words that do not have any equivalents as separate words in the target language [3, p. 137].

Nonequivalence should be based on the generally accepted idea about an equivalent, and in particular on the definition of the "equivalent", given by Y.I. Retsker, who defines it as a constant equal correspondence usually independent of the context [5, p. 10–11]. According to this all lexical (and phraseological) units which usually do not have constant, independent of the context equivalents in the target language refer to the nonequivalent lexis [4, p. 44].

From this point on we will keep to the definition provided by A.O. Ivanov. The nonequivalent lexis is considered to be the lexical units of the source language, which do not have any equivalents in the target language vocabulary, i.e. units which can transfer at a similar level all relevant in the given context components of the meaning or one variant of the original lexical unit meaning.

Along with language units of the source language having single or multiple correspondences in the target language, the comparative analysis discovers lexical-grammatical units which have no direct correspondence in the target language. The source language units with no regular correspondences in the target language are called nonequivalent. The nonequivalent lexis can be found mainly among neologisms, words naming specific concepts and national realities, little-known names and titles. These are English words conservationist, baby-sitters, backlog, etc. Nonequivalent grammatical units can be either separate morphological forms (gerund) and parts of speech (article), or syntactic structures (absolute constructions) [4, p. 25].

Using the term "English nonequivalent lexis" we take into account that it means "English vocabulary that has no equivalences in translation into Russian" [4, p. 190]. This issue is important to remember because the notion "nonequivalence" is meaningful only within a particular language pair and can be used only in one particular direction, in our case in translation from English into Russian. A source language unit nonequivalent to the given target language can have regular correspondences in other languages.

According to A.O. Ivanov, the reasons for nonequivalence are absence of an object or phenomenon in people's life (material nonequivalence); absence of an identical concept in the target language (lexical-semantic nonequivalence); differences of lexical-semantic characteristics (stylistic nonequivalence) [3, c. 82].

Due to the fact that translation is being implemented at a speech level, traditionally singled out lexical and grammatical meanings are not very appropriate for the description of nonequivalence. The semiotic classification of meanings is more convenient. According to it all meanings in any utterance are divided into three types:

1. Referential, expressing relationship between a sign and its referent when it comes to the concept, or denotative, when it comes to the relation to an object.
2. Pragmatic, expressing relationship between a sign and a person or a language community using the given language (connotative, emotive).

3. Intralingual, expressing relationship between a sign and other signs or structure elements of the same sign system, in our case - the language.

In our research we keep to the classification proposed by A.O. Ivanov. He singles out three types of meanings mentioned above. Accordingly, there are three groups of the nonequivalent lexis:

- referentially nonequivalent, which includes terms, individual (author) neologisms, semantic gaps (lacunae), words of broad semantics, compound words;
- pragmatically nonequivalent, which includes deviations from the common language norms, foreign-language blotches, reductions (abbreviations), words with suffixes of subjective evaluation, interjections, onomatopoeia and associative gaps;
- alternatively nonequivalent, which includes proper nouns, addresses, culture-specific items and phraseologisms [3, p. 46].

THE REFERENTIALLY NONEQUIVALENT lexis. Cases of divergence in referential meanings of corresponding lexical units in two languages occur quite often. They are classified into two types: 1) Absence (in the target language) of a lexical unit which has the same referential meaning as an original unit of the source language; 2) Partial coincidence of referential meanings of units of the source and the target languages.

Terms, author neologisms, semantic gaps, complex words refer to the referentially nonequivalent lexis. Further we will consider these types.

Terms are words or phrases of a special (scientific, technical, etc.) language, created for the exact expression of specific concepts and for special item notation. Most of them have permanent equivalents in other languages. Terms can be nonequivalent only when they denote new concepts. It is clear that nonequivalence gradually disappears with the development of the same areas of knowledge. The widespread use of borrowings can be explained by the fact that it preserves the main characteristics of a term – brevity and non-ambiguity. Moreover, term borrowing from the source language provides a unification of a metalanguage of the given science at the international level. Other commonly used ways of translation of terms are: calquing and descriptive translation.

*"Extensively drug-resistant tuberculosis ignores nearly everything medicine can throw at it" [6] ("Туберкулез с широкой лекарственной устойчивостью не реагирует практически на все лекарственные средства, которые могут быть применены против него").*

Author neologisms are most difficult for translation, all of them are nonequivalent. Omission of neologisms is undesirable. Referential meaning (in other words, the concept being embedded by an author in a word), as well as pragmatics, which includes novelty, individuality and imagery, are very important elements of neologisms significance.

Speaking about semantic gaps we mean absence in the target language of a certain concept denoted by the same lexical unit (a word or a phrase) in the source language. But we are not talking about the impossibility of expressing this concept by means of the target language. The very existence of such semantic gaps in specific pairs of languages demonstrates the thesis about the mismatch between the pictures of the world in various languages. Descriptive translation is the primary method of semantic gaps translation.

*"Why crash dummies are getting fat?" [6] ("Почему манекены, используемые при тестировании машины в аварии, становятся толще?").*

Nonequivalence of the lexical units types can be explained by the divergence of a referential meaning of corresponding units in the source and the target languages. Another type of divergence of referential meaning is much more ambiguous. This is an incomplete coincidence of referential meanings of lexical units of the source and the target languages (or words of broad semantics): переводчик – interpreter/translator; рука – arm/hand; дело – affair/business. In the source language we have a word that has a broader meaning than its analogues in the target language. It will be nonequivalent if the context and extralinguistic situation do not contain any indication of relevance of a particular variant of its equivalents. The choice of a required corresponding unit in translation is possible only when we go beyond the linguistic context and possess some information about real setting or situation. Specification is the main way to translate words of broad semantics.

Compound words generally do not have equivalents in the target language. In the English language such words are as follows:

- Compound nouns of different types: noun + noun + ship (*lifemanship* – умение преодолевать тяжелые ситуации); noun + noun + er (*boat-misser* – человек, постоянно опаздывающий на судно); noun + verb + er (*bread-winner* – кормилец).

- Complex adjectives and participles with the second verbal element: *error-plagued* – сопряженный с неизбежными ошибками, *heavy-handed* – неуклюжий, неповоротливый. Compound adjectives of other types: noun + proof (*foolproof* – надежный); noun + happy (*trigger-happy* – легкомысленный в обращении с оружием).

- Compound verbs: *to ghost-write* – *писать/сочинять за кого-либо другого*; *to brainstorm* – *искать решение с помощью "мозгового штурма"*.

- The word-phrases (prepositive-attributive word combinations, similar to a sentence or collocation due to their structure, which function in a sentence as a separate word): *can't-do-with-it-a thing (hair type)* (*волосы, которые сложно уложить*); *the do-this-by-yesterday (order)* (*сделать это до завтра*). Most often, the meaning of such units can be transmitted into Russian using detailed descriptive translation or using different transformations at a sentence level [3, p. 87–110].

*"Watch golfer Jason Palmer's unique one-handed chipping technique"* [6] (*"Посмотрите на уникальную технику удара по мячу для гольфа с помощью одной руки известного игрока Джейсона Палмера"*).

*"Whale-shaped giant of the skies"* [6] (*"Небесный гигант в форме кита"*).

THE PRAGMATICALLY NONEQUIVALENT lexis. In every language in comparison with some other one we can find words with the same referential meaning, but with different stylistic characteristics or emotional connotation, i.e. with issues that are usually included in the pragmatic meaning of a lexical unit.

The largest class of the pragmatically nonequivalent lexis represents deviations from the common language norms. They include territorial and social dialecticisms, localisms, slang and vulgar terms, neutral words which do not have adequate pragmatic equivalents in other language/other languages. The deviations from the common language norms include "spoken language's freedoms". In English, the examples of such words are: *flopnik* – *an unsuccessfully launched satellite* (from Eng. *flop* – to fall down), *buttinsky* – *the person who barges in everywhere* (from Eng. *to butt in* – to barge).

*"She launched it in 2011, a few months after moving to the Big Apple from Rio de Janeiro"* [6] (*"Она открыла свою фирму в 2011 году, через несколько месяцев после переезда в Нью-Йорк из Рио-де-Жанейро"*).

This group also includes foreign language inclusions – words and phrases in a foreign language introduced to create authenticity, emotional colouring, atmosphere or impression of erudition, irony. The determining factor in translation is the role of foreign language inclusions in the text. If they are used to create local colour or to transfer a nationality of a speaker, they should be included in a text of translation in their original forms.

*"But accepting such change in Germany is being seen as part of the national duty, and the price to be paid for the widespread popular will to say nein danke to atomkraft"* [6] (*"Учитывая тот факт, что подобные изменения рассматриваются в Германии как часть национального долга, за такую огромную популярность придется заплатить адресованным атомной энергии «nein danke»"*)

Abbreviations (acronyms) are "reduced reflection of the original units", in addition to a referential meaning they have an extra pragmatic one: of either belonging to a particular functional style (scientific, technical, conversational, professional slang), or to a particular register of speech (familiarity).

*"The internet of things (IoT), which will populate homes, cars and bodies with devices that use sophisticated sensors to monitor people, could easily build up a "deeply personal and startlingly complete picture" of a person's lifestyle, said Ms Ramirez"* [6] (*"По словам госпожи Рамирез, «интернет вещей» (IoT, от англ. internet of things), который в скором времени заполнит дома, машины и тела людей устройствами с «умными сенсорами», следящими за людьми, может создать «глубоко личную и поразительно полную картину» жизни любого человека"*).

Nonequivalence of words with suffixes of a subjective evaluation is more typical for the translation from Russian into English as Russian is richer in suffixes of this type (English has in total four diminutive suffixes: -let (booklet), -ling (weakling), -kin (Peterkin), -y (Piggy)). The translation of English nouns with suffixes of a subjective evaluation into Russian is usually not a serious problem.

Interjections are also mostly pragmatically nonequivalent, representing a class of unalterable words deprived of special grammatical indicators and possessing a special expressive-semantic function of any sensation and feeling expression. We need specification in order to transfer adequately the required meaning of an interjection.

*"Aye, aye cap'n: Scots under the sea in film and TV"* [6]. (*"Так точно, кэп: Шотландцы под водой в фильмах и на телевидении"*).

Due to the differences of phonological systems, and partly because of the associated differences in perceptions of euphony in the source and target languages, onomatopoeia sometimes does not have equivalents in the target language and is represented in a dictionary in a descriptive way. For example: *clop* – tap of hoofs, *plonk* – the sound of slap.

*“Clip clop, clip clop, Tick, tock, tick tock. The clock is ticking down to the world's most famous horse race, and the anticipation is building” [6] (“Цок-цок, цок-цок. Тик-так, тик-так. Начался обратный отсчет до старта самых знаменитых скачек, ожидания растут”).*

The pragmatically nonequivalent lexis also includes associative gaps (lacunae). For example, a Russian word "береза" is a symbol of the modest Russian nature, the English word "birch-tree" lacks such an association [3, p. 119–132].

THE ALTERNATIVELY NONEQUIVALENT lexis. The group of alternatively nonequivalent lexis includes the lexis, which, depending on the chosen method of translation, can be either referentially nonequivalent (i.e. differ with the corresponding unit in the target language in referential meaning) or pragmatically nonequivalent (i.e. differ with the corresponding unit in pragmatic meaning). Proper names, addresses, culture-specific items and phraseologisms refer to this group.

The group of proper names consists of personal names and nicknames, geographic and brand names as well as the names of institutions, newspapers, magazines, ships, etc. representing one of the most obviously nonequivalent type of lexis.

*“Charlie Hebdo massacre” [6] (“Убийства в редакции журнала **Charlie Hebdo**”).*

The other group of words which is often considered to be nonequivalent is addresses. Proper names as addresses usually have an equivalent in other languages. Exceptions are addresses with proper nouns, which include the title of the post or title of the husband used when referring to his wife, for example: Mrs. Professor Johnson – г-жа Джонсон, Mrs. Colonel Smith – г-жа Смит [3, p. 135–140].

*“A different letter tells of how **Mrs Colonel Edmond**es was proposed to by her fourth husband, Lord Dormar” [6] (“Другое письмо рассказывает о том, как **г-же Эдмондс** было сделано предложение руки и сердца ее четвертым мужем, лордом Дормаром”).*

Culture-specific items have no exact matches in other languages. These are special words and phrases naming objects typical for everyday life, culture, social and historical development of one nation and alien to another. The examples of English and American culture-specific items may be the following: drive-in (Amer.) – кинотеатр, в котором фильм смотрят, не выходя из автомашины; banns (Eng. and Amer.) – процедура оглашения имен лиц, предполагающих вступить в брак; fat cats (Amer.) – спонсоры президентской кампании, приглашенные на обед с кандидатом в президенты. Being bearers of a national and/or historical connotation they usually do not have exact equivalents in other languages. There are several ways to transfer the culture-specific items to the target language: 1) calquing, i. e. repetition of the internal form of the original word, for example: *Grand Jury* – *Большое жюри*, *backbencher* – *заднекамеечник*; 2) use of an existing analogue, for example: *drugstore* – *аптека*; 3) transliteration/transcription, for example: *pub* – *паб*; 4) approximate or descriptive translation, for example: *drive-in* – *автокинотеатр* [3, p. 190].

*“Sean Brown murder inquest: **Coroner** summons **chief constable**” [6] (“Расследование убийства Шона Брауна: **следователь, ведущий дело о насильственной смерти, привлекает к суду начальника полиции**”).*

Idioms also refer to the nonequivalent lexis, they have two possible ways of translation – lexical or descriptive (*husband's tea* – *слабый чай*) and calquing (*fat cats* – *жирные коты*). Generally translation of all types of the nonequivalent lexis is considered to be an extremely complex problem because the translator always has to choose between calquing and descriptive translation. An internal form maintaining can lead to disruption in pragmatics and maintaining of pragmatic meaning can be accompanied by the loss of reference. This choice cannot be associated with any translation norm, it should be based on translator's skills and style [3, p. 190].

*“Examples of Hebrew idiom that have become English via the Bible include: "to set one's teeth on edge", "by the skin of one's teeth", "the land of the living" and "from strength to strength"” [6] (“К примерам древнееврейских фразеологизмов, которые стали английскими с помощью Библии, относятся: «действовать на нервы», «с трудом/едва (сделать что-либо)», «земля живых» и «брать новые высоты»”).*

Thus, translation of the nonequivalent lexis is accompanied by certain difficulties. For adequate translation one should define a type of a lexical unit and, depending on it, should choose an appropriate way of translation.

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## A PERFECT ENTHUSIAST IN ADMIRATION OF NATURE

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*The article deals with the early correspondence of W. Wordsworth. The author dwells upon the letter which was written by Wordsworth while crossing the Alps. The article also surveys some aspects and principles of methodology of a literary research.*

Any phenomenon has the beginning, and this beginning often contains some definite signs of what will happen in the future. Life is certainly the most amazing multi-dimensional phenomenon, which is available for system analysis. The analysis itself becomes more interesting and scientifically useful if the analyzed life is bright and original. Of course, there is no doubt that the life of a poet can be that solid and rich material for a research or analysis.

It is not a secret that the discoveries of physicists in the XX<sup>th</sup> century radically changed the scientific picture of the world. The absolute laws of Nature were destroyed. They became relative. C.G. Jung remarks: «The laws of nature are a statistical truth. They are absolutely true only when we are dealing with the macroscopic quantities. In the realm of very small quantities predictability weakens, and sometimes even becomes impossible» [1, p. 218]. He then continues: «There are no "absolute" laws of nature, to the authority of which we could appeal, trying to protect our own prejudices. The most that we can claim – is the largest possible number of individual observations» [1, p. 221]. In his other work C.G. Jung makes an interesting remark. He writes: «Slightly exaggerating we can say that the reality is composed of continuous exceptions and that the true reality is characterized mainly by its irregularity» [2, p. 6]. We also want to note that for us «a scientific fact is always the answer of the reality to the question of a scientist. A scientific fact is not indifferent to human reality, it is always relevant to a human» [3, p. 9]. We should also mark that «scientific "objectivity" of a literary critic does not imply his detachment from his aesthetic sensibility. The main thing in this process is to capture factors which are not only connected with one's own artistic impression, but to describe all those structures which are given in textual work, which could be seen and experienced by every potential reader» [3, p. 10]. We share all these principles and in a certain sense they are applied in our methodology.

Trying not to fall into the trap of "ordinary scientific consciousness" [4, p. 9], we insist that the study of works of any artist should not be structured by the general model, but by the individual preferences and features of this or that artist. In a research we can and should be interested in the personality of an artist, in his way of living, in his opinion about the literary process, his relationship with society [5, p. 23–24]. The careful analysis of these aspects allows a researcher to understand and, what is even more complicated, to explain the work of some artist.

It should be noted that in certain circumstances the connection between events has a non-causal character and requires another principle of explanation. It is clearly noticeable when we consider the creative process. Can a person fairly accurately predict his or her future life? We believe that the y can. Is there something supernatural? Definitely not. This question usually torments everyman or creeps in the head of a scientist trapped in "ordinary scientific consciousness". The metaphysical battle in his head, as a rule, makes his mind retreat into a fortress of frenzied materialism. In fact, there is nothing unusual about the prediction. Prediction is a concrete manifestation of a person's search activity, selectivity, and the choice of the anticipatory reflection of the reality. It involves a person's subjective feeling of incompleteness, uncertainty and fragility of existence at any given time. Prediction is also associated with the element of fear, with the search aimed at the present and the future, and with the productive imagination. So, in general, prediction is one of the possible manifestations of anticipation.

Based on the ideas presented, we consider it to be useful and necessary to survey the early correspondence of W. Wordsworth, namely the letter addressed to his sister Dorothy [6, p. 11–19], in which Wordsworth makes an interesting prediction about himself. This letter was written during his travels through France and Italy. But above all, we must pay attention to several common features, as well as some insights into the particular things.

So, it should be noted that the 1790s in England are the years of an explosion of mass poetry. Set of anonymous authors wrote songs or poetry flyers that were widely distributed. It was 1790 when W. Wordsworth made his journey. Also it should be noted that this was the time of the French Revolution, the influence of which on Europe and the world as a whole is difficult to overestimate. The revolution indirectly led to a massive passion for poetry. Poetry «had ceased to be an elitist art designed only for trained people, but became a means of spreading new ideas in communities which were far from the university education» [7, p. 8]. L.E. Volodarskaya in her article "Freedom and Order" states: «It would not be an exaggeration to say the whole of Europe in the XIX<sup>th</sup> century became what it became, because in the years 1789–1794 there had been the French Revolution. If for a moment we imagine that it would not be, or the revolution went through some other way, we would talk about a very different Europe and a very different literature of France, Britain, Russia and other European countries» [7, p. 10]. W. Wordsworth, in his letter makes this note about the revolution: «But I must remind you that we crossed at the time when the whole nation was mad with joy in consequence of the revolution. It was a most interesting period to be in France» [6, p. 17].

We should notice that W. Wordsworth was not the first Englishman who travelled in the Alps. In the XVII<sup>th</sup> and XVIII<sup>th</sup> centuries the English made lots of attempts to discover that area. So the travel sketches by Thomas Gray, William Collins, James Thomson, William Coxe, etc. are worth to be mentioned here. E.V. Haltrin Khalturina in her work dedicated to Wordsworth's famous crossing the Alps writes: «Twenty-year-old William Wordsworth, well-conversant with the contemporaries' travel sketches, had a walking tour through the Alps on his own thereby bringing mountain hiking experience closer to the Romantic world view. Like Gray, he went for inspiration to the Alps and looked at them not by means of allegories, but with his own eyes. Like Coxe, he was disappointed in what he had seen» [8, p. 125]. Planning the journey, «Wordsworth went by a number of the well-established guide-books and sketches. One of them was the continually republished in 1776–1789 book by William Coxe "Sketches on the Natural, Civil, and Political State of Switzerland". Here Wordsworth and Jones took the itinerary and shortened it considerably and mostly went according to it backwards: from the south to the north of Switzerland, on average walking about 30 miles a day» [8, p. 127].

Only in 1793 Wordsworth edited a slim volume of poetry under the title "Descriptive Sketches Taken during a Pedestrian Tour among the Alps" [9, p. 7–16]. This work composed in 1761 is closely connected with the poetic tradition of the preceding century and is full of traditional poetical schemes and figures of speech. Just that very publication was noticed by Coleridge, so later he described it in his "Biographic Literaria". On the subject of other works relating to the crossing the Alps, E.V. Haltrin Khalturina writes: «The short poetical sketch "The Simplon Pass" (finished in 1804 and first published in 1845) only slightly reminds about this crossing. The poet gave a detailed, well considered description of the mountain journey in Book VI of the autobiographical poem "The Prelude"» [8, p. 125].

In the mentioned above work it is worth to draw attention to the quite realistic description of nature. Wordsworth writes: «It was with regret that we passed every turn of this charming path, where every new picture was purchased by the loss of another which we should never have been tired of gazing upon. The shores of the lake consist of steeps, covered with large sweeping woods of chestnut, spotted with villages; some clinging from the summits of the advancing rocks, and others hiding themselves within their recesses. Nor was the surface of the lake less interesting than its shores; half of it glowing with the richest green and gold, the reflection of the illuminated wood and path shaded with a soft blue tint» [6, p. 13–14]. Further on, Wordsworth makes an interesting and significant remark: «It was impossible not to contrast that repose, that complacency of spirit, produced by these lovely scenes, with the sensations I had experienced two or three days before, in passing the Alps. At the lake of Como, my mind ran through a thousand dreams of happiness, which might be enjoyed upon its banks, if heightened by conversation and the exercise of the social affections. Among the more awful scenes of the Alps, I had not a thought of man, or a single created being; my whole soul was turned to Him who produced the terrible majesty before me» [6, p. 14].

It is well-known that while reevaluating and describing his hike through the Alps Wordsworth realized the difference between fantasy and imagination. As rightly been said by E.V. Haltrin Khalturina: «Being in the Alps, young Wordsworth made a careful study of the landscape from the outlooks mentioned in the guide-books – but even Mont Blanc did not make proper sublime impression. Wordsworth was highly disappointed. But Wordsworth's crossing the Alps became significant not because of that. Trying to overcome the state of

disappointment, the poet departed from empiricism and created the English version of transcendental idealism, similar to the Kant's one and anticipating religious existentialism. Wordsworth worked out the theory of imagination which determined the development of the Romantic ideas and poetry of England» [8, p. 122]. Young Wordsworth considers that the nature does not lead travellers on the well-trodden path of esthetic contemplation. Travellers must crave for being inspired by natural blessings. E.V. Haltrin Khalturina also claims: "So, William Wordsworth proclaimed with all his poetry that it is absurd to suppose that there are things sublime in and of themselves out of a subject contemplating them" [8, p. 137].

Further in his letter young Wordsworth makes a striking remark. The poet foresees his future role precisely and specifically its peculiarity in the world of poetry. He writes: «We are now, as I observed above, upon the point of quitting these most sublime and beautiful parts; and you cannot imagine the melancholy regret which I feel at the idea. I am a perfect enthusiast in my admiration of Nature in all her various forms; and I have looked upon, and as it were conversed with, the objects which this country has presented to my view so long, and with such increasing pleasure, that the idea of parting from them oppresses me with a sadness similar to what I have always felt in quitting a beloved friend» [6, p. 16]. It is worth drawing attention to Wordsworth's usage of the words "sublime" and "beautiful", because at that time these concepts were aesthetic categories with a strict meaning. If the beautiful was associated with continuous lines, round shapes, flowing motions and plain valleys, the sublime stood for eternity and grandiosity. The word 'enthusiast', derived from the word 'enthusiasm', here is mentioned in the meaning that was used from the late Antiquity till the modern history and can be defined as the aesthetic category, characterizing a subject's reaction to the sublime, the beautiful. This is the way how Wordsworth efficiently enough describes his poetical essence in a simple letter to his sister. At that time he supported the French Revolution, but later the industrial revolution in England caused the disappointment in it and then led to its complete negation [10, p. 43]. Many years had passed before Wordsworth with Coleridge published the collection of poems "Lyrical Ballads" in 1798 which marked the birth of a new movement in literature, then in the Preface to the second edition he dwelled on his views on poetry. The poet renounced lofty rhetoric and sublime themes and images. He depicts the world around us inseparably linked with trifles of everyday life and remains a perfect enthusiast in his admiration of Nature in all her various forms during all his life.

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#### ANTHROPONYMIC RESEARCH OF BORDER STUDIES: POSSIBILITIES AND PERSPECTIVES

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*The scholastic areas of border studies are described. The possibilities and the perspectives of anthroponymic research in the paradigm of border studies are presented. It is proved that a complex study of a border zone including the findings of the nominative sphere, the results of qualitative and quantitative analyses of the border anthroponymic frame is of great importance.*

Border studies occupy a special place in the modern paradigm of scientific knowledge. Despite the discussions on the methodology and different interpretations of the object of the research border studies have turned into the complex scientific field presented by the extensive frame of theoretical and applied publications based on the common principle in studying the a real specificity of the region under the circumstances of the functional border duality.

Serious institutional advantage of studying the border phenomenon has been maintained by the academic centers of the USA (The Association of Borderland Studies), and the West (The Centre for Cross Border Studies in Dublin, the International Boundaries Research Unit at the University of Durham in England, border research centers in the Netherlands, Belfast, etc.). The concept of border has been introduced and proved theoretically for the first time there. In due course the subject of the research has been considerably extended modifying this scientific branch from an applied component of political geography in interdisciplinary science.

Recently the accent in the border studies has been shifted towards the research of psychological, social and mental-lingual complex of a border inhabitant. The peculiarities of philo-, ethno- and sociogenetical development determined by the territorial specificity of the region anticipate the perspectivity of studying social and lingual frame as the category of border is connected with a certain type of a person, their individual and group world viewing accommodating different features. Thus nowadays the border is not considered to be a barrier; it acts as the representative and narrative phenomenon. The border zone is regarded as a contact zone where the process of language and cultural interaction is progressing badly building up some new social, cultural and language units.

The research of onomastic space is considered to be of great practical value in border studies because of cultural and instructive potential of proper names. Empirical findings involved can solve both general linguistic problems of modern science and social-pragmatic ones.

The level of academic research of the border phenomenon by Belarusian scientists is relatively low while the development of border onomastic regional study is a part of the priority branches of linguistics abroad. The considerable contribution to the development of border anthroponymic problematic in Russia has been made by I.A. Koroljova whose scientific interests are connected with a historical aspect of regional anthroponymy in Russian border zone (Smolensk region) [1]. In the Russian Federation, the following regional centers of onomastic studies can be mentioned: Vologda (S.N. Smolnikov, Y.I. Chajkina), Tver (I.M. Ganzhina), Perm (E.N. Polyakova), Orel (T.V. Bahvalova), Penza (V.D. Bondaletov, etc.) where the anthroponymic scientific paradigm is being studied.

Significant contribution to the development of the Ukrainian regional anthroponymics was made by M.A. Demchuk, R.I. Kersta, M.L. Hudash. Fundamental works are devoted to the problems of Ukrainian namegiving system and nominative tendencies in the border parts of the country.

Anthroponymic regional studies in Latvia and Lithuania have just been formed as a scientific area. With the exception of a few works on the history of Latvian and Lithuanian names and surnames (E. Bles, D. Brukshis, D. Zemzare, J. Plakis, V. Staltmane A. Gudavičius, K. Kuzavinis, B. Savukinas) nominative units have hardly been studied. At the turn of the XX – XXI<sup>st</sup> centuries there has been an increasing research interest in the problems of the origin, formation and functioning of personal naming (K. Silinsh [2]), to the problem of language interaction reflected in anthroponymy (P. Balodis [3] R. Silinya-Pinki). The leading research establishments where anthroponymics is being developed now are Latvian Language Institute, The university of Latvia (O. Buss [4]) and Daugavpils University (G.N. Pitkevich).

In Poland the latest research has proved the importance of the origin, the structural organization of the Polish personal names, name choosing practice for the scientists who have been studying the regional names as the components of the linguistic picture of the world (M. Malec, R. Mryzek, A. Cheslikova).

Modern research conducted by the French Onomastic Society (Société Française d'Onomastique) is aimed at solving the problems of naming motivation in sociolinguistic, ethnic linguistic and regional aspects, together with analysis of linguistic, cultural and ethnic contacts reflected in naming system of the Mediterranean region (M. Dalberra-Stefanadhi).

One of the large-scale onomastic studies carried out in Germany is to reveal the specificity of the naming system in the Federal Republic of Germany and in the German Democratic Republic [5]. Based on the data taken from the German Socio-Economic Panel Study the researchers tried to identify the similarities and differences in the nominative priorities of the western and the eastern Germany in the 1950–1980s. The results of the comparative analysis have shown that despite the development of an unidirectional list of names of the western and the eastern Germany nominative priorities of the residents have significant differences due to the leading ideologies and social systems of the two 'parts' of German society [5, p. 223–224].



The Names Society of Southern Africa and the American Name Society are considered to be the leading onomastic centres where the problems of name giving practice in border zones and multicultural units are of great importance [6 – 8]. The problem field of contemporary research is formed by the cultural heritage of linguistic and cultural potential of personal names.

In Belarus despite an active development of problematic field of border studies in geography, economy and political sciences little has been done in border anthroponymics. The research of northern border zone started in the 1990s and resulted in the collective monograph 'Belarusian Lakeland: language and spiritual culture' [9]. The book is devoted to the problems of historical, cultural and language development of Vitebsk region.

The necessity of further study of the border zone in anthroponymic aspect is stipulated by its a real specificity. Such regions are not only considered as interfaced natural and economic areas but also as a certain social, territorial and cultural-psychological unity that should be examined thoroughly with the help of extensive anthroponymic research for definite reasons. The comprehensive analysis of the nominative sphere in the border zone revealing the mechanisms of language interaction at different levels can help to find out common and idioethnic tendencies in the functioning of language units of the Belarusians and other peoples. It will make a contribution to the development of central points in comparative theory and intercultural interaction.

To expose the perspectives of anthroponymic aspect in border studies we developed a questionnaire poll that was administrated in home interviews to a total sample representing 1097 respondents of Vitebsk border region. The design of the project was to interview the representatives of four generations (born in the 1950 s, 1970s and 1990s; the fourth group was represented by the parents who had chosen names for their newborns at the first decade of the XXI<sup>st</sup> century) in order to get the extensive picture of emotional pragmatics and lingvocultural potential of personal names, motivation of name choosing and nominative preferences in the border zone. Being combined with the findings of the qualitative and quantitative analysis of the anthroponymic frame of the border zone the results indicated that a complex research of the nominative sphere and anthroponymy in the border zone contribute to the identification of an ethnic image of a certain inhabitant of border zone, the levels of their national and ethnic awareness and self-identification, value guidelines; the analysis makes it possible to reveal the specificity of the inhabitants' perception and view of the world through the prism of nominative units in which a different sort of information (national, cultural, historical, ethnic, psychological, social, confessional, etc.) is accumulated.

Thus, implementable in various aspect paradigms border research has been integrated into an interdisciplinary scientific field and its problematic area is constantly evolving expanding the thematic subject range. Anthroponymic research as an integral part of a lingvocultural branch in the study of border phenomenon contributes to the revealing the mechanisms and laws of ethno-cultural perception, specificity of interregional cultural and linguistic assimilation, linguistic and cultural phenomena connected with cultural streaming and fields and localised in a certain territory. All this assigns to the phenomenon of anthroponymic border zone the concept of a special complex that characterizes a real interaction and functioning of language units within a social space where the subjects identify themselves as regionally isolated cultural-linguistic community which preserves some elements of the ethnic units participating in this interaction.

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**EARLY MIGRANT WRITERS OF TURKISH ORIGIN  
IN MODERN GERMAN LITERATURE****KATSIARYNA KUZNECHYK, ALEXANDER GUGNIN  
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*From the beginnings of labour migration, workers have written about their problems, longings and expectations in letters and diaries, stories and poems. However, as a definite literary genre, the concept of "migration literature" first appeared in Germany at the beginning of the 1980s, and discourse and discussion concerning "migration literature" have been continuing ever since.*

Nowadays the terms "migration literature" or "guest worker literature" are not frequently used, and the labels "German-Turkish Literature" or simply "German Literature" tend to be considered more appropriate to apply to the second and third generation of migrants' literature, showing that these generations are now considered a part of the German literary tradition. There is not, however, a complete consensus on this topic between literary critics and historians [1, p. 20]. Therefore, for general comprehensibility and simplicity, we will continue using the term "migration literature", whilst conceding that writers of the second and third generations of writers contribute more to "German literature", if only because their literary language is German, than to "migration literature".

As time passed with migration and the migrants' experiences a new subculture arose within the German one, which included expression in different areas of the arts. The migrant workers' culture has become a source of inspiration and a resource for literature, cinema, theatre, painting, music, and analysis in the social sciences. With the so-called Gastarbeiterliteratur (Guest Workers' Literature) the migrants broke their silence and began to speak. The situation of the workers, their problems of alienation, ethnic prejudices, culture shock, homelessness, and their perspectives were the favoured literary topics of the writers of the first generation at the end of 1960s and in the 1970s. They described the process before the workers were allowed to "enter" Germany (especially focusing on themes such as the health report for which they were subjected to thorough medical examinations) [2, p. 173–175]. For the workers, the economic and political reality of labour migration meant the hope of finding new economic prospects and a better life in Germany, and it was not chosen willingly, but was forced upon them by the economic conditions of their home country, was an important topic of the first generation's writing.

In the mid-1980s other terms were introduced: Ackermann, who was in 1985 among the founders of the Adalbert von Chamisso Literature Prize for non-German writers from the German Language Institution of Munich University, defined migration literature as "a German Literature from abroad" or "not only a German Literature". Another term used in this period is 'national minorities' literature" [3]. Among all of these competing definitions, Yüksel Pazarkaya's position is interesting and original: Pazarkaya translated contemporary Turkish Literature (e.g. Orhan Veli, Nazım Hikmet) into German in order to show German readers that Turkish culture is far more than "guest workers' culture" [3]. Pazarkaya has been writing about the migrant workers' experiences since 1961, but rejects all categories of definition. He considers the German language a road, it means to the humanist traditions of Lessing and Heine, Schiller and Brecht, Leibniz and Feuerbach, Hegel and Marx. No matter how strongly Pazarkaya underlines the universality and internationalism of literature, it remains a fact that non-German writers' productions were generally not considered by the German public as a contribution to German literature, but were separated through their national identities.

As previously stated, from the 2000s onwards, the terms "literature in the German language" or "German-Turkish Literature" have become the proper terms to define the literary productions of authors of Turkish origin.

Nevzat Üstün, Bekir Yıldız, Yüksel Pazarkaya and Aras Ören are the most important representatives of the workers' migration literature. Written in Turkish, the literature of the first generation depicted the problems arising from migration and fulfilled a kind of therapeutic function. The main theme of the literature of the first generation can best be expressed by the German word "Betroffenheit" – which can be translated as 'sadness', 'shock', or 'bewilderment'. This "bewilderment-literature" dwells on the pains and suffering of the migrants, as well as on homesickness and dreams of return.

These pioneering authors were followed by the first generation's "labour exiles", writers such as Güney Dal, Habib Bektaş and Fakir Baykurt. The first generation literature consists both of professional writers who

began their career as writers in Turkey (Aras Ören, Yüksel Pazarkaya, Güney Dal and Fakir Baykurt) and writers who came to Germany as workers and began their writing career there (Habib Bektaş, Şinasi Dikmen, Yaşar Miraç, Fethi Savaşçı, Yücel Feyzioğlu) [4, p. 126]. Authors writing both in Turkish and German are Yüksel Pazarkaya, Kemal Kurt and, to some extent, Aysel Özakin. Two other authors belonging to the first generation, but writing only in German, are the satirist Şinasi Dikmen and Saliha Scheinhardt. Dikmen has been living in Germany since 1972, and can be said to be the only satirist of the first generation writers, a position which would be taken over in the second generation by Osman Engin. He manages to make his readers and audience (he is also a review artist) laugh and think. His literary topics are the prejudices between Turks and Germans and the integration problems of the Turks. Saliha Scheinhardt is a woman writer who has lived in Germany since 1967 and has portrayed the sufferings of Turkish women, but has often been criticized for stereotyping them [3].

Writers of the second generation have been educated and socialized in Germany, are bilingual, and write in German. Osman Engin, Zehra Çırak, Zafer Şenocak, Feridun Zaimoğlu, Akif Pirinçi, Renan Demirkan, Nevfel Cumart and Selim Özdoğan belong to the latter group. Generally the second generation is described as a lost generation, in between two cultures, in a crisis of culture, like a tree with leaves and branches but without roots, or as a generation with identity problems [5, p. 203]. However, although the writing of the second generation initially dealt with the search for identity, and with in-between, or homelessness, there are also writers who do not touch upon the question of migration at all: e.g. Akif Pirinçi and Selim Özdoğan, who both write crime fiction.

Within the second generation women writers can be analyzed as a separate group. Writing in German, Saliha Scheinhardt, Emine Sevgi Özdamar, Alev Tekinay and Renan Demirkan describe the patriarchal society from a critical point of view and concentrate on prose genre using autobiographic elements. As a structural element, language is important in Emine Sevgi Özdamar's and Alev Tekinay's literature. Thinking in Turkish but writing in German, their literary works especially in Özdamar's case deliver a special exotic taste or flair for the German readers. For example "anadili" in German "Muttersprache", Özdamar translates as "Mutterzunge" ("mother tongue"), or in Tekinay's case "içimyanıyor" as "ein Feuerbrennt in mir" ("a fire burns in me") which means "I suffer a lot" [3]. For a reader who does not have any knowledge of the Turkish language these images are of course interesting and reminiscent of the "Thousand and One Nights" fairytales.

Finally, we can say that the writers and poets who were forced to leave Turkey after the military intervention September, 12, 1980 constitute a distinct group. They include Yusuf Ziya Bahadın, Aysel Özakin, A. Kadir, Servet Ziya Çoraklı, and their writings deal with the themes of exile and migration [4, p. 169].

To sum up, the reception of German-Turkish writers show that the second generation's literature can be regarded as part of German literature. The literary works by authors of Turkish origin written in German are literary texts that deal with their living conditions in the Muslim world, on the one hand, and in their new homelands in Europe, on the other one. The authors try to entertain their readers by describing aspects of both cultures. Turkish authors in Germany see their duty in acting as mediators and in contributing to a better understanding between different ethnic groups within the increasingly multi-cultural German society. The bestselling German-Turkish author Akif Pirinçi writes that through this kind of literature one can highlight the wishes, needs and fears of minorities in German society towards the majority. He thinks that literary works such as novels and short stories are a good medium to reach different groups of people. In addition, mixing Turkish and European narrative techniques and fusing realistic and magical details together gives the literary works a special position of being exotic. This method attracts readers and up rates works by these authors.

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**CULTURAL DIFFERENCES AND PUBLIC SPEAKING TRADITIONS  
IN DIFFERENT COUNTRIES****DARYA NIKALAYEVA, EKATERINA CHEBOTAREVA**  
**Polotsk State University, Belarus***The article focuses on public speaking from a perspective of cultural diversity.*

Cultures emerge, maintain themselves and change through communication. Cultures are integrated systems of learned beliefs, values, attitudes and behaviours that a group accepts and passes along from older to newer members. Cultures have visible outer layers (art, food, language, clothing) and underlying characteristics of society (ideology, folk beliefs, perceptions and biases). Cultures have different norm for speaking and listening. Our cultures affect our public speaking in a number of ways. They provide us with core resources (values, attitudes and behaviours) that shape our own speeches and our responses to others' messages. In addition, our technologically advanced society provides a variety of resources we can use to research topics and present our speeches. Finally, our cultural heritages provide expectations regarding the *how*, the *who* and the *what* of public speaking [1]. Because you perform each speech within a specific situation to an audience that holds expectations regarding its length, appropriate delivery, and so on, you succeed best when you understand and adapt to cultural norms.

**Cultural awareness as the foundation of communication**

Cultural awareness is the foundation of communication and it involves the ability of standing back from ourselves and becoming aware of our cultural values, beliefs and perceptions. Why do we do things in that way? How do we see the world? Why do we react in that particular way? Becoming aware of our cultural dynamics is a difficult task because culture is not conscious to us. Since we are born we have learned to see and do things at an unconscious level. Our experiences, our values and our cultural background lead us to see and do things in a certain way. Sometimes we have to step outside of our cultural boundaries in order to realize the impact that our culture has on our behaviour.

Cultural awareness becomes central when we have to interact with people from other cultures. People see, interpret and evaluate things in different ways. What is considered an appropriate behaviour in one culture is frequently inappropriate in another one. Misunderstandings arise when *I* use *My* meanings to make sense of *Your* reality. Misinterpretations occur when we project our own behavioural rules on others, instead of finding out what a behaviour means to the person involved, e.g. a straight look into your face is regarded as disrespectful in Japan. Italians perceive US Americans as people who always work, talk about business over lunch and drink their coffee running in the street instead of enjoying it in a bar. Does it mean that Italians are lazy and American are hyperactive? No, it means that the meaning that people give to certain activities, like having lunch or dinner could be different according to certain cultures. In Italy, where relationships are highly valued, lunch, dinner or the simple pauses for coffee have a social connotation: people get together to talk and relax, and to get to know each other better. In the USA, where time is money, lunches can be part of closing a deal where people discuss the outcomes and sign a contract over coffee [2].

Cultural differences will affect the norms of the speaker-audience relationship. Much of your success in adapting to the audience hinges on establishing common ground and drawing on common experience. When you are speaking to audiences who are vastly different from you, it will take work to find out about the culture and experiences of your audience so you can adapt to them. This may mean conducting additional research to find statistics, examples and other supporting material that will be meaningful to the audience. Or it may require you to elaborate on ideas that would be self-explanatory in your own culture. For example, suppose that Maria, a Mexican-American exchange student, was giving a personal experience speech for her speech class at Yeshiva University in Israel on the *quinceanera* party she had when she turned fifteen. Because students in Israel probably do not have any experience with the Mexican coming-of-age tradition of the *quinceanera* parties, they would have trouble understanding the significance of this event unless Maria was able to use her knowledge of the *bar and bat mitzvah* coming-of-age ritual celebrations in Jewish culture and relate it to them [3].

Thus, when presenting to an international audience a speaker should always consider many additional factors that come into play if a presenter works across a cultural gap. Your ability to determine the demographics and psychographics of your audience (including regional make-up, age, race, gender, education, political leanings, leisure time activities, etc.) will aid you enormously as you begin to develop content and determine the

appropriateness of examples and anecdotes within your presentation. Additionally, knowing your audience will ensure that you avoid any content that could miss the mark.

#### **Cultural differences between american, european and asian listeners**

The increased globalization of business has required that executives be effective presenters in a number of different cultures. Many managers perform quite well in their own countries, but neglect to account for the cultural differences of the audience when planning presentations. Successful presenters are able to adapt to the specific cultural and business needs of their particular audiences. What works in the United States does not necessarily translate directly to the rest of the world.

Let's comment upon the differences between American, European and Asian listeners.

American audiences thrive on a fast pace and are often bottom-line oriented. "Time is money." That is why never beat around the bush and get straight to the point. Typically, they wish to be both informed and entertained. Speakers may often be interrupted with questions and there is lots of audience-speaker interaction. Practice direct interaction with the listeners and remember – people like being treated as individuals. Never talk down (or up) to your audience. Treat them as equals, no matter who they are. Be enthusiastic and use your personality, your charisma to involve them.

Europeans like to detail with lots of supporting documentation. They prefer to listen to an entire presentation before posing questions. You should deliver your presentation in a polite, positive and considerate manner. Another piece of advice is to avoid pushy American style of presenting which frequently seems too emotional or even excitable at times. One of the mistakes made by inexperienced presenters is that in order to sound naturally they completely forget about the logical structure of their speech and make an impression of badly prepared, longwinded or simply unqualified in their field.

Asians, in contrast, are unimpressed with gestures and may find them distracting. Some speakers like to address members of their audience directly (they can even point with their finger at some of the listeners)! This is disrespect. Asians are happiest hearing presentations delivered in a visually neutral way. Prepare your presentation thoroughly. Improvisation is of no good when it concerns public speaking and can be met with disapproval since if you are forced to improvise it means that haven't spent enough time to prepare your presentation [4].

While delivering your presentation, it is important that you get verbal or non-verbal signals of understanding and agreement from your audience. These signals are different in different countries and cultures.

As speakers we need to know if the listener trusts us – whether the audience is prepared yet for the important thing we want to say. This is partly why we depend so much on reciprocal grunts (Yes...go on...quite!...I see...Mmhmm) and sub-verbal agreement signals (smiles, nods, raised eyebrows).

Some cultures – the Finns, for example – give very few such signals. Finnish culture has a high tolerance for silence and can be referred to non-expressive cultures that value privacy and encourage members to keep their emotions and ideas to themselves rather than express them publicly. So if you are a representative of expressive cultures (American or Italian) which encourage people to speak their mind and let their feelings show, you will find it rather unnerving to try to convince a Finn of something new: you won't feel the feedback.

Conversely, a Japanese who nods repeatedly and says Yes...yes...yes is probably not signalling acceptance of your argument, but just telling you that he has heard and understood your words. It is equally disturbing if you are not prepared for it [3].

To ensure you connect with your audience, experienced presenters recommend asking the following questions when developing your presentation.

A. How should I interact? How much you physically interact with your audience depends on that culture's definition of suitable audience distance. Americans are used to seeing speakers go into audiences and ask impromptu questions. British audiences would be appalled by such informality. This same sensitivity applies to how close you stand to someone. People in Latin countries have no problem touching and standing close, while Europeans may not appreciate such intimacy.

B. What does my audience expect? Doing your homework includes knowing how much information your audience needs to hear. Typically, you are on track if you share only two percent of your knowledge with the audience. While many cultures respond well to lots of detail, resist the temptation to bog the listener down with extraneous data that could cloud your central message.

C. How shall I respond to their questions? Make sure you fully understand the question. Even if a translator is present, always rephrase questions. This will ensure you understand the questions and also buy time so you can formulate in-depth and precise answers.

D. Who are the decision makers? In many cultures, especially Asian, the people who make the final decisions are typically not present at formal presentations. In this and similar cases, you must connect equally

with all members of the audience and not expect quick decisions. If senior people are present, direct most of your remarks to them, but remember to make eye contact with others in the room. Know also that “yes” among the British means “maybe” and that among Asians, if said immediately, probably means “no”.

E. How should I deliver the presentation? The pace should be at a rate that is consistent with the culture. South Americans, for example, are usually energetic and passionate and like a fast clip. Europeans prefer more time to assimilate information. When in doubt, use silence to your advantage by taking a break, checking for audience comprehension and then continuing.

F. Should I use humor? Although the Irish expect a light-hearted humor from their presenters, humor rarely translates well from culture to culture. Projecting a cordial image is appropriate everywhere, but avoid wordplays, puns or humorous stories with a punch line.

G. What kind of visuals should I use? In selecting visuals, be aware that in certain cultures different colours have different meanings. For example, in Japan white symbolizes death. Similarly, in some Latin countries, yellow has negative connotations. When in doubt, use emotionally neutral colors.

H. How long will they listen? Make sure that you have sufficiently answered their question and then tactfully move the discussion forward. You will have to be flexible to accommodate some cultures which allow more floor time per questioner than others [4].

Thus, speakers need to be sensitive to cultural differences, search for and use culturally appropriate material if they plan to increase the likelihood that the audience will understand them.

#### **Socio-cultural pitfalls. how they see us: american listeners about russian presenters**

According to G.Elizarova, Russian-speaking presenters tend to neglect socio-cultural features that characterize the Anglo-American speech behaviour. Russian-speaking presenters do not often see the difference between the concept of “report” typical for our culture and the concept of “presentation” which characterize English public speaking traditions. The results of this misunderstanding are stereotypes which American listeners have about Russian presenters [5]. We placed some examples of comments given by American professors on Russian students under the following headings:

##### A. Use of the English Language:

- Literal translation of idioms into English.
- Misuse “Yes” as a prompt – to continue a conversation.
- Their statements tend to be declarative.
- They use materials and ideas from sources without acknowledging the source.
- Russians are very much into theory; they use a lot of historical and philosophical digressions while talking, never coming straight to the point.

##### B. Contact with the Audience:

- Russian student often say “You must do this...”. – Do you know that imperative constructions and modal verbs expressing obligation may cause offence if they are addressed to British or American audience?
- Interaction between a presenter/performer/lecture and the audience/class is appreciated and expected in America. From talking with Russian students have discovered that this is not so much the case in Russia.
- Sometimes they seem uninterested in whether the listener understands or is interested in what they are saying; they rarely ask for feedback.
- Speech is less encouraging than native speakers.

##### C. Non-verbal Behaviour:

- They are not sensitive to non-verbal signals.
- They don't maintain proper eye contact (they appear to be shifty-eyed).

##### D. Politeness and Concern for the Listener/ the Speaker:

- In their concept of politeness and concern for the listener their speech lacks formulas of encouragement.
- They often appear rude and unconcerned.
- Frequently interrupt when others are speaking.
- They often talk with each other during presentations.

When you are communicating, you should always consider the audience – and particularly if you are giving a presentation. A “professional” presentation is one where you put the audience first. You think about how the audience would most like to receive the information you are giving. The key to an effective presentation is that you have a few main points that you want the audience to remember and that you highlight these points

during the presentation in an interesting, and if possible, enthusiastic way. Knowing as much as you can about your audience's cultural background before preparing your speech will ensure that you are more effective in delivering it. Speakers should be aware of cultural differences and public speaking traditions, demonstrate cultural awareness, search for and use culturally appropriate material.

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## THE HISTORY OF PUBLICATION, COLLECTING AND STUDY OF SWEDISH BALLADS

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*The publication and study of Swedish ballads (in comparison with English-Scottish and even Danish) began much later. In the beginning it was not a deliberate work but the so-called accidental ballad transmission. That is why the first written lines of Swedish ballads are found on a map of 1425 and on a fresco series on the ceiling of Floda church of the 15<sup>th</sup> century.*

One of the main questions in the Scandinavian ballad field concerns the question of origins: how old are the most ancient Scandinavian ballads, and where did they come from? Although an oral ballad tradition survived well into the twentieth century in isolated pockets of Norway, Sweden and the Faeroe Islands, the early days of this tradition are only dimly understood. It is commonly agreed that the Scandinavian ballad was already well-defined long before the first ballad manuscripts were assembled in Denmark in the mid to late sixteenth century. How much earlier is uncertain; apart from a few suggestive references in Swedish chronicles and other historical sources to public performances of narrative “songs” that seem to resemble ballads, [1, p. 89], as well as there are stereotyped formulas and well-known lines in a ballad style in “The Songs of Euphemia”, a Swedish poetic translation of the beginning of the 16<sup>th</sup> century [2, p. 212]. Other attempts to date the origins of the first Scandinavian ballads through comparative evidence gleaned from the fields of anthropology, history, folklore or other literary sources have produced mixed results, with conclusions that range from as early as the eleventh to as late as the middle of the sixteenth century. This dispute may never be resolved, for the shortcomings of the manuscript sources for the period before approximately 1550 are as legendary as they are insurmountable.

Occasionally, however, evidence about the early days of the Nordic ballads comes to light where it is least expected. A map of Greenland made by the Danish cartographer Klaus Klaussen Svart (better known in the Latinized form as Claudius Clavus) in 1425 is perhaps the best known case of what we might call accidental ballad transmission in the Scandinavian field [1, p. 89]. This map was found in Warsaw in 1889 and in 1900 an explanation for it was discovered in a medieval manuscript in Vienna by a researcher Björnbo. A detailed study of the map and the found materials has revealed a number of interesting details.

In this map for the places the names of which Clavus did not know, he invented his own. To name the bays along the shores of the North Sea, he used Latin ordinal numbers; to designate the Swedish rivers – Danish ones. In Iceland for the rivers and capes he assumed the names of Scandinavian runes; in Norway and on the island of Gotland – senseless words as in the nursery rhyme (ekarene, apokane, uitu, vultu, seg, sarklekog and others).

But the way he referred to geographical names of Greenland's coastline is particularly interesting. If you read all the names of the rivers and capes from north to south along the eastern coast of Greenland and then vice versa along the western coast you will have the lines of a Scandinavian ballad: “There lives another man on the Greenland river, he can be called Spildeber, he has more lousy fells than fat. He is now rushing to the sand from



the north." There are different opinions about the origin of these lines. Similar lines can be found in the Danish ballad about the king–musician: "There lived a giant in Helsingborg, he could be called the king–musician, he, probably, had more silver in the treasury than others had fat" [3, p. 132–133]. There are similar lines also in a Swedish ballad "Angelfyr og Helmer Kamp" of the 15<sup>th</sup> century [4, p. 48]. Some researchers affirm that these lines originated, ultimately, from the episode of "Hervarar saga ok Heiðreks konungs", a legendary Icelandic saga of the 13<sup>th</sup> century, but only after a long and complicated series of oral transmission, editorship, reduction (and perhaps parody) these ballad lines were written on Clavus' map. Some have argued that Clavus composed the verses himself, while others read them as a copy (or parody) of an older ballad, but regardless of provenance this map represents the oldest verifiable textual record of a Nordic medieval ballad that we have today [1, p. 90].

Another similar case – one that has not received the attention it deserves – concerns a series of murals painted on the ceiling of a Swedish church in the fifteenth century. High overhead in the eight triangular fields in the crown of vault IV of Floda church, which lies some 80 km west of Stockholm in Södermanland province, is a magnificent setting of eight warriors battling each other in single combat. Interestingly, only one of these four pairs of combatants (David and Goliath) is drawn from Biblical sources; the remaining six figures are not prophets, patriarchs, Biblical characters or figures of sacred iconography but rather characters drawn from the vernacular literature of medieval Scandinavia. Vault IV shows David killing Goliath, Sven Fötling beheading a troll, Dietrich von Bern attacking Videke Velandsson, and Holger Dansk decapitating Burmand with one stroke of his sword. Each of these figures is identified in a small text scroll. Their names are given as "dauit rex" and "golliat", "swen fötling" and "trullet", "diderik van beran" and "wideke welandesson", but for the fourth pair, some extra information of note to ballad scholars is given: the villain is named: "burmand", while the hero is identified not by name but by the words "hollager dansk han van seger af burmand" ("Holger Dansk, he won the victory over Burmand") – a passage which is identical to the refrain of a popular Danish and Swedish ballad about this famous battle. The oldest extant copy of this ballad is found in a Danish manuscript from around 1580, but the text and image on the ceiling of Floda church, which was decorated with murals around 1480–1485, indicate that a ballad on this topic was in circulation in eastern Sweden in the last quarter of the fifteenth century, some hundred years before the oldest surviving copy of the ballad appears in manuscript form.

The murals in Floda church are attributed to Albertus Pictor, the most distinguished and gifted church muralist in late-medieval Sweden, whose work graces some three dozen churches in southeastern Sweden [1, p. 91].

The most ancient Swedish manuscript collections of ballads are dated from the late 16<sup>th</sup> – the early 17<sup>th</sup> centuries. Their publication began somewhat later than in Denmark. The oldest handwritten Swedish collection by Harald Olofsson appeared in the 1570s [5, p. 7]. The first person who planned to print Swedish medieval ballads, was a historian and a poet Johannes Messenius (1580–1636). Probably inspired by the edition by a Danish royal historian Anders Sørensen Vedels in 1591 ("It Hundrede vduaalde Danske Viser" – "A Hundred Selected Danish songs") and his intention to publish also "Ecteskabs eller Elskous Viser", Messenius decided to publish "Ett hundrathe vthwalde gamble Kempewijsor" ("A Hundred Selected Heroic Songs") and "Ett hundrathe lustighe Elskogh wjsor" ("A Hundred Funny Love Songs"). Soon, however, he was arrested, which disrupted his plans. The ballads, collected by Johannes Bureus, Martin Aschaneus and Johan Hadorph, were not published during their lifetime either. It should be also noted that since the end of the 16<sup>th</sup> century cheap popular editions became really widespread.

Among the publications of the 17<sup>th</sup> century it is necessary to mention the collections by Per Brahe, Bröms Gyllenmärs and Barbro Banér. The collections of the 16<sup>th</sup> and 17<sup>th</sup> centuries, still inferior to the Danish ones in the terms of their volume, were published in a three-volume edition by Adolf Noreen and other researchers in 1884–1925. This series included several "vissamlingar" (song collections) created not as common collections of poetry, but as special ballad books with an awareness of their historical importance and with the assistance and support of the Royal Commission of Antiquities. It is such collections as, for example, "Rijkzens antikvarij och häfdesökiare" and "Gamble kämppe och runewijsor, deres toner icke förgäta att vthspana" by Johan Bures [5, p. 8].

Some minor comments on ballads were sometimes included in the publications even in the 18<sup>th</sup> century. But the systematic collecting and study of ballads began in Scandinavia as well as in Britain only in the era of romanticism. It was then that on the tide of the revival of interest in all the ancient and national ballads began to be treated as a true and original form of poetry. Some really significant ballad collections appeared due to the activities of individual writers and enthusiastic historians. They are also important because they often contain melodies, some of which were recorded at the beginning of the 17<sup>th</sup> century. Pure text can undoubtedly give a good idea of the shape and content of the ballad, but without music it is isolated from its natural environment of existence. The first people in this regard were Leonard Fredrik Rääf and Erik Drake, in whose collection much attention was paid to the tune of the ballads [5, p. 8–9].



In Sweden in the first half of the 19<sup>th</sup> century two three-volume collections of ballads were published. The first three-volume edition was published under the editorship of Arvid August Afzelius and Erik Gustaf Geijer ("Svenska folk-visor från forntiden" in 1814–1818). It was the first scientific edition of Swedish ballads. The main Geijer's merit was the introduction for the book and ballad comments. In addition to this work a Dane Peter Grönland published a book under the title "Alte Schwedische Volks-Melodien", containing ballad tunes to the above mentioned edition in the author's version. At the same time P.D.A. Atterboms published a small collection of ballads "Nordmannaharpan" in "Poetic calendar" in 1816. However, the texts of the ballads were significantly reworked by the author, and the tunes were not considered at all. Another three-volume edition ("Svenska Fornsonger" 1834–1842) was prepared by a Finnish journalist Adolf Ivar Arwidsson, who worked as a librarian in the Royal Library in Stockholm. He used Leonard Fredrik Rääf's materials, as well as sources kept in the Royal Library, including cheap popular editions. Already mentioned Erik Drake (at that time Professor of the Royal Academy of Music) became a tunes editor [5, p. 9]. At the end of the 19<sup>th</sup> century came several popular editions of Swedish ballads were published (by Sverker Eks, Bengt R. Jonsson, G.O. Hyltén-Gavallius) [2, p. 214]. Among the publications of the 20<sup>th</sup> century the following works should be noted: "1500- och 1600-talens visböcker" by Henrik Schück (1884–1925), "Finlands svenska folkdiktning" by Otto Andersson and Alfild Forslin (1934), "Gotländska visor" by P.A. Säve (1949–1955) and others.

The largest collection of Swedish ballads (comparable only with a collection of English-Scottish ballads by Francis Child) is a fundamental nine-volume edition "Sveriges Medeltida Ballader" ("Swedish medieval ballads") that includes all 263 currently known ballad types. Series editors are Bengt R. Jonsson, Margareta Jersild and Sven-Bertil Jansson. "Swedish" in the title refers to the meaning "in the Swedish language" since the publication includes ballads, recorded not only in Sweden but also in the Swedish-Finnish areas that were part of Sweden until 1809. The first five volumes include ballad texts and its melodies and are dedicated to definite genres:

- 1) natural–mythological ballads (1983);
- 2) legendary ballads (1986);
- 3-4) chivalric ballads (1990-1997);
- 5) heroic and humorous ballads (2001).

The remaining four volumes are not yet published. It is expected that the sixth and the seventh volumes will include different sorts of comments to the first five volumes. The eighth volume will be devoted to the musical and cultural characteristics of the ballad tunes of volumes 1–5. Finally, the ninth volume will contain various indices and references, as well as probable additions to the already published volumes.

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#### HISTORY AND FICTION IN E.L. DOCTOROW'S "THE MARCH"

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*The article dwells on the E.L. Doctorow's historical fiction "The March" and the way the author combines some real facts of the American history and fictional connection of the highlighted figures and events.*

E. L. Doctorow is usually recognized as the historical novelist, but still this is a disputable issue as the author has his own extraordinary view on history. For him a historical fact and fiction based on it are equal. He neither tries to reconstruct history nor gives any personal commentary to the depicted events. So he stands far from the narration that is usually of a mosaic type [1, p. 68].

Doctorow's work on famous American events in his historical fiction "The March" shows us the relationship between the real facts and fictional canvas. In particular, the story dwells on the Sherman's March to the Sea during the Civil War and its effect on the characters that present both the Northern and Southern sides of the conflict. The main protagonists show a variety of points of view as they are of different social groups. So, the story in "The March" is narrated by those characters and, in particular, by Sherman himself. Thus, fictional insights into the lives and struggles of his characters help Doctorow to create a new look on the American history and its most outstanding figures – that work makes its effect on the way the modern American context is alive [2].

Doctorow creates a narrative on the American past and chooses perhaps the worst facts in the national history. In that way he comes out to be a kind of a historian bringing to live the events that took place centuries ago but many of them are still being important to the present and future of the States. Memorializing the Civil War, Doctorow recreates lessons of the past, the mistakes that should not be forgotten [3].

Scott Hales in his work "Marching through memory" says: "Doctorow weaves historical figures and events into the fictional narrative of the novel. He hardly feels bound by history, however; as critic Matthew A. Henry points out, Doctorow's "novels are filled with historical circumstances and personages fleshed out to meet the standards of his fiction and facilitate his interrogation, and subsequent rewriting, of the past<sup>2</sup>". In a sense, he subordinates historical figures and events to fictional narrative, and manipulates them according to the demands of art" [3].

Raychel Y. Redfern in the thesis "Layering the March: E. L. Doctorow's Historical Fiction" says: "Characters sometimes view situations with a knowledge outside of their own time and place because his fiction operates within and without in main historical setting" [2, p. 7].

In fact, Doctorow combines history and imagination metafictionally, using historical background in a way that acknowledges the fictional manipulation on the real facts. As usual, in the historical fiction the deal goes around the set generic description, fictionally developing relationship between fixed historical figures. But here the reader can see a rich and impressive commentary on history, that Doctorow has made being self-aware in his textual manipulation, thus creating a playful manipulation as fiction [2, p. 7].

Doctorow's fiction dwells on the damage made to the South during the Civil War and nevertheless positive future for some characters. For example, the relationship between Pearl and Stephen Walsh as a biracial union.

Doctorow presents a whole system of characters; each of them is a symbol of their place in life. One of the main protagonists is Pearl Williams Jameson, a mixed race slave girl, a daughter of a black slave and a white plantation owner that has a complexion light enough to get into the world of the white. Knowing that feature, she realizes that she is alien in the slave community because of the fair complexion and alien to the white, as she is not literate and well-mannered, but brave-hearted. This very feature confuses her, forcing to make life choices, but also allows her to survive, change the lifeline, seemed to be predestined.

The figure of Emily Thompson is of particular importance in the novel. Being an educated and well-mannered daughter of a judge, in wartime she makes her choice without hesitation and nobly comes to be a helping hand, a nurse, to Colonel Wrede Sartorius, learning a lot and making her own contribution to life-saving of the wounded. Emily's complex image, however, develops in a highly symbolical way: the heroine does not accept new way of life, she is unable to withstand the moral difficulties. Having mild, malleable nature it was hard for her to be close to the infatuated Sartorius. So she runs away from him and completely disappears from the narrative, only once to be met by the other characters when coming to a calm life outside the March.

The contrast between the two female images of Pearl and Emily is particularly noticeable. Pretty, timid and soft-hearted Emily finally feels strange on the march and decides to leave it for a calm life. Pearl, on the contrary, thanks to her strong character and a kind of arrogance that allows her to stand up for herself and use what she has, makes her own path to freedom and a happy future.

Here we meet two soldiers of the South, Arly Wilcox and Will Kirkland, who in struggle for life switch the sides between the opposing North and the South.

Stephen Walsh, firstly a soldier of the North, later – attached to Sartorius' hospital, plays his certain role when falls in love with Pearl. Finally, some of the main characters meet such famous characters as Abraham Lincoln and General Sherman.

"Doctorow brings together his historical figures and fictional characters in ways that display a playful manipulation of history as a fiction. This idea of "reworking" previously established historical events could also

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<sup>2</sup> Matthew, A. Henry. Problematized Narratives: History as Fiction in E. L. Doctorow's *Billy Bathgate* / A. Henry Matthew. – Critique 39. – 1997. – № 1. – P. 32-33.

be termed "adaptation", especially since Doctorow's text operates in a space, the Civil War, which has been "reworked" and adapted for modern audiences time and time again", states Redfern [2, p. 7-8]. In fact, Doctorow literally adds his own to get an accessible narrative familiar to a twenty-first century audience.

As far as a new view on historical events and American experience goes, Doctorow's fiction "mediates the past", not reconstructing the fixed facts, but giving them a new life, making them impressive through the Doctorow's "reworking" or "adaption". So, Doctorow mediates the past for his audience, as Redfern states: "through his presentation of various aspects of history as through a film lens" [2, p. 9]. Thus Doctorow gives the audience a new perspective on the history, being not a "historian", but an artist, manipulating history in his own way, meeting his own purpose. That thought can be easily presented by an episode from the novel. Calvin Harper, Culp's free black assistant, tries to fix the Civil War for the descendants and acknowledges that history will be recollected and imagined thanks to his work, to his photographs. So he uses the lens of photography to view the Civil War. That is he who decides on the contents of the future shot, on its composition, characters and even angle.

So, according to the Hutcheon's historiographic metafiction, Doctorow acknowledges the way history is manipulated, and it is manipulated only from the point of view of those who meet the thing and try to preserve it, or to archive it, as Calvin Harper wanted. In other words, that is a subjective aspect of history and its presentation. Paying attention to the episode, when Josiah Culp is making preparations to take a picture of Arly and Will, one can see an unusual request: the photographer asks Arly to put his hand around Will's body as if Will is still alive. This episode demonstrates Doctorow's acknowledgment of manipulation on history, that Culp and Harper did, and that Doctorow himself does in his novels. The eye of a photographer is like the voice of an author - the images they create once will be the medium to the past. And if the image can have such a force to manipulate the history, the text itself is the author's creation of a historic archive.

Owing to the fact of manipulation on history, a text becomes a particular layer on the previous cultural context. In Redfern words, "The March" becomes a new cultural consideration for the Civil War, one whose historical re-creation and reconsideration functions through its acknowledgement of the Civil War "space" as layers of stories, all making up a "map" of one large space. "The March" represents one more story in the layering of the Civil War" [2, p. 13]. Redfern also dwells on Doctorow's intertextuality, recognizing outstanding film "Gone with the wind", the aspects and images from which were reworked by Doctorow for "The March". Thus, the image of Scarlett was reworked for Pearl and burning Atlanta reworked to the burning Columbia, where "a cinematic image that has become one of the most iconic in American culture" [2, p. 20].

The Civil War left behind an impressive amount of the evidence about itself, and Sherman himself wrote his "Memoirs", presenting his own version of the events. In any case every piece of information will be understood through the lens of previous texts and will be treated as if it were a true fact. "Doctorow merely exploits Sherman's place in American memory in order to ground the narrative in a recognizable past and lend added significance to his fictional characters' actions. In many ways, such casual negotiation of fact and fiction places "The March" and other works of historical fiction in a unique position to comment on the history and memory of the war" [3, p. 149].

Using the existing texts, Doctorow expresses his own view on the destructive power of war and the importance of such a painful experience in the American history. The war that turns every living thing it touches in a creature, mutilated by the time and difficulties, the war that turns the blooming world into a burning devastated hell on earth with immense quantity of the people killed, with countless broken destinies. The memory of the war must be living for descendants as an eternal lesson for the future. Creating a kind of a reflection of the war, Doctorow expresses American life in its worst times and does it as an artist, showing the war as a sore reminder of past mistakes that should not be forgotten.

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**SIGNPOSTING THE ORGANISATION OF A PRESENTATION**

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*The article focuses on “signposting” phrases used to help guide the audience through a presentation.*

By giving a presentation at a conference, you inform others of the results you have achieved. This may enable you to increase your chances of getting feedback on your work, establishing new contacts, collaborating with other research groups, and maybe of even getting more funds so that you can carry out better research. A presentation is also an opportunity to talk about factors that you probably wouldn't mention in your paper, e.g., ideas and conjectures, negative results, unfinished work—all of these might stimulate useful questions and feedback from the audience [1].

As the main function of an academic presentation is to provide information, it is vitally important that the information is presented clearly. Planning a well-structured presentation is not enough. When you actually give your presentation, you must make its structure clear to the audience. You may have a plan and know the structure of your talk, but the listeners do not know it unless you tell them. They need to be guided through the spoken information. To do this you need to use signposts and language signals. They give an advanced view of the organisation of the whole presentation or its next section. They tell the listener where you are in the presentation, where you are taking them next and where they have just been. They may signal either: the topic of the whole talk, the beginning or end of a section of the talk, a new point in a list, a contrasting point, an example, or a point of special importance [2].

The function of signposting and language signals is important. If the main points of your talk are well-organised and clearly signalled, you are well on the way to making an effective and clear presentation.

**1. STRUCTURING A PRESENTATION**

The way we receive and absorb information in an oral presentation is very different from how we get it by reading a paper. When we read, we control how fast and in what order we want to absorb information. We can scan the whole paper quickly if we wish, and we can skip certain parts. If a written paper is well organized, we are guided by the section headings and paragraphs and we can see how the points fit together.

While watching a presentation, we have no control over what or how or in what order the presenter will give us this information. So in your preparation, everything you do should be oriented to making what you say easily and immediately understandable to the audience [1]. This is achieved through a clear structure and easy-to-follow explanations.

The “classic” presentation structure includes the following sections [3]:

A. Introduction – 1. welcoming and thanking the audience, 2. introducing yourself, 3. creating a positive emotional atmosphere;

B. Outline – 1. the title/subject of your presentation, 2. the purpose of your presentation, 3. a plan, 4. when the audience may ask questions(during/after your presentation), 5. the length of time you will take, 6. special “hooks” (a problem to think about, amazing facts, stories);

C. Main body – the main parts of your presentation announced in the outline;

D. Summary – summarizing the key points briefly;

E. Conclusion – 1. your recommendations, your outlook, etc., 2. thanking the audience, 3. welcoming the audience to ask questions.

It is important to introduce each new section and thus highlight the logical structure of your presentation. Although the logic of your presentation is clear to you, it won't necessarily be clear to your audience. Using the right transition phrase (or signposting) will help to guide your listeners.

**2. INTRODUCTIONS AND OUTLINE**

How you introduce yourself and how the audience react to your introduction determine at least 30% of the success of your presentation. The following phrases come from standard expressions used in introductions to presentations. Each set of phrases is given a heading [4].

**Welcoming and thanking the audience**

Good morning / afternoon ladies and gentlemen / colleagues. My name's ...

Ladies and gentlemen. It's an honour to have the opportunity to address such a distinguished audience.

It's my privilege today to be talking to you about...

Good morning. Let me start by saying just a few words about my own background. I started out in...

I'd like to welcome you all here this morning.

**Introducing institute/department**

I am a PhD student/researcher/technician at...

I am doing a PhD/a Masters/some research at...

I am part of a team of 20 researchers and most of our funding comes from...

The work that I am going to present to you today was carried out with the collaboration of the University of...

**Telling the audience what point your research has reached and in what context it is**

What I am going to present is actually still only in its early stages, but I really think that our findings so far are worth telling you.

We are already at a quite advanced stage of the research, but I was hoping to get some feedback from you on certain aspects relating to...

Our research, which we have just finished, is actually part of a wider project involving ...

**Topic of presentation**

As you all know, my presentation today will focus on ...

What I'd like to present to you today is ...

As you can see from your hand-out, I'll be concentrating on ...

Today's topic is ...

**Relevance of topic**

My topic is of particular interest to those of you who ...

Since you'll all have to deal with this particular issue soon, my presentation will help you in ...

Today's topic will be very important for you because ...

**Personalizing the topic**

You might be interested in why I chose this particular topic.

I should tell you how I became interested in this topic.

There is a personal story connected to the topic of today's presentation.

The first time I thought about this issue was when I ...

**Parts and Sequencing**

I've divided my presentation into three parts ...

I'll focus on three major issues ...

I'll look at three points in particular...

Firstly, ... secondly, ... and thirdly ...

First, we'll look at...; then we'll ...; and finally, we'll take a look at...

Point one deals with ..., point two ...; and point three ...

I'll start out with ...; next I'll move on to ...; and I'll end with

**Visual aids**

To illustrate my points, I'll rely mostly on overhead transparencies.

I've prepared a number of graphs and a short promotional video.

My presentation will be accompanied by PowerPoint slides.

**Timing**

My presentation won't last more than 25 minutes.

It'll take me less than half an hour to cover these points.

This will take about 25 minutes of your time.

**Questions during a presentation**

If you have any questions, feel free to interrupt me at any time.

Please share your questions with us as they come up; I'll be happy to answer them right away.

**Questions after the presentation**

I'd like to ask you to hold your questions till the end.

There will be time for questions after my presentation.

Since the subject matter is rather complex, I'd appreciate it if you'd save your questions until after the presentation.

We will have at least fifteen minutes for questions during the question and answer period.

To save time, could we leave questions until the end?

**Creating a positive emotional atmosphere**

It's an honour for me to have the opportunity to address such a large number of you today.

I am delighted to be with you this afternoon to open this conference.

I am deeply touched by that warm welcome.

When the audience are already focused on you, it is time to move on to the main body of the presentation.

### 3. MAIN BODY

The way of moving from one slide to another, and from topic to topic, is crucial. For the audience it should be like following a map, and you need to make it very clear to them whenever you make a turn. Also, at each turn it is helpful if you summarize for them what you have told them so far. Those in the audience who missed a previous turn now have an opportunity to get back on the right road. In a presentation, these moves or turns are called transitions [1]. Let's consider some "signposting" phrases used to help guide the audience through a presentation.

#### **Moving on to the main body of the presentation**

Okay, so let me start by looking at ...

So first I'd like to give you a bit of background.

To start with, I'd like to consider...

#### **Introducing a new element or topic**

As far as x is concerned ...

Regarding x ...

#### **Moving to the next point**

Let me now move onto the question of ...

This brings me to my next point ...

So we come to...

The next point I'd like to make is about...

#### **Referring forward**

I'm going to do X, Y, and Z.

I'll go into a bit of detail for each concept.

I'll explain this in a moment/I'll talk about that later.

As we will see later ...

#### **Referring backward**

As I said before ...

Remember I said that ...

The concept I mentioned earlier ...

As I mentioned a moment ago ...

To return to my earlier point ...

If we go back to this slide ... (shows an earlier slide)

#### **Sequencing**

There are three things to consider. First... Second... Third...

We can see four advantages and two disadvantages. First... Second...

Let's look at / consider two options... One way to solve the problem is.. Another is...

There are four stages to the project. At the beginning... later... then... finally...

I'll describe the development of the idea. First the background, then the present situation, and then the prospects for the future.

As we see, the "signposts" above signal the audience that you want move on to the main part of your presentation, its next point, change direction, refer to an earlier point, repeat the main points, give a wider perspective, do a deeper analysis or depart from your plan.

### 4. ENDING. QUESTIONS AND ANSWERS

The conclusions are an essential part of a presentation – you want to remind the audience of your most important points and leave them with a positive final impression, which will then encourage them to read your paper and contact you in the future. In a ten-minute presentation, your conclusions should probably last around one minute – in fact, you should only need three or four sentences. It is vital to prepare your closing and know exactly what you are going to say. Ending suddenly by saying "that's it" or "thank you" does not create a good impression. First, stand confidently and look directly at your audience. Signal that you are coming to an end. This is important as it get them to concentrate on the final points that you want them to remember. State your conclusions clearly and a little bit more slowly than in the previous part of the presentation – try not to be in a rush to finish [1]. Here are some signposts.

#### **Warning audience that presentation is near the end**

Okay, we're very close to the end now, but there are just a couple of important things that I still want to tell you.

#### **Final summary**

Well that brings me to the end of the presentation. So, just to recap ...

**Telling the audience where they can find further information**

I am afraid that I don't have time to go into this in any further detail. But you can find more information about it on this website (which is on the back page of your handout).

**Thanking the audience**

Thank you for your attention.

**Inviting the audience to ask questions**

You are welcome with your questions.

If you would like to know more, I shall be glad to answer any questions.

So, let throw it open to questions.

**What to say when you don't understand a question from the audience**

Sorry, could you repeat the question more slowly please?

Sorry, could you speak up please?

Sorry, I didn't hear the first/last part of your question.

Sorry, I still don't understand – would you mind asking me the question again in the break?

**Interpreting the questions**

If I'm not wrong, I think what you are asking is ...

Can I just be sure that I understand? You are asking me if ...

So your question is ...

**Avoiding difficult questions**

I'm not familiar with the details regarding that question.

I can't give you an exact answer on that, I am afraid.

That's a good question and I wish I had a ready answer, but I am afraid I don't.

I am not sure there really is a right or wrong answer to that. What I personally believe is ....

**Commenting on audience questions**

I know exactly what you mean but the thing is ...

I take your point but in my experience I have found that ...

You're quite right and it is something that I am actually working on now.

You can exploit useful phrases to deal with difficult questions, to react when you don't understand a question, to extricate yourself from difficult situations in the question and answer part of your presentation.

**5. CONCLUSION**

It is important that you structure your speech and use linking words and phrases to make your presentation sound logical. Using the most appropriate phrase in different stages of your presentation will give you confidence when you move from slide to slide and topic to topic. Signposts, language signals and transitions will also enable you to deal with unexpected situations and with difficult questions that the audience may ask you. You don't need to learn all the phrases listed in this article, just choose the ones you find easiest to say and remember.

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UDC 80=111

**CHRISTMAS SYMBOLICS IN CHARLES DICKENS' LITERARY WORKS**

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*The article deals with the description and analysis of Christmas symbols portrayed in "A Christmas Carol" and "A Christmas Tree" by Charles Dickens. The writer's contribution in the establishment and development of Christmas traditions in Great Britain is explained.*

Charles Dickens has had a great influence on the way people celebrate Christmas today. In 1988, the Sunday Telegraph of London gave Charles Dickens the title of "The Man Who Invented Christmas." This may seem like an enormous exaggeration. But the research carried out shows that the Telegraph's hyperbole turns out to be closer to the truth than it might be expected.

In England at the turn of the nineteenth century the celebration of Christmas was in decline. The medieval Christmas traditions, which combined the celebration of the birth of Christ with the ancient Roman festival of Saturnalia (a pagan celebration for the Roman god of agriculture), and the Germanic winter festival of Yule, had come under intense scrutiny by the Puritans under Oliver Cromwell. Moreover, industrialization and urbanization, in full swing in this time, made people leave behind most of their cultural traditions, such as the celebration of Christmas. Basically, the early Victorians were unsure how a rural festival could be celebrated by busy cityfolk in the industrial age – and Dickens took it upon himself to tell them.

Dickens did not invent Christmas traditions, he resurrected and popularized them. Much of what we assume to be true of Christmas celebrations today derives from the vision of Dickens, especially as portrayed in "A Christmas Carol" and "A Christmas Tree".

One of the main Christmas symbols is a decorated tree, usually an evergreen conifer such as spruce, pine, or fir, which is called a Christmas tree, "that pretty German toy" [5], as Dickens calls it in his story "A Christmas Tree". The custom of the Christmas tree developed in early modern Germany where devout Christians brought decorated trees into their homes. The tree was traditionally decorated with edibles such as apples, nuts, or other foods. In the 18th century, it began to be illuminated by candles which were ultimately replaced by Christmas lights after the advent of electrification. The German custom of decorating the Christmas tree was brought to England by Prince Albert. Charles Dickens describes this Christmas symbol as follows: "The tree was planted in the middle of a great round table, and towered high above their heads. It was brilliantly lighted by a multitude of little tapers; and everywhere sparkled and glittered with bright objects. There were rosy-cheeked dolls, hiding behind the green leaves; and there were real watches... there were French polished tables, chairs, bedsteads, wardrobes, eight-day clocks (wonderfully made, in tin, at Wolverhampton), perched among the boughs, as if in preparation for some fairy housekeeping... there were fiddles and drums; there were tambourines, books, work-boxes, paint-boxes, sweetmeat boxes, peep-show-boxes... there were tee-totums, humming-tops, needle-cases, pen-wipers, smelling-bottles, conversation-cards, bouquet-holders; real fruit, made artificially dazzling with gold leaf; imitation apples, pears, and walnuts, crammed with surprises" [5].

Other, not less important Christmas symbols are mistletoe, ivy and holly (Fig. 1, 2, 3). Mistletoe is supposed to possess mystical powers which bring good luck to the household and wards off evil spirits. It was also used as a sign of love and friendship in Norse mythology and that's where the custom of kissing under mistletoe comes from. Holly and ivy remain green year round, signifying eternal life, and the bright red berries of some holly plants are cheerful spots of colour.

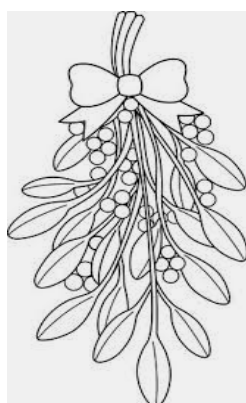


Fig. 1. Christmas Mistletoe



Fig. 2. Christmas Ivy

As said in "A Christmas Carol", "...and winking from their shelves in wanton slyness at the girls as they went by, and glanced demurely at the hung-up mistletoe», «The crisp leaves of holly, mistletoe, and ivy reflected back the light, as if so many little mirrors had been scattered there" [4].

The next symbol, widely used at Christmas, is light. It is presented in different forms: as light in general to make dark winter time brighter, as lights to decorate a Christmas tree, as fire in a fireplace. Scrooge in "A Christmas Carol" reminds his youth and a Christmas party at a well-lit room: "...the lamps were trimmed,



fuel was heaped upon the fire; and the warehouse was as snug, and warm, and dry, and bright a ball-room, as you would desire to see upon a winter's night" [4].

A Christmas dinner is an essential part of Christmas celebrations. Traditional Christmas food, as described by Dickens, includes a roast goose (later changed by turkey) served with stuffing; cranberry or apple sauce; roast potatoes (sometimes also boiled or mashed); vegetables; with dessert of Christmas pudding (or plum pudding): "Such a bustle ensued that you might have thought a goose the rarest of all birds; a feathered phenomenon, to which a black swan was a matter of course – and in truth it was something very like it in that house... At last the dishes were set on, and grace was said. It was succeeded by a breathless pause... There never was such a goose. Eked out by apple-sauce and mashed potatoes, it was a sufficient dinner for the whole family... The pudding was out of the copper... At last the dinner was all done, the cloth was cleared, the hearth swept, and the fire made up. The compound in the jug being tasted, and considered perfect, apples and oranges were put upon the table, and a shovel-full of chestnuts on the fire" [4]. The tradition to have a goose for Christmas dinner changed after Dickens had described the turkey as a main dish.



Fig. 3. Christmas Holly

Christmas time is always associated with prosperity and abundance: "Heaped up on the floor, to form a kind of throne, were turkeys, geese, game, poultry, brawn, great joints of meat, sucking-pigs, long wreaths of sausages, mince-pies, plum-puddings, barrels of oysters, red-hot chestnuts, cherry-cheeked apples, juicy oranges, luscious pears, immense twelfth-cakes, and seething bowls of punch, that made the chamber dim with their delicious steam" [4]. So, Christmas is the time for being equal and generous to other people.

Christmas is a holiday that unites families, relatives come to see each other and gather at the table or around the fire, making warm and cozy atmosphere. Such an atmosphere of comfort and coziness is considered another Christmas symbol. Dickens depicts a happy family in their cozy house preparing for Christmas dinner: "There was nothing of high mark in this. They were not a handsome family; they were not well dressed; their shoes were far from being water-proof; their clothes were scanty; and Peter might have known, and very likely did, the inside of a pawnbroker's. But, they were happy, grateful, pleased with one another, and contented with the time», «the flickering of the blaze showed preparations for a cozy dinner" [4].

To conclude, Dickens created his own "Carol Philosophy", the idea of Christmas as "a good time: a kind, forgiving, charitable, pleasant time: the only time I know of in the long calendar of the year, when men and women seem by one consent to open their shut-up hearts freely, and to think of other people below them as if they really were fellow-passengers to the grave, and not another race of creatures bound on other journeys" [4].

Starting with "A Christmas Carol" published on December 19, 1843 Charles Dickens wrote stories for Christmas every year. Thus, his special contributions to Christmas traditions can be presented as follows:

1. Christmas as a major holiday. At the time of Dickens, it was relatively ignored by most people.
2. Christmas as an occasion for family and close friends to gather for luscious food, singing, dancing, and games.
3. Before "A Christmas Carol", turkey was uncommon on Christmas tables. After the book, it became the meat of choice for this holiday.
4. Christmas as the time for being generous to the poor.

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UDC 821.111

**CATEGORY "FREEDOM" AND THE IMAGE OF THE "NEW ADAM"  
IN THE WRITINGS OF THE PURITANS OF NEW ENGLAND****ALIAKSANDR TSARKOUSKY, TATIANA KAMAROUSKAYA  
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*The article analyzes the category of "freedom" and the image of the "New Adam" in New England's Puritan writings. Particular attention is given to William Bradford's History of Plymouth Plantation (1856).*

The concept of personal liberty is frequently used in the media, can often be heard from leading political figures, and is declared in a straightforward manner in constitutions. However, different people interpret this concept in different ways. There are a myriad of highly contrasted solutions for problems regarding personal liberty proposed in various situations, yet the concept of freedom itself is never truly analyzed in a serious manner.

Throughout our history, mankind's most cherished ideal has been freedom, as opposed to the denial or restriction of that freedom out of fear for the responsibility it entails.

The intimate secret of freedom was gradually discovered by man throughout history as one of many aspects that make up the process of life, which includes the realization of man's unique role in the world and mastery over it. Even Adam and Eve knew the concept of freedom and the consequences it brings. After all, freedom implies the ability to choose between committing acts of good or evil. Inner reflection displays the world's spiritual rebirth, which can, first and foremost, be accomplished by realizing the source of life as we know it.

Understanding man's role as creator in the world is an evolutionary process that creates and reinforces mankind's understanding of the concepts of culture and civilization. Medieval Christian thought had already divided the world into above and below, which represented conceptual opposing poles as put forward by St. Augustine who viewed human history as a battle between two opposing kingdoms: the earthly (*civitas terrena*) and the divine (*civitas dei*).

For each individual freedom represents a primary and indispensable condition that must be fulfilled to ensure proper functionality and development. But with the concept of freedom comes the concept of personal responsibility. Without freedom there is no responsibility. If a human being is not free, that is constantly limited to specific actions, then said human being holds no responsibility for such actions.

Moving in the direction of what can be known by passing a certain distance and ending up at a certain point is what can be called creative freedom or simply creativity. Such is freedom of thought, inner freedom and so on, since at the start of such a path we don't yet know anything. Knowledge comes later as a retroactive movement of sorts. In other words, man is the only truly free creature in that sense, capable of such movement, which is called transcendence in philosophy. Man is capable of transcending the circumstances around him and himself altogether.

The basis for the religious life, philosophical outlook, and even form of government for the young American nation was Puritanism. Ideological followers of Calvin and Luther, having arrived on a new continent, from the very beginning of the establishment of the new land tried to build a new theocratic society on the principles of the Bible – or rather, the Protestant understanding of the historical process.

The fundamental characteristics of American culture include the principle of the striking individuality of man, who is able to transform the world, able to be creative, to achieve high social status despite his social or national origin, political or religious beliefs. The image of the "New Adam" in American literature began to take shape from the moment of its founding. In the texts of the Puritans of New England we can find a lot of discussion about what is the ideal society and the description of man living in this ideal society.

Colonial literature describes a time when a new moral doctrine took shape: the responsibility for any actions of believers, not only before God on Judgment Day, but also to all citizens, their neighbors. This greatly increased self-consciousness, changed man's relation to ethical, civil, and later – economic value. People begun to have a natural desire to achieve justice during their lifetime, not just after death. These and other concepts later will be reflected in the ideological *motifs* and plot works of authors from New England (the literary *motifs* of *industry, freedom, equality, providence* and others).

Ideally, the American – is a "New Adam," he who quit the conventions and vices of civilization is closely associated with nature and obeys natural laws, must be a pure and innocent soul. However, the hero of the frontier, pioneer, going west, turned out to be the conqueror of Indian lands and the conqueror of nature.

"New Adam" is a person who acts in accordance with the new principles, has new ideas, new forms of opinion and advocates a kind of opposition to European man, for the latter, in his view, to a greater extent embodies qualities such as admiration for money and pride, sloth, and a departure from the true religion.

Myth of "New Adam" is based on a worldview of the English colonists, for whom the New World is not only a paradise, but a real overseas territory, where they could find, and eventually found salvation from religious persecution. Nevertheless, in their understanding new ground – is primarily a metaphorical garden in which the colonists as it offered a chance for salvation. This is where they have the opportunity to start charitable deeds, to atone for the original sin – the fall of the biblical Adam. New Adam in "The Garden of independence and equality" leads Providence. Can he guided providential belief in his election and virtue. Note that the image of the birth of the New Adam in the American literature of the seventeenth century is directly related to the appearance in the pages of the works of the colonial period such fundamental leitmotifs as *providence, innocence, worthiness, industry, freedom, equality and wilderness*.

The Protestant doctrine of *sola fides* and *sola scriptura* strengthened religious and after this – civil individualism.

One of the most prominent representatives of New England Literature (pre-national literature) of the seventeenth century was the second governor of the Massachusetts Bay Colony of Plymouth, William Bradford. This well-educated man was a devout Christian, taught himself many languages, including Hebrew (for the purpose of better understanding of Scripture).

He went down in history not only as a prominent political figure, but as the author of numerous works, and in a variety of genres. Perhaps the most famous of them is "Dialogues", in which, as you might guess from the title, the author leads a dialogue of written correspondence with imaginary opponents – the inhabitants of the New World. Bradford puts forth eternal questions, "Fathers and Sons" is a dialogical conversation between young colonists of Plymouth and its founding fathers. The so-called "Pilgrim" Bradford is also known as one of the compilers of the famous "Mayflower Compact".

Perhaps the most significant work of the second governor of the Plymouth colony can be considered to be his "*History of the settlement at Plymouth*" (or "*Of Plymouth Plantation*"), which is written in the form of a very popular genre at the time - diary notes. Gradually from these notes Bradford assembled an exciting and dramatic story about the lives of the first Puritans. The book was published only in 1856, despite the fact that it was well known not only to historians of literature, but also many ordinary Americans.

At the beginning of his story William Bradford mentions freedom as a *necessary attribute of the true Church*. With bitterness stating that Satan is waging war against the Holy Scriptures, sowing confusion and discord among Christians, the author points out the reasons for such aggressive attacks by the Devil. The Devil fears no matter what he does, the end of his reign will come. And the Church of God will acquire its former purity and would return to its original order, freedom and grandeur: "as being loath his kingdom should go downe, the truthprevaile, and the churches of God revert to their ancientpuritie, and recover their primitive order, libertie, and bewtie" [1, p. 1].

In fact, using the rhetorical device of contrast author in the text of the narrative may see the confrontation of freedom bestowed by God and lack of freedom offered by Satan.

In interpreting the keynote of *freedom* in Bradford, it is also possible to see a shift in emphasis. If at the beginning of the seventeenth century the important traits studied were religious and physical freedom, with the passage of time, in the mentality of the colonists there are certain changes in relation to this category of freedom of conscience. With it, the understanding of the community begins to change significantly. In this regard, all the more noticeable by the end of the century becomes the lack of tolerance for professed beliefs.

The author notes that in the minds of the first colonists resolving of all controversial issues should be on the meeting of "equal and free" people: "to consulte & determine in this matter, so as the parties meeting might have full power to order & bind etc. And that nothing be done to the infringing or prejudice of the liberties of any place" [2, p. 321].

The work, filled with biblical quotations and allusions, is a good demonstration of the Christian worldview and the ideals and values of Bradford and his supporters: "But wheras you would tye us to the French discipline in every circumstance, you derogate from ye libertie we have in Christ Jesus" [1, p. 311].

The structure of this work is logically divided into two parts, two books. In the first, the author tells of the difficulties that have driven the Puritans from England to the Republic of the United Provinces of the Netherlands. The book begins with a brief description of the difficulties that the Puritans underwent: "It is well known unto the godly and judicious, how ever since the first breaking out of the light of the gospel in our honourable nation of England <...> what wars and oppositions ever since, Satan hath raised, maintained and continued against the Saints, from time to time, in one sort or other" [1, p. 75]. Interestingly, the Bradford uses

the word "holy" not in the sense of "canonized", and in the context of the Lutheran "priesthood of all believers". The author describes in detail the difficulties that the persecuted Puritans had to endure. However, Bradford considers such persecution not a curse, but rather, the grace of God, because, according to the words of Christ, "Blessed are those who are persecuted for righteousness' sake, for theirs is the kingdom of heaven" (Matthew 5:10).

In the second book W. Bradford describes the life Puritans in the new lands, New Canaan – Americas. The narrative begins with 1620, the author shows the events in retrospect, writing his "History of the Plymouth settlement" from the middle of the seventeenth century. Bradford describes the hard life of his countrymen, describing thoroughly the incredible hardships they had to bear to achieve this goal.

The first settlers bravely fought for life, for the approval of their values. The main topics that affect Bradford can be summarized as three important concepts: resistance to sin, and the nature of dissent. They were ready to fight for the purity of their faith, to become only a "step" in the ladder of ascent to heaven for their descendants: "Lastly, (and which was not least), a great hope, and inward zeal they had of laying some good foundation, or (at least to make some way the run to) for the propagating, and advancing the gospel of the kingdom of Christ in those remote parts of the world; yea, though they should be but even as stepping-stones, unto others for the performing of so great a work" [3, p. 96].

The struggle with nature, "wild expanses" (wilderness) has become one of the *leitmotifs* not only of Bradford's creation, but of most authors in New England. Describing the experience of "savagery" of nature, the author notes "what could they see but a hideous & desolate wilderness, full of wild beasts & wild men?" [1, p. 168]. However, the Czech Americanist Martin Procházka about historicity described by Bradford writes: "Bradford's narrative gives only stylized descriptions of American scenes... Their primary purpose is to focus the attention of the reader on the fate of the Pilgrims" [4, p. 25].

Thus, Bradford's works are among the first documentary evidence of the life of Plymouth Colony, his works are of great value for lovers of the history of Christianity as well as for literary critics. The *History of Plymouth Plantation* illustrates the puritan understanding of freedom and its image of the "New Adam."

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UDC 82.091

### THE DIVERSITY OF MAGIC HELPERS IN TOLKIEN'S EPICS

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*The article presents a study of the diversity of magic helpers in J.R.R. Tolkien's literary works and first of all "The Silmarillion", "The Lord of the Rings" and last but not least "The Children of Húrin". The main categories of characters-helpers are subdivided according to Propp's classification and then analyzed in Tolkien's texts via comparative and descriptive methods. The functions magic helpers perform throughout Tolkien's epics are also regarded. This article material can be used during the lectures on Medieval English literature, on Mythology and Culturology as the theoretical basis of the work are the studies by C. Baura, E. Meletinskij, V. Propp.*

J.R.R. Tolkien is a famous English writer whose literary creation has contributed not only to the history of the world literature but also to culture itself. Tolkien's art without doubt has become a notable phenomenon of the XX century. Probably, never before there were any books that caused such controversy and a schism among scholars. Rarely would a writer dare to create his own mythology and Tolkien did. And his profound knowledge of the medieval literature and Old Norse as well as Old English was of great help to him. As M. Drout notices,

“Medieval literature was not, for Tolkien, merely a quarry for interesting names or images: it was in fact the vineyard in which he labored every day and to which he devoted years of study and contemplation” [1, p. XXX].

But his love to Germanic epic heritage was not only the matter. From his early childhood Tolkien started to invent the stories: “This business began so far back that it might be said to have begun at birth. Somewhere about six years old I tried to write some verses on a dragon” [2, p. 221]. Moreover, he was quite concerned about the lack of original English mythology, epics and traditional characters; the evidence of his greatest concern can be found throughout his letters: “There are no songs or stories preserved about Elves or Dwarfs in ancient English, and little enough in any other Germanic language. Words, a few names, that is about all” [2, p. 314].

Without doubt, Tolkien was greatly influenced by heroic poetry of Old Norse and Anglo-Saxon origins in rather its archaic than classical form: “As we move from the opening chapters set in the Shire to the wider canvas of Middle-earth, The Lord of the Rings manages to integrate the form of the modern novel back into the much longer tradition of epic poetry and heroic saga” [3, p. 17]. As it’s well-known in early medieval epic poetrysome archaic influence can be traced on a significant scale. According to E. Meletinskij there are a few poems to which “Beowulf”, “Elder Edda” and some other poems can be referred; they possess a number of features characteristic of fairy-tale: “heroic poetry develops as a direct extension of folklore traditions of archaic society, mostly on the basis of interrelation of mythological cycles on ancestors, cultural heroes and heroic tales or poems” [4, p. 55].

E. Meletinskij also states that “a specific feature of fairy tale is functioning of magic powers and with their help the main character reaches fairy-tale goals” [5, p. 164–165]. The scholar points out among magic powers some “magic creatures” [5, p. 165] as a means of overcoming of a demonic antagonist. Thus, acquiring some magic means is one of the most widespread topics in fairy-tales and archaic epic poems. Among various magic means can be mentioned magical artifacts, qualities and last but not least animals or supernatural characters [6, p. 42].

V. Propp regarding the so-called “magic creatures” highlights the category of magic helpers in his fundamental research “The morphology of fairy-tale”. There are three types of characters-helpers: universal helpers able to fulfill multiple functions, partial helpers able to fulfill a few functions (different animals, except a horse; spirits, lore masters) and specific helpers capable of performing only one function (Propp relates magic objects only to this very category – O.V.) [6, p. 76]. It could be said that a human or human-like beings can also become a helper according to the scholar [7, c. 152].

When it comes to getting so-called magic helpers there are several ways: a hero can be rewarded for successful accomplishment of some task or request. The main character can buy it, get it by chance or steal it. The magic means can be showed to the hero or appear out of the blue. And finally, various characters let the hero dispose them of their free will [6, p. 43]. It should be meant that the main character can acquire a helper just as a result of being courteous [8, c. 50].

There is a narrow range of helpers’ tasks which can be transferred into a considerable number of realizations. Propp subdivides the following five main tasks: spatial movement, liquidation of misfortune or shortage, saving from pursuit, solution of difficult tasks, transfiguration of the hero [6, p. 73]. It should be also added that as soon as heroic mood in ancient epics is combined with archaic elements, a character can win against his enemy not only due to his valour and force but also with the use of magic. So, as C. Baura insists on the peculiarity of archaic epics: magic is the key to the victory [9, p. 12].

The figures of helpers are implied when it comes to some archaic motives such as fighting with monsters and matchmaking. There must be especially marked the motif of battle against a dragon. “Dragon or mythological worm, including in itself outer features of other animals (terrestrial, amphibious, those that live in water or fly), associated with water (the symbol of chaos and need of cultural irrigation) and fire, fertility, ritual of initiation and calendar renewal, eschatological myths and guarding of treasures, – a typical representative of chthonic monsters and demons against whom do characters of myth, fairy-tale and epic fight [10, p. 55]. The victory over such a monster would not only proclaim the glory of the epic hero but in deeper sense the victory of order over chaos. It should be mentioned that here we use the word ‘worm’ it just the way J.R.R. Tolkien understood and used it not only in his literary works but also in his essays: “A dragon is no idle fancy. Whatever may be his origins, in fact or invention, the dragon in legend is a potent creation of men's imagination, richer in significance than his barrow is in gold. Even to-day (despite the critics) you may find men not ignorant of tragic legend and history, who have heard of heroes and indeed seen them, who yet have been caught by the fascination of the worm” [11, p. 16].

The motif of matchmaking is also widespread and according to Propp, “can be combined with the accomplishment of difficult task” [6, p. 61]. This difficult task or even tasks are given to test an eligible bachelor and at the same time they contain the element of enmity and are purposed to scare away the hero [7, p. 264]. It’s

important that sometimes enmity comes from the future father-in-law, who rejects to accept the hero [7, p. 267]. And often not the hero himself may be tested, but the power "which is contained in magic-helper" [7, p. 264]. Anyway, all the facts stated above serve to glorify the main character, to show his triumph over evil forces whether they personified by monsters or even a father-in-law.

Tolkien follows the tradition when it concerns mythological and epic aspects, traditional motives and narration technics techniques, archetypal moments as well as archetypal polarity. There can be found a considerable diversity of characters-helpers in his literary works. First of all, the universal helpers able to perform a number of functions should be regarded. When it comes to Tolkien's narratives it should be accentuated that the writer reconsidered the motif of universal helpers and though they capable of many things Tolkien doesn't follow the pattern of universality blindly. His anthropological helpers, the first category we subdivide, should rely on not only magic, luck but also their heroic qualities: valour, courage, quick wits, force and skills which makes them closer to epic heroes than fairy-tale ones. «Heroic mood of archaic epics is not developed at a scale of classical epics. ... Still, at an archaic stage in the history of epics some characters show a real heroic nature» [4, p. 61] which is true not only about the main character but also minor characters.

Tolkien's anthropological helpers can be distinguished as those who use magic and not. We also should define the term anthropological as human or human-like in this very case: in Tolkien's prose there are many characters who resemble human beings but not exactly the same. So when it comes to an outstanding helper-character who uses magic, Gandalf the Grey or Mithrandir should be mentioned. Firstly, Tolkien refers to Gandalf as a "wizard" in the texts of "The Hobbit" and "The Lord of the Rings." Secondly, the character has an interesting attribute: "Gandalf struck a blue light on the end of his magic staff" [12, p. 17]. And it's stressed that "But, of course, Gandalf had made a special study of bewitchments with fire and lights" [12, p. 90]. So the character uses magic as we may say at a professional scale. As a Propp' helper he also can appear out of sudden: "The old man with the casket threw aside his hood and cloak. "Here is Gandalf! And none too soon it seems" [12, p. 254].

Gandalf guides characters and gives then sensible advice which allowsto relate him to helpers as "wisdom is one of the functions of character-helper" [6, p. 76] as well as guiding. The figure of Gandalf as a helper is also interesting in the way Tolkien mentions him in the "The Silmarillion": "With the Valar<sup>3</sup> came other spirits whose being also began before the World, of the same order as the Valar but of less degree" [13, p. 23]. Here should be stressed the word "spirits". According to Meletinskij, archaic features are observed in fairy-tales and archaic epic as traces of primitive rituals and mythological outlook, and last but not as presence of spirits and anthropomorphous powers of nature [14, p. 24]. So this is the distinctive feature of genesis of Gandalf's image as one of the oldest creatures in Tolkiens world in human-like form of an old man appearing often out of sudden, and as the personage who has the oldest prototypes in world's mythology.

The other helpers are not less interesting. SamwiseGamgee is a hobbit. As it is said: "But Hobbits have never, in fact, studied magic of any kind" [15, 2]. So Sam has another reason to follow his master and friend: "'Safely!' said Sam. 'All alone and without me to help you? I couldn't have a borne it, it'd have been the death of me.' 'It would be the death of you to come with me, Sam,' said Frodo and I could not have borne that.' 'Not as certain as being left behind,' said Sam" [15, p. 530].

Friendship was an important category in understanding of ancient Germans. The evidence can be found throughout epic heritage where the high value of friendship bounds is stated. This category was also essential in Tolkien's understanding and verified not only during Tolkien's lifetime but also on the pages of his books where he describes friendship between male warriors (Túrin and Beleg, Frodo and Sam, Legolas and Gimli) and proves its importance. Moreover, as Meletinskij states, hero-helper sometimes "acts not only for hero's sake but in hero's stead" [4, p. 50]. Tolkien proves this idea about Sam calling him "the chief hero" (Letters, 161). During the journey to Mordor Sam fights against Shelob, a huge spider, rescues his master from Cirith Ungol and helps Frodo to reach Mount Doom.

Another helper is an elf-man Beleg from "The Children of Húrin". Propp singles out among characters-helpers some lore masters or to be more precisely bowmen [6, p. 76]. Beleg was named Cúthalion, or Strongbow in one of the Tolkien's invented languages. The elf was skillfull with shooting his huge bow and was teaching Húrin woodcraft and archery and (which he loved best) the handling of swords" [16, p. 83].

There is another category mentioned above of animistic creatures that possess various features from huge size to ability to speak with human voice. One of the most outstanding animals-helpers in Tolkien's Universe is Huan the Hound. His abilities and help to Lúthien<sup>4</sup> as well as devotion make the dog a really prominent personage: "But Huan the hound was true of heart, and the love of Lúthien had fallen upon him in the first hour

<sup>3</sup>Valar are deities of Tolkien's Universe (O.V.'s remark)

<sup>4</sup>Tolkien's elven maid, a princess, stolen by two brothers (O.V.'s remark).

of their meeting; and he grieved at her captivity. Therefore he came often to her chamber; and at night he lay before her door, ... Lúthien spoke often to Huan in her loneliness, telling of Beren, ... and Huan understood all that was said. For he comprehended the speech of all things with voice; but it was permitted to him thrice only ere his death to speak with words" [13, p. 210]. Huan also performs the function of spatial movement: "and he humbled his pride and suffered her to ride upon him in the fashion of a steed" [13, p. 210].

The other two helpers are Gwaihir, an Eagle, and Shadowfax, a horse. Horses and eagles or hawks as general images are quite traditional helpers throughout the history of world mythological and epic traditions. Both help characters when they get into troubles and their help mostly include spatial movement. The eagle though can talk and give advice. An important moment about them is that both descend from eagles and stallions of mythological times of Tolkien's world: "For Gandalf took the horse that is called Shadowfax, the most precious of all the king's steeds, chief of the Mearas, which only the Lord of the Mark may ride [15, p. 566]. And Shadowfax answers to Gandalf's call only as a sign of his loyalty, and distinctive appearance: "Does he not shine like silver, and run as smoothly as a swift stream?" [15, p. 658]. The horse also "knows the way through every fen and hollow" [15, p. 659].

So, as Propp emphasizes, "There is an eagle or another bird among hero's characters-helpers. Its function to transfer the hero to some distant kingdom" [7, p. 140]. When it comes to the Lord of the Eagles in "The Hobbit" or Gwaihir in Tolkien's trilogy, they save heroes from troubles getting them away from dangerous places: "The was allowed to climb on to an eagle's back and cling between his wings. The air rushed over him and he shut his eyes" [12, p. 106]. They could speak with human voice which is another archaic moment that can be found throughout ancient world literary heritage: "The Lord of the Eagles also was there and was speaking to Gandalf" [12, p. 102]. But transfer of characters and ability to speak are not all features. The eagles give enormous help in battle: "The wolves yammered and gnashed their teeth; the goblins yelled and stamped with rage, and flung their heavy spears in the air in vain. Over them swooped the eagles; the dark rush of their beating wings smote them to the floor or drove them far away; their talons tore at goblin faces" [12, p. 102]. Thus, Tolkien enriches the range of birds-helpers functions in his epics. The writer also stresses his eagles' connection to mythological times: "There came Gwaihir the Windlord, and Landroval his brother, greatest of all the Eagles of the North, mightiest of the descendants of old Thorondor, who built his eyries in the inaccessible peaks of the Encircling Mountains when Middle-earth was young" [15, p. 1241].

So, it can be concluded that Tolkien created a great many of outstanding characters: main and minor ones but not less significant. The multitude of characters-helpers is astonishing and one article is not enough to study them all. The diversity of types and functions they perform enriches the canvas of the narration of Tolkien's epics. Some characters the writer invents using his own imagination and creating some others he applies to world mythological heritage and epic traditions though sometimes he reconsiders the functions or purpose of his helpers. There are a great many of human-like and animistic creatures whose presence in Tolkien's prose and archaic descent makes them a remarkable phenomenon not only of British but also of world literature of the XX<sup>th</sup> century.

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UDC 81'374

**SPECIFIC FEATURES OF BRITISH CD AND ONLINE DICTIONARIES  
(CAMBRIDGE AND OXFORD ADVANCED LEARNER'S DICTIONARIES)****MARYIA ZALESKAYA, ZOYA TRATSIK**  
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*The brief information about the Oxford and Cambridge English Dictionaries is given. The micro- and macrostructures of CD and online versions are analyzed. The advantages and disadvantages of each edition considered.*

Nowadays people prefer CD and online dictionaries which have some advantages over traditional printed versions. British CD and online dictionaries can be a striking example of how a good modern dictionary should look like. They are easy to use and available for any Internet user. They give a clear definition, different variants of pronunciation, a wide list of examples that show how to use the word and contain a lot of exercises, tests and illustrations. Nowadays the most popular British learner's dictionaries are Oxford, Longman, Collins and Cambridge dictionaries.

The Oxford English Dictionary is linguistically unique because of its comprehensiveness and its inclusion of chronologically arranged quotations illustrating changes in the meaning of words. In terms of lexicography, it is a diachronic dictionary; it doesn't only define the language units of the present day, it also records their use at any period within the Dictionary's coverage [1, p. 3].

**The Oxford Advanced Learner's Dictionary, 8<sup>th</sup> edition (2010)** [2, 3] is widely used among learners, who study English as a foreign language. The dictionary is analyzed at the level of micro- and macrostructures.

**The macrostructure** of CD-version includes six sections: Dictionary&Culture; iWriter; My Topics; Activities; Resources; Genie.

The Dictionary&Culture section is subdivided into three parts: Search (a standard way of finding a word), Advanced Search and Results. Advanced search has a more complicated structure. It allows the user to find a word in a particular context (headword, definition, phrasal verb, idiom); to look up for entries that come from a particular variety of English (American English, Australian English, British English etc.), have a particular part of speech (adjective, adverb, noun, verb, preposition etc.) and some stylistic peculiarities (idiom, slang, taboo, humorous, informal, old-fashioned etc) [2].

The iWriter section is an interactive tool that can be useful for writing essays, articles, presentations, covering letters, different variants of CVs, letters of complaint, letters of enquiry, reviews, short and long reports and so on. Before that the user can get acquainted with some theoretical material in "I want to see model of writing", where it is possible to take a step-by-step tour of how the model is written. For example, if it is an essay, a presentation, a review or report, the user can get to know about the structure, plan, introduction, plot, conclusion; CV – making up personal information, education and qualification, work experience, skills, interests, references and so on. After reading and learning this material the user can demonstrate some knowledge in "I want to do my own writing" and make up something from the list and then see the results [2].

The section My Topics includes two parts: 1) ready-made topic dictionaries and 2) your own topic dictionaries. The first part contains over 350 mini-topic dictionaries which are divided into 15 subject areas (Body and Appearance, Business, Culture, Education, Family and Relationship, Food and Drink, Health, Houses and Buildings, Nature, Personality and Emotions, Science and Technology, Society, Sports, Travel and Tourism, Work). Each topic has the list of sub-topics as well. For example, the topic Society includes such sub-topics as Crime, Law, Politics, Religion, Social groups, War and conflict. And the second part of this section allows to create your own topic dictionary for topics that the user is particularly interested in. But the absence of illustrations in the whole section makes the perception of some words more complicated [2].

The section Activities contains the collection of lexical and phonetic exercises. They are directed for learning the material from the section My Topics. Also this section consists of three parts: Academic Word List, Topic Vocabulary and Dictation. Academic Word List contains exercises which are grouped into ten sublists. For each sublist the user can practise four areas of language: word meanings, word families, word combinations, synonyms and opposites. Topic vocabulary includes exercises which help to practice the vocabulary that is covered in the ready-made topic dictionaries. The user can choose a heading, a sub-topic and then a particular exercise by name. There are two different types of topic exercises: word meanings and missing words. And the last part of this section is Dictation. Here the user can practice listening skills. It is possible to listen to the



sentences in any of five different accents: British, American, Australian, Canadian or South African. The user can also hear the mixture of all five.

The section Resources contains only supplemental information: Dictionary Skills worksheets, Grammar reference, Word Lists, Maps.

The part Dictionary Skills includes a collection of grammatical and lexical exercises for improving the pronunciation, decoding abbreviations, learning some geographical names, irregular forms, idioms, stress position, spelling and punctuation.

The part Grammar is introduced as a guide to English grammar which contains some information about modal verbs, articles, tenses, reported speech, conditionals, pronouns and relative clauses.

The part Word Lists contains two documents: The Oxford 3000 and The Academic Word List. The Oxford 3000 includes the whole list of words which are used in Oxford Advanced Learner's Dictionary, 8<sup>th</sup> edition. And the second document, The Academic Word List, contains the list of the most frequently used English words.

The part Maps includes geographical maps of The British Isles, Canada and the United States of America, Australia and New Zealand.

The section Genie is another version of the Oxford Advanced Learner's Dictionary which displays as a small window. It is very convenient while using the Internet, reading an email or a Microsoft Word document.

**The microstructure** of the Oxford Advanced Learner's Dictionary is introduced by the dictionary entry which consists of the following elements: the main entry, grammatical, semantic and phonetic characteristics of the word, a definition and examples.

The entry of the verb "to get" is shown in the following way: it has 27 meanings and contains also a wide list of idioms and phrasal verbs [2].

The entry contains the following information: headword (get), part of speech (verb), variants of pronunciation (British (BrE) or American (NAme)), transcription and some extra information (Verb forms – the present simple, past simple, past participle and –ing forms; Word Origin – the etymology of the verb; Thesaurus – synonyms of the verb, example of how synonyms are used and notes about some particular differences between synonyms; Example Bank – extra example sentences showing how the verb can be used) [2].

**The macrostructures** of CD and online versions are quite different. Online version contains only two sections: Wordlists and Search.

The section Wordlists includes four parts: Oxford 3000, Academic Wordlist, Picture Wordlist, Usage Notes Wordlist. Oxford 3000 and Academic Word List are absolutely identical with the digital version. The keywords have been selected as the words which should receive priority in vocabulary study because of their importance and usefulness [3].

Picture Wordlist contains a list of words and their illustrations in order to expand user's vocabulary. Usage Notes Wordlist contains some notes on various aspects of English usage, including synonyms, collocations and other vocabulary points [3].

**The microstructure** of online version is almost the same as CD one. The only difference between the dictionary entries is the absence of some extra grammatical characteristics (Verb forms, Word origin, Thesaurus and Example Bank).

Thus, we come to the conclusion that CD-version of the Oxford Advanced Learner's Dictionary, 8<sup>th</sup> edition has a wider structure than online one. The CD version is more suitable for students who study the English language as a foreign one. In spite of the lack of glossary, the CD-version includes more tasks, test and examination exercises which help improve the level of the English language.

**Cambridge Advanced Learner's Dictionary** (2011) is also one of the most authoritative dictionaries [4, 5]. This edition is also analyzed at the level of micro- and macrostructures.

**The macrostructure** of the Cambridge Advanced Learner's Dictionary includes eight main sections: Look-up Window; Advanced Search; QUICKfind; SUPERwrite; Exercises; Pictures; Study Pages; Options [4].

The section Look-up Window provides the user with the quick search of the word and includes two parts: A–Z List and Results. The first part contains the whole wordlist which is arranged alphabetically, and the second one shows the results.

The next section is Advanced Search which helps to customize the user's search. It includes six different parts: category (headwords, phrases, definitions, examples); English Profile level (A1-C1); part of speech (nouns, verbs, adverbs, adjectives, pronouns, prepositions, etc.); grammatical forms (countable / uncountable nouns, transitive / intransitive verbs, etc.); stylistic components (formal, informal, literary, spoken, old-fashioned, literary, etc.); region (British / American English only); topic (weather, computer technology, music, religion, feelings, education, etc) [4].

The sections QUICKfind and SUPERwrite are quite convenient for working in Microsoft Word, using the Internet and making up some written texts. The use of these sections helps to avoid the most typical mistakes.

The section Exercises includes three kinds of tasks: lexical-grammatical, exercises with the use of illustrations and exercises for IELTS and TOEFL preparation. All the lexical-grammatical exercises have Level 1, 2 and 3. Besides, the exercises are divided into seven groups (Adjectives, Countability, Irregular verbs, Phrasal verbs, Prefixes, Suffixes, Verb patterns). The illustrated exercises are also topically divided (Bathroom, Cooking, Food, Shapes, Car exterior, Containers, Clothes, Colours, Medicine, Vehicles, etc). The third group includes some exercises in reading [4].

The Section Study pages contains phonetic and grammar rules, some information about writing letters and using email. Pictures section allows to see the black-and-white illustrations for some nouns.

**The microstructure** of the Cambridge Advanced Learner's Dictionary includes the dictionary entry, which consists of the following elements: the main entry, a headword, a definition, a transcription, semantic and grammatical characteristics of the word, examples.

The entry of the word "make" is introduced in the following way: it has six meanings as a verb and three as a noun. Lots of idioms, phrasal verbs and collocations are given as well. At the beginning of the entry, phonetic and grammar characteristics of the word are introduced, and the past form is given [4].

The user can listen to the British and American variants of pronunciation and also record their own version. There is also some extra information about the verb «to make», which includes Word Building, Verb Endings and Extra Examples. The level of the English language is shown according to English Profile system (in our case, it's A1). Then the user can see the translation of the word into Russian. Apart from that, there is Smart Thesaurus at the end of the entry. This is the structure of CD-version of Cambridge Advanced Learner's Dictionary [4].

**Macro- and microstructures** of online version differ from the electronic one. The macrostructure is almost absent. It doesn't include the sections which are given in the CD-version of Cambridge Advanced Learner's Dictionary. The Advanced Search is impossible. The only advantage of the macrostructure is the great variety of Cambridge dictionaries [4, 5].

The microstructures of CD and online versions are almost identical. The part of speech, transcription, British and American variants of pronunciation are given as well. But in comparison with the CD-version, it's impossible to record your own variant of pronunciation and have a look at the extra grammatical characteristics and synonyms of the given word [5].

Having analyzed CD and online versions of Cambridge Advanced Learner's Dictionary, we come to the conclusion that the online version gives in many aspects. But it also has some advantages. First of all, it is available for any Internet user for free. Secondly, in comparison with CD version, the wordlist of the online dictionary is constantly widening with new idioms, phrases and collocations.

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## ***EDUCATION, SOCIAL STUDIES, LAW***

UDC 372.8

### **THE DIDACTIC PRINCIPLE OF SYSTEM AND CONSISTENCY IN TEACHING FOREIGN LANGUAGE SPEAKING**

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*The article reveals the concept of the didactic principle of system and consistency in pedagogy in general and teaching foreign languages. It offers a way of organizing the process of teaching foreign language speaking which fully reflects the principle under consideration.*

The concept “didactic principle” is one of the basic notions in pedagogy. Didactic principles are defined as basic guiding regulations related to educational process in general, i.e. to aims, content, forms and methods of teaching as well as interaction between a teacher and a student. Didactic principles are formulated on the basis of laws and mechanisms of teaching and learning and are realized in rules.

The universal classification of didactic principles is still not worked out in modern pedagogy: the available classifications differ in number and wording of the principles. Nowadays the majority of educational specialists acknowledge the following principles as the basic ones: the principle of objectivity; scientific character of teaching; connection between theory and practice; the principle of system and consistency; simplicity with the reasonable level of challenge; use of visual methods; students’ learning activity, soundness of acquired knowledge and skills combined with creative experience.

The principle of system and consistency is based on the following really significant scientific thesis: a man has genuine and efficient knowledge only if his mind contains a clear picture of the surrounding world as a system of interconnected concepts. As for the consistency in teaching as far back as academician I. Pavlov considered gradualism and practice important physiological mechanism in pedagogy. Psychologists also stated that logical links make academic materials easier to understand and learn in larger amounts and in a proper way, which agrees with the law of teaching: the effectiveness of every level depends on the results achieved at the previous one and the way teaching is organized.

The statements above are the basis for the following ideas:

- teaching material should represent a system;
- there should be a system in teacher – student interaction and students’ learning activity.

Thus, the principle of system and consistency is related to the contents and the process of teaching. It means that material should be planned, divided into sections, modules, steps, every topic should have basic centers, concepts; other parts of lessons and lectures should be submitted to them. An important role in providing the realization of this principle belongs to diagrams, outlines, schemes and charts which reveal and illustrate structural and logical relationships between concepts, hierarchy of ideas, system of knowledge. System and consistency should accompany students’ work as well. It is important to develop students’ skills and habits of efficient planning of their learning activity, making well-composed outlines of their oral reports and essays. It is necessary to accustom students to regular working with materials, observation, extending knowledge in an organized and consistent way. Check and assessment of academic results are also very important, as they stimulate students to study regularly, be more attentive and make less mistakes.

In a teacher’s work the principle of system and consistency is realized in the process of long-term planning of subject matter, when a teacher outlines the order of sections, topics and questions to study, selects materials, sets the system of lessons and other forms of teaching, plans learning, practicing, revision, feedback and checking. While planning lessons a teacher arranges the subject matter so that basic concepts are taught first, exercises follow theoretical information.

All the mentioned above regulations and recommendations play a significant role in teaching speaking a foreign language as well.

Unfortunately we have to admit that nowadays it can hardly be called effective both in secondary and high schools. Students know a sufficient amount of vocabulary and grammar material within academic communication but still experience difficulties when they have to speak a foreign language, the prospects of speaking outside a classroom scare them, they are not ready to speak on the spot. But just all these should be the aim and the result of teaching a foreign language. The realization of the principle of system and consistency at all the stages of foreign language teaching aims at raising intensity, linguistic independence and production of

speaking, contributing to improving linguistic skills thus making it possible for students to meet communicative challenges of all levels of complexity.

The realization of the principle of system and consistency plays an important role in teaching foreign language speaking, because it is a complex language skill based on a number of psychophysiological mechanisms and characterized by a variety of linguistic and psychological parameters. The need to understand the fundamentals of psychophysiology is explained by the fact that they serve as basis for teaching a foreign language. In many respects they determine types, number and succession of exercises as the main means of teaching thus allowing to arrange the process of teaching in accordance with the natural way of gaining knowledge, skills and abilities. Having a clear idea of linguistic side of speaking makes it possible to select linguistic material for exercises that will make students' speech more authentic, accurate and clear.

Psychophysiological mechanisms underlying speaking include: the mechanism of reproduction (total or partial reproduction of linguistic structures or utterances); the mechanism of choice (of words, linguistic structures); the mechanism of combining (making word combinations, sentences, phrases using familiar linguistic means in new conditions); the mechanism of constructing (making an utterance using rules); the mechanism of forestalling (from the point of view of structure and sense); the mechanism of discourse (the control of the speaking process allowing to correlate the situation with the aim, to interpret the feedback signals from the interlocutor and make further decisions while speaking). Some of these mechanisms work on the analogy of speaking a native language; the others have to be developed with the help of exercises.

Speaking is realized in three stages: 1) motivation, stimulus; 2) analysis, conceptualization; 3) control, performance. The specific characteristics of speaking include motive and aim; activity; connection with personality and intellectual activity; novelty; independence; connection with the situation. Taking into account all these features when working out a system of exercises we should include in it exercises with the directions which serve as a stimulus interesting for a student and provoking active thinking.

The commonly accepted forms of speaking are monologue, dialogue and polylogue. Although such a division is often criticized we have to admit that all the mentioned above forms have their psychological and linguistic peculiarities. Thus, monologue speech is detailed, directed to audience, it has order, inner logic and consistency which involves the use of sentences various in structure, compound and complex sentences with complicated syntax, words and rhetorical questions to address and draw the attention of the audience, cliché, linking words to make speech consistent. The characteristic features of a dialogue are ellipticity, the importance of a situation and reaction, which entails the use of simplified syntactic constructions, speech cliché, modal words, interjections and other expressive means, different forms of addressing. Paralinguistics is also important in a dialogue.

But an utterance of any level (no matter if it is a long speech or just a remark) should be structured, logical, informative, expressive and valuable from the point of view of communication. The principle of system and consistency aims at not losing any of the described above characteristics, at practicing every element and mechanism of foreign language speaking.

As it follows from the information above speaking a foreign language is a complex activity and one kind of exercise can not form all the aspects of this ability. To do this a teacher should make use of various kinds of exercises which can provide all conditions in the aggregate, i.e. the system of exercises worked out according to the structure of the ability and the way it develops. The importance of a system of exercises is that it provides the organization of the process of gaining knowledge and skills and the process of teaching.

But there is discord in the way the concept "system of exercises" is used in teaching foreign languages. For example, in different books on teaching foreign languages one can come across the terms "the system of exercises for teaching grammar", "the system of exercises for learning adjectives", "the system of exercises to study propaedeutics", "the system of exercises to prevent mistakes" etc. The use of the term 'the system of exercises' this way leads to confusion in terminology and to the impossibility to solve practical questions for example to determine the criteria for systems of different levels.

In the context of the communicative approach to teaching foreign languages the specialists described and grounded the ways of systematization of exercises and stated the criteria for systems of different levels. Within this approach they use the following concepts:

1) The complex of exercises – a set of exercises aimed at mastering particular operations or performing particular tasks. For example, we can single out complexes of exercises for mastering some structure, the use of some lexical units, some sound; for working with a text; for developing fluent speaking.

2) The subsystem of exercises – a set of exercises for mastering one side of the language skill. For example, in teaching speaking we can single out three subsystems of exercises: for mastering vocabulary, grammar and pronunciation. Every subsystem consists of complexes of exercises.

3) The specific system of exercises – a set of exercises for mastering one aspect of communication–speaking, listening, writing or reading. Every specific system of exercises consists of subsystems, for example, the specific system of exercises for teaching speaking includes the three subsystems mentioned in p. 2.

4) The general system of exercises – a set of exercises aimed at developing communication in general. The general system consists of the specific subsystems but it doesn't mean that all of them are included in it. The structure of the general system of exercises depends on the aim of teaching and it is realized on the level of foreign language courses.

Teaching foreign language speaking is realized on the level of a specific system of exercises. The specific system of exercises should meet the following requirements:

a) a cyclic way of organizing teaching and learning so that with every next cycle speaking skills advance;  
b) the maintenance of the three steps of mastering material: the stage of skills formation (precommunicative exercises are used), the stage of skills development (precommunicative and communicative exercises); the stage of developing the ability to communicate (communicative exercises) within every cycle and their ratio.

c) a reasonable combination of speaking, listening, reading and writing within each cycle;

d) the interconnection between cycles;

e) regular check-ups within the system of exercises.

Any specific system (for mastering speaking, reading, listening or writing) should be based on the scheme "skills – ability". As is well known, means of developing skills are precommunicative exercises, and means of developing communication abilities are communicative exercises.

The unit of the educational process and the implementation of a specific system of exercises is a cycle of lessons devoted to mastering the dose of speech material. For speaking this material is any phonetic phenomenon, a certain amount of new words and any grammatical form or structure.

To be learned speech material passes through three stages: skills formation, skills development and communication ability development. Speaking training scheme is as follows (Fig.).

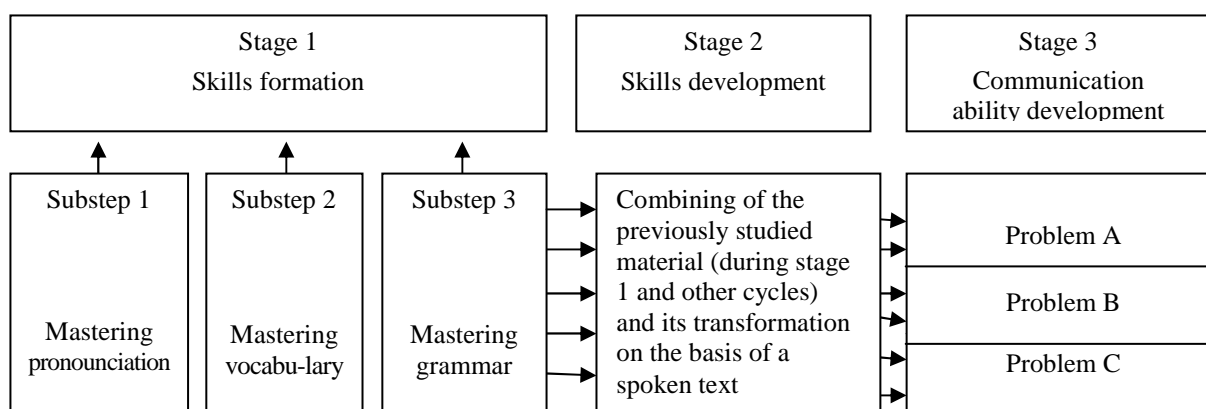


Fig. A cycle on one problem

The first stage usually comprises not three but two substeps. Substep 1 usually takes place only at the initial stages of learning a foreign language when students start practicing articulatory aspect of speaking; later it just improves. At the advanced level, when all grammatical phenomena have been mastered there may be no need in the third substep. There also may be cycles without a vocabulary substep. There may be cycles without two substeps, and even the entire stage 1, as well as any sequence of steps: it all depends on the speech material and objectives of the cycle.

The work at the first stage consists of oral activities without exercises with the text. The new material is "removed" from the text which will be studied at the second stage, and is mastered at the corresponding substep without a text. All the exercises are done orally but there are visual and auditive sources to refer to (microtexts to read or listen, pieces of video to watch), tasks to stimulate motor activities (writing micro texts, phrases, drawing schemes). At this stage the precommunicative exercises are used.

The work at the second stage is based on working with a spoken text. A spoken text is fundamentally different from the texts for teaching reading and writing. It is a fixed oral statement. In a spoken there is no material that have not been studied at the first stage. A spoken text serves as a stimulus for students' statements

from the point of view of ideas and information it contains. Students comment on the ideas contained in the text, combine and use its contents. All the skills develop thanks to combining, constant visual support and synchronic work of all analyzers. The work at the first stage consists of oral activities without exercises with the text. The new material is "removed" from the text which will be studied at the second stage, and is mastered at the corresponding substep without a text. All the exercises are done orally but there are visual and auditive sources (microtexts to read or listen, pieces of video to watch), tasks to stimulate motor activities (writing micro texts, phrases, drawing schemes). At this stage the precommunicative exercises are used.

The work at the second stage is based on working with a spoken text. A spoken text is fundamentally different from texts for teaching reading and writing. It is a fixed oral statement. In a spoken text there is no material that have not been studied at the first stage. A spoken text serves as a stimulus for students' statements from the point of view of ideas and information it contains. Students comment on the ideas contained in the text, combine and use its contents. All the skills develop thanks to combining, constant visual support and synchronic work of all analyzers. Communicative exercises are used. Working at this stage results in students' speech or dialogue (free or standard one) on the problem.

The third stage is characterized by the fact that the speech material is used in completely new situations to solve new problems which are more complicated from psychological and linguistic points of view. As a rule there are no verbal sources of information to rely on. There may be provided some visual stimuli to provoke thinking and suggest some ideas to speak about. Within the last step nothing is used as a source of information. At the third stage the problems discussed are combined with the problems from the previous cycles. Communicative exercises are performed. To increase students' activity and motivation a teacher may use appropriate games, role-plays, discussions, debates which develop creativity and initiative of students.

It should also be noted that teaching speaking is accompanied by various visual aids Their use is also a way to implement the principle of system and consistency, as they not only sum up material (charts, tables, texts), but also help to structure students' future speech (outlines, logical schemes, a series of drawings).

An essential element of a special system of exercises is check-up. Assessing skills and abilities a teacher pays attention to the quantitative and qualitative parameters. The former include the tempo of speech, fluency (pauses) and the length of speaking. Quality indicators are the relevance to the subject and situation of communication, linguistic correctness, logical order of the statement, expressiveness, and if it is a dialogue – genre and register correspondence, semantic and functional completeness, structural diversity of utterances. Current and final check-ups are carried out when students perform oral speaking tasks.

The cycles created by the author of the article for teaching speaking in the ninth grade of the local gymnasium have proved effective during experimental teaching, which proves the theoretical assumptions about the importance of taking into account the didactic principle of system and consistency in teaching foreign language speaking. The scheme of teaching speaking proposed above provides fully implements this principle, which makes it an optimal way of teaching speaking.

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UDC 37.032

#### INDIVIDUALIZATION IN EDUCATION AS A FACTOR OF INFORMATION COMPETENCE FORMATION OF STUDENTS

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*The article deals with the methods of individualization in education applied to develop information competence of students. The adherence to a certain algorithm of work on information together with different forms of individualization will improve information competence of students.*

At present modern society demands to develop not only professional competence in students but also information competence as a part of it. One of the factors that influence this process is individualization in education. We should develop information competence by creating a certain educational environment and conditions, which will allow students to mould their abilities to realize their potential in their future career. We can use the English language as a means of information competence formation.

According to Belayev, there must be different approaches in education to the formation of two types of foreign language learners. These are intuitive and logical ones. The former one does not need profound theoretical knowledge; meanwhile the latter one needs a detailed explanation and more class hours. In this way, we see that to succeed in the educational process we should define the type to which a student belongs and arrange the work by applying some forms of individualization [1, с. 18]. After completing some questionnaires, students will be offered the forms of individualization, which will suit their abilities best. Based on the results of the completed tests students may work on their own. They can join a team and perform a certain task, set up a project or work in accordance with the Dalton Plan at their own pace [2].

Both Schukin and Ellis emphasize the fact that teaching any foreign language effectively is possible providing small groups of 6–10 students. If the number of students exceeds 10, the quality of education decreases.

Russian scientists suggest following a definite algorithm of information competence formation. This algorithm can be applied while working with English. Here are the steps the learner should follow to be able to extract information from any English text:

1. Define a certain problem.
2. Find as many information resources as possible.
3. Choose the best ones.
4. Find the source, which will prove your concept in theory.
5. Find the information you need in the sources you have chosen.
6. Arrange the material, which you gained from different sources.
7. Display the results in a proper way.
8. Evaluate the quality of your work.
9. Evaluate the efficiency of the work.
10. Solve a real problem on the basis of the information you have chosen.
11. Make the conclusion whether your information is valuable or not.
12. Extract this valuable information.
13. Transfer this information [3].

This algorithm can be used an instruction sheet for one's work on any text. To choose the appropriate text Schukin recommends that we should use some complicated but interesting text as it is easy to perceive than some easy but uninteresting text. These criteria should be taken into account while regarding the object-matter of the text. When students work with information we should mind that we learn new things by comparing our background knowledge with new facts. We understand the information, which is familiar to us best of all, and all unknown facts should have some connection with what we already know [4, с. 87].

Thus, to form information competence in students is possible on the condition that we diagnose their personal psychological differences and define the type of their abilities to master a foreign language. Providing students with new informative texts, we should coordinate the object-matter and the background knowledge of the students who are involved in this work. If students are supposed to work in small groups, they can get different tasks correlated with a definite stage of work on obtaining new data from the given text. In case they get an individual task, they should pass all the stages indicated in the algorithm. To form an integral image of how to work on information, students are supposed to perform an individual task.

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UDC 378.4

**COMPUTER GAME AS MEANS OF INTELLECTUAL DEVELOPMENT  
OF PRESCHOOL CHILDREN****POLINA ATRAKHIMOVICH, SVETLANA VOEVODINA****Polotsk state university, Belarus**

*In this article, the problem of use of computer games in work with preschool children is considered. This problem in pedagogics is almost not investigated. One of the main issues connected with computerization of preschool education is studying of influence of computers on a child's organism, mental state and development. The computer, being the most modern tool for information processing, serves as a powerful technical tool of training and plays a role of the irreplaceable assistant in education and the general mental development of preschool children. Special value has the computer for intellectual development of preschool children.*

Computerization which is gradually getting practically into all spheres of life and activity of a modern person introduces the amendments and in approaches to education and education of children of preschool age.

Now many psychologists and teachers deal with a problem of influence of computer games on development of senior preschool children.

Scientists and specialists of the Preschool Childhood center A.V. Zaporozhets stood at the origins of this work. S.L. Novoselova specifies that introduction of the computer to the system of didactic means of kindergarten can become a powerful factor of enrichment of an intellectual basis of an intellectual, esthetic, social and physical development of a child [2]. Researcher G.P. Petka notes possibilities of game computer programs for the organization of director's games [4].

I.Yu. Pashelite proved that computer means effectively enrich system of the developing didactics of kindergarten, forming at children the general mental capacities. Use of computer games as the assistant in training of the preschool child for training at school as show researches, promotes increase of interest in study, its efficiency and develops the child comprehensively [5].

The French researchers note that the greatest interest is observed at children when they achieve the best results in computer game activity. At the senior preschool children the persistence and patience usually not peculiar to children of this age are observed. In the course of activity of children, some types of motivation at the computer were allocated: interest in a new, mysterious subject – to the computer; research motive (desire to find the answer to unfamiliar questions); motive of the successful solution of informative tasks [3].

Domestic and foreign researches on use of the computer in kindergartens convincingly prove not only opportunity and expediency of it, but also a special role of the computer in intellectual development and in general the identity of the child.

Understand as essence of intellectual development – a level of development of mental capacities, meaning the volume of knowledge and development of informative processes. Intellectual development also assumes formation at the child of initial abilities in the field of educational activity, in particular, ability to allocate an educational task and to turn it into the independent purpose of activity.

The leader defining a role in intellectual development belongs to systematic intellectual education. It as purposeful pedagogical influence includes the organization and the management of process of development of knowledge and management of process of formation of system of intellectual actions and informative abilities. Intellectual development is the continuous process, which is made in the doctrine, work, games, life situations. Most intensively, it occurs during active assimilation and creative application of knowledge, i.e. in acts, which contain especially valuable operations for development of intelligence. The computer, being the most modern tool for information processing, serves as a powerful technical tool of training. He plays a role of the irreplaceable assistant in mental developments of preschool children in general and in intellectual development in particular.

The computer, possessing the huge potential of the game and training opportunities, makes considerable impact on the child. But, as well as any equipment, it is not valued, and only in interaction of the teacher (tutor), child and the computer is possible to reach positive result.

Main objective of use of the computer in preschool institution is all-round development of the child, preparation it to life and activity in "computer reality", i.e. formation at it the positive emotional relation to the computer, his perception as assistant in different types of activity, understanding of its appointment and opportunities for achievement of goals.

Use of game opportunities of the computer in combination with didactic opportunities (evident submission of information, providing feedback between the training program and the child, ample opportunities



of encouragement of the correct actions, individual style of work, etc.) allows to provide smoother transition to educational activity.

In comparison with traditional forms of education of preschool children, the computer possesses a number of advantages:

- Presentation of information on the computer screen in a game form causes a great interest in children;
- The movements, a sound, animation for a long time draws attention of the child;
- The computer bears in itself the figurative type of information clear to preschool children;
- The correct solution of the game training tasks is encouraged with the computer that is incentive of informative activity of children;
- Possibility of an individualization of training;
- The child himself regulates speed and quantity of the training tasks solved game;
- The child in the course of the activity at the computer gains self-confidence, that he a lot of things can;
- The computer program allows to model such life situations which cannot be seen in everyday life (flight of the rocket, a high water, unexpected and unusual effects);
- The computer "is very patient", it never abuses for mistakes, and waits until the child himself corrects them.

Thanks to a multimedia way of submission of information the following results are reached: children acquire concepts of a form, color and size easier; concepts of number and a set are more deeply comprehended; there is an ability to be guided by the planes and in space quicker; efficiency of attention, memory, thinking trains; there is a mastering reading and the letter earlier; actively the lexicon is replenished; the small motility of hands, coordination of movements of eyes develops; time of both simple reaction, and reaction of a choice decreases; commitment and concentration is formed; the imagination and creative abilities develops.

Now there is a huge number of computer games for children and teenagers. Various approaches to classification of computer games testify to their variety.

In particular, there are games:

On use purpose: the entertaining, training and developing games;

By number of players: single-user and multiuser;

On character of roles: role (games with a look "from eyes" the computer hero; games with a view "from the outside" of the computer hero) and not role;

By types of a genre: action, quests, strategy, simulators, arcades, logical games, etc. [6]

Carrying out occupations with use of computer games has to conform to certain requirements:

- Formation of psychological readiness of preschool children for use of computer programs of various contents and level.
- The correct selection of the games corresponding to age opportunities of children.
- Carrying out preliminary work with children on formation of elementary computer literacy.
- The correct statement of the game task allowing to achieve the educational objectives and at the same time to increase interest of children.
- Work in couples. It is noticed that children cope with a task if work at the computer with couples better, Work "in private" is complication of a task [7].

The special group is made by the requirements connected with the prevention of physical, mental overworks. Work on the computer is interfaced to the compelled sedentary pose. It very adversely influences an organism of the child and promotes his exhaustion. The exhaustion develops because the bone and muscular system of children of 5-6 years is still formed and badly transfers physical activities. Therefore, it is important that the child sat at the computer correctly, in a pose, convenient for it. Duration of occupations should not exceed 15–25 minutes. The correct rational pose is important and in connection with prevention of visual exhaustion of the child as during the work on the computer, it is necessary to consider subjects at a short distance and against the shining monitor screen. At the computer treats features of eye work of children as well that they should transfer quite often a view from the screen of the keyboard of the computer and back. Therefore, the accommodation device of an eye of the child is in a condition of constant tension. For removal of tension of the accommodation device of an eye the gymnastics set of exercises is developed for eyes which are available and are carried out in a game form.

According to the aforesaid it is possible to allocate the following stages of occupations with the use of computer games:

1. Substantial and emotional training of children for the solution of game and didactic tasks on the computer.
2. The training game on the computer.
3. Problems of communication with each child on the game course.
4. Gymnastics for eyes, charging for fingers for removal of tension after game on the computer.
5. Realization again received (after game on the computer) impressions in independent game of children [7].

It is established that at the corresponding approach many directions, tasks and the content of education and educational work with children can be provided with the developing computer games.

Playing computer games, a child learns to plan, build logic of an element of concrete events, representations, it develops ability to forecasting of result of actions. He starts thinking before doing. Objectively all this means the beginning of mastering bases of theoretical thinking that is an important point a condition for intellectual development and for training of children for training in school. Computer games are built so that a child can receive not single concept or a certain educational situation, but he will have a general concept about all similar subjects or situations. Thus, so important operations of thinking as generalization, classification, etc. will be formed.

An important point is also that computer games (especially mathematical) are peculiar diagnostics of activity of the tutor as reveal gaps in these or those questions of educational and educational work.

Use of the computer allows to bring activity of preschool institution to new qualitative level, to update the content of educational process, to provide the quality of education of the pupil conforming to requirements of the modern educational standard.

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### LEGAL AND MORAL EVALUATION OF THE PHENOMENA PRODUCING SOCIAL CONTRAVENTIONS

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*Such phenomenon as 'euthanasia' is seen in this article. The idea of 'good morals' and ethics, 'social contraventions' and their relation are evaluated here. Then the conclusion about the importance of opinions differentiation on the formed problem is made.*

The activity, introducing the complex of specified actions of physical bodies which are illegal are of great social resonance. Such activities has a positive character, because through the actions of civil activities the 'knowledge base about the 'person' (the group of person) leading illegal way of life is formed. Modern social initiatives take legal bodies power' and enforce them into life, doing wrongs of criminal and administrative character. The examples of such initiatives are the so called 'Fighters with traffic violators', "Fighters with pedophiles", "Fighters with drug sellers", "Fighters with immorality of the individual female representatives" etc.

The essence of above- mentioned initiatives is in the exposure of the wrong-doers and confirmation their social life facts in the Mass Media and on the Internet. There are a great number of antipole society's opinions which is the reason for opinions differentiations of individuals leading to conflicts. But social contraventions themselves don't always lead to conflicts in society, but on the contrary they help to develop social phenomena, which are in entire unity and penetration. They are the sources of self-propelled and social process development and their scientific knowledge.

The term 'morals' is seen in the research as individual's interior orientation to behave according to his/her conscience and free will [5].

According to Ozhegov 'morals' is firstly 'ethics, secondly it's logical, instructive conclusion from something' [5]. We are considering 'morals' and 'ethics' as the term which has identity evaluation.

The idea of social contraventions means social subjects unity and fighting, having contradicting interests [2].

Social contradicting sides are social subjects. They are institutions, organizations, nations, societies, civilizations.

Social contradictions are seen in our research in the fields of 'law and good morals'.

Every social phenomenon should be seen from negative and positive sides and then from the positions of law and good morals. Let's analyze the problem of euthanasia legalization.

The idea 'euthanasia' is the unit of Medicine, Philosophy, Sociology and Law. So that, this phenomenon is very difficult for proper understanding. It's important to investigate some features of the phenomenon to define its positive and negative sides. The essence of this term 'euthanasia' has three aspects. Firstly it is social one, secondly it is of legal aspect, and the third is law of nature opinion connected with the definition of human right for life, with the attempts to introduce in this opinion the right for death, as the realization of the right for free disposal of individual's life. And finally criminal law approach, which is connected with criminal law responsibility matters, concerning the murder according to victim's request – the euthanasia enforcement into life. This phenomenon law evaluation doesn't have any contradictions.

The Law of the Republic of Belarus 'About healthcare' prohibited strictly euthanasia inclusive of medical staff.

The liability for such kind of crime is stated by 'Criminal Code of Republic of Belarus. Qualification is given according p. 1 art. 139 'Intentional illegal killing of the other person [7], with the extenuating circumstance opportunities – with active (dosing lethal dose of medicine to a sick person) and passive one (cutting the life supporting unit off). It's noteworthy to mention, that the qualification is the same for both active and passive forms. It is ignorance to enforce article 161 'Failure to assist sick person while cutting the life supporting unit off, as it can mean, for example, the default of appearance to a sick person, refusal to take him or her into hospital and render the first aid etc. [4].

Let's analyze the elements of such kind of crime. The subject is the life of concrete individual. The criminal intent in this case is represented by action expressed in active form 'active euthanasia', or mixed failure to act 'passive euthanasia'. The subject in this case is a sane person reached criminal responsibility age. The subject is common, this conclusion can be made while analyzing art. 31 of Law 'About healthcare'. Criminal intent is represented here by intentional guilt in the specific intent form. The person knows the act to be wrong and is willing to have dangerous hazards. The concrete example here is; while cutting the sick person off the medical unit, the person who is doing this, is willing the sick person's death.

We think, euthanasia problems can't be seen apart morals, which are social norms kinds directed to form citizens' legal behavior. It's necessary to keep in mind that morals tend to change due to social conditions' changings and developing science.

Nowadays the process of morals deepening into law is taking place. So, all the well-known euthanasia cases are evaluated as morals, which can influence the qualification.

Euthanasia is a very complicated social problem. Only careful and deep evaluation of this phenomenon can help to answer all the questions and direct the individual to form the ideas, which will be fixed in law.

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**THE METHODS OF JUDICIAL PROTECTION  
OF THE EXCLUSIVE RIGHTS TO THE TRADEMARKS USED ON THE INTERNET  
(BY THE LEGISLATION OF THE REPUBLIC OF BELARUS)**

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*The paper investigates the possibility of applying of the methods of judicial protection of the exclusive rights to the trademarks used on the Internet. It explains why special methods are ineffective to protect these rights. It is proposed to complement the legislation by the new method of protection of the trademark rights.*

Relevance of the subject is caused by the opportunities which the Internet offers today (hereinafter – the Internet, the Web). This is not only communication and access to information but also the purchase of goods and services. Trademarks and service marks (hereinafter – trademarks) mean any sign capable of being represented graphically, and of distinguishing goods and services of one undertaking from those of another. The importance of the trademarks is magnified on the Internet, where consumers are not able to see the quality and safety of goods, as well as the integrity of the seller. The exclusive rights to the trademarks are often the objects of the offence on the Web. As a result, trademark owners have to expend significant resources to control the billions of web pages and the protection of exclusive rights to the trademarks.

The purpose of the article is the identification of methods that you can apply for judicial protection of exclusive rights to the trademarks used on the Internet.

We use the formal-logical method and the methods of system analysis and synthesis of a legal material.

The objects of research are the methods of protection associated with the so-called non-contractual infringement of the trademark rights used on the Internet. This is a situation in which between the trademark owner and the person who is using the trademark on the Internet, there is no agreement on granting the right to use the mark. If the owner believes that the exclusive trademark rights are violated as a result of such use, he is entitled to apply to the court for protection of the rights. The trademark owner needs to decide on method of the protection and to specify it in the statement of the claim.

In the legal literature all methods (measures) of protection of the industrial property rights are divided into the general and special [1, p. 83; 2, p. 65; 3, p. 99]. A list of the general methods to protect all civil rights contained in the Civil Code of the Republic of Belarus (hereinafter – the Civil Code), Art. 11 [4]. These include: 1) recognition of the right; 2) recovery of the provision existing before violation of the right; 3) suppression of acts infringing the right or threatening to infringe; 4) recognition of avoidable transaction as invalid and the application of consequences of its invalidity, determine whether the nullity of the transaction and the application of the consequences of its nullity; 5) invalidation of an act of public authority or local government and self-government; 6) self-protection of the right; 7) award to discharge of duty in nature; 8) recovery of damages; 9) penalty; 10) compensation of moral harm; 11) termination or change of legal relationship; 12) non-use by court of an act of public authority or local government and self-government; 13) the different ways provided by the legislation [4].

The last point testifies that the list isn't exhaustive. Trademark owner can choose one or at the same time some methods of the protection (as it is stipulated in the Resolution of Plenum of the Supreme Court of the Republic of Belarus of September 28, 2005, № 9, Paragraph 10) [5]. The choice of the most suitable method and the procedural mechanism of its application depend on character of a perfect offence and a being of the violated right. D.V. Ivanova pays attention that suppression of the actions violating the right or creating threat of such violation is one of the most widespread ways from all possible ways [6].

The protection of the civil rights against illegal use of the trademark can be carried out by requirements about the termination of violation and recovery of damages and also the different ways provided by the Trademark Act (Art. 29, Paragraph 2) [7]. The specified ways can be applied and to protection in a judicial proceeding of the rights for the trademarks used on the Internet.

The requirement about the termination of violation of an exclusive right to the trademark corresponds to the essence of this right. A trademark right is the exclusive right to use a registered trademark with respect to designated goods or services. It is an absolute right. This means that the exclusive right is effective against the general public. "Trademark owner has an exclusive right to use the trademark and to dispose of it, and also the right to forbid the use of the trademark to other persons. Nobody can use the trademark protected in the territory of the Republic of Belarus without the permission of his owner" (the Civil Code, Art. 1019) [4].

It is required to provide proofs about existence of losses and their size for indemnification. This circumstance often causes difficulties in practice including when the exclusive right to the trademark is violated by use of the trademark on the Internet. According to the Civil Code (Art. 14) damages have to be paid in full, i.e. the real damage (loss or damage of property) and the missed benefit are subjects to compensation [4]. The sum of the missed benefit which is subject to compensation can be estimated at a rate of income gained by the offender. As physical infliction of harm is impossible for the trademark owing to non-material nature of this object, collecting real damage in this case is difficult. Collecting the missed benefit is represented to more real.

The analysis of practice on lawsuits shows that trademark owners don't declare property requirements (compensation of real damage or the missed benefit) in the claims for protection of the rights to the trademarks used on the Web. The requirement about the termination of violation of exclusive rights to the trademarks on the Internet was in most cases imposed [8, 9, 10]. On one of claims the requirement about cancellation of registration of the domain name in which trademarks of the claimant were used illegally was declared [8]. In our opinion, the lack of property claims is explained by that on such categories of affairs it is difficult to define and prove the size of losses.

The measures provided by the Civil Code (Art. 989) can be carried to the general methods of protection of exclusive rights to objects of industrial property, including on trademarks. There are: 1) withdrawal of material objects by means of which exclusive rights are violated and the material objects created as a result of such violation; 2) the obligatory publication about the allowed violation with inclusion of data in it about the one who possesses the violated right [4].

The second methods can be effective for the termination of the lasting violation of exclusive rights to the trademark used on the Internet (see more about it [11, p. 52]). There is no concretization in the legislation how this way can be exactly realized. We agree with opinion on that the publication has to be carried out at the expense of the person guilty of an offense and the way specified by court [6]. For example, if a trademark right is violated by use of a sign in a domain name, data on such violation, including information containing in the notice are entered by the registrar in the register of domain names (the Instructions about an order of registration of domain names in space of hierarchical names of a national segment of the Internet, Paragraph 9) (hereinafter – the Instruction) [12].

The withdrawal of material objects by means of which the exclusive rights are violated, and the material objects created as a result of such violation is carried out in the ways [6].

1) Removal from the goods or its packing of illegally used trademark or the designation similar to it to extent of mixture, and (or) destruction of the made images of the trademark or designation similar to it to extent of mixture;

2) Arrest or destruction of the goods to which the trademark was illegally applied. These measures of protection are provided by the Trademark Act (Art. 29, Paragraph 2, Subparagraphs 2.1-2.2) [7]. These are special ways of protection of the rights to trademarks, as well as a penalty in favour of the dissatisfied party at a rate of the cost of goods to which the trademark was illegally applied (the Trademark Act, Paragraph 2, Subparagraph 2.3) [7].

In our opinion, the above-named special ways can't be applied to protection of the rights to the trademarks used on the Internet. These measures belong to cases when the trademark is actually applied. It is placed on goods for which it is registered and (or) on its packing. Therefore, such goods can be arrested or destroyed, or to remove from them illegally used trademark or the designation similar to it to extent of mixture, or to determine the penalty size proceeding from the cost of goods to which the trademark was illegally applied.

On the Web the trademark isn't applied directly on goods and (or) its packing. Use is carried out by placement of information making the designation registered as the trademark concerning goods for which the sign is registered or uniform goods. Such information can directly be placed on the Web pages on which goods are offered to sale, in advertising, domain names or at different ways of addressing. When similar actions are carried out without the owner's consent, they can be recognized as the illegal. "Violation of trademark rights may be deemed an unauthorized use of a trademark not only on the goods themselves, but also other introduction into civil circulation, to which can be attributed to use of a trademark or similar to it to confusingly in a domain name on the Internet in relation to similar goods and services" [8]. In the Republic of Belarus all known cases were connected with use of trademarks in domain names in the zone BY.

The cases on the protection of exclusive rights to the trademarks used on the Internet are considered by the judicial board for the intellectual property of the Supreme Court of the Republic of Belarus. The jurisdiction is defined proceeding from belonging of a Web resource of the offender to a national segment of the Internet [13, p. 51]. The national segment of the Internet is a set of the information networks, systems and resources having connection to the Internet, located in the territory of the Republic of Belarus and (or) using hierarchical names of the national segment of the Internet [14].

Thus, judicial protection of the rights to the trademarks used on the Web can be carried out by presentation of requirements: about the termination of violation of an exclusive right to the trademark on the Internet and the obligatory publication about the allowed violation with inclusion of data in it about the one who possesses the violated right. Whether there are enough these measures for restoration of the rights to the trademark? Obviously, there are not. "The claimant often can't achieve full compensation of the economic and competitive losses. At the same time chosen method of protection that is designed to compensate for economic losses, as well as to prevent further violations" [6].

For example, in December 15, 2008 the Supreme Court of the Republic of Belarus considered the case between the companies "Google Inc." (USA) and JSC "IDB" (Republic of Belarus) and citizen T. about the termination of violation of the exclusive rights to the trademarks and a trade name used by respondents in the domain name on the Internet. (A domain name (domain) – the symbolical (alphanumeric) designation created according to the international rules of addressing of the Internet, intended for the named appeal to information resource of the Internet and corresponding to a certain network address) [12]. The court met the requirement of the claimant about the termination of use of trademarks of the claimant in a domain name on the Internet, but refused the requirement to cancel registration of the domain name addressed to the citizen T. and to pass the domain name to the company "Google Inc." because this method of protection is not in the legislation of the Republic of Belarus [8].

Indeed, there is not such measure among the above-mentioned ways of protecting. In connection with this position the Paragraph 44<sup>1</sup> provided by the Instruction is of interest: "The court may decide to change the domain administrator in the cases provided by law including in violation of the same domain administrator rights to the means of individualization of participants in civil commerce, goods, works or services by transferring the right to administer of this domain to the legal owner of the mean of individualization event of his consent" [12].

The analysis of the contents of this rule leads to the conclusion that the court so decides on its own initiative with the consent of the trademark holder. In other words, the right holder cannot claim in court requirements about transfer of the right for administration of the domain to him. This moment seems disputable from the point of view of the procedural rule about an obligation of court not to go beyond claim requirements (the Civil Procedure Code of the Republic of Belarus (hereinafter – the Code of Civil Procedure), Art. 298). However, the court in deciding is not entitled on its own initiative, without the consent of the plaintiff to change the subject and causes of action, except in cases provided by this Code and other legislative acts (the Code of Civil Procedure, Art. 298) [15]. Thus, the content of Paragraph 44<sup>1</sup> of the Instruction is completely consistent with the requirements of the Code of Civil Procedure.

The introduction of the norms of the Paragraph 44<sup>1</sup> of the Instruction to the Belarusian legislation on domain names should recognize as the step towards improving the latter. But this is not enough. To prevent repeated violations of the trademark owner we consider it appropriate to include in the Trademark Act the extra special way to protect the exclusive rights to trademarks. In particular, we propose to supplement the Paragraph 2 of Art. 29 of the Trademark Act with the Subparagraph 2.4 as follows: "exclusion of the domain in which the trademark was used illegally from the registry of domain names and (or) transfer of the right to administer the domain to the trademark owner". As a result of this innovation, the Paragraph 44<sup>1</sup> provided by the Instruction will comply with the Trademark Act. In turn, trademark owners will have an additional opportunity for effective judicial protection of the exclusive rights.

There is a set of methods of the protection of the exclusive rights to the trademarks in the legislation of the Republic of Belarus. As a result of research it is established that not all from them can be applied to the protection in a judicial proceeding of the exclusive rights to the trademarks used on the Internet.

In particular, the special methods are ineffective due to the facts that do not consider the specifics of the use of trademarks on the Web. Trademark owners are limited in a choice of measures for judicial protection of the exclusive rights. This has a negative impact on the effectiveness of such protection. Actually trademark owners can use only two ways: to demand the termination of violation of an exclusive right to the trademark on the Internet and (or) the obligatory publication about the allowed violation with inclusion of data in it about the one who possesses the violated right.

In this regard it is offered to provide a new special method of the protection in the Trademark Act: exclusion of the domain in which the trademark was used illegally from the registry of domain names and (or) transfer of the right to administer the domain to the trademark owner. Application of this measure by court will serve as a guarantee of those similar offenses won't repeat in the future. This will increase the effectiveness of the protection of the rights to the trademarks used on the Web.

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### INFORMATION TECHNOLOGIES IN TEACHING BUSINESS ENGLISH AT SPECIALIZED SECONDARY SCHOOLS

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*The application of information technology in English teaching has become the hotspot in English education. This paper mainly expounds the technologies used in language teaching and gives advantages of their application.*

As the Republic of Belarus broadens its foreign economic relations to know a foreign language is absolutely necessary nowadays for every educated specialist. That is why a Business English course has been introduced in many specialized secondary schools. It is a three-semester course for second and third year students of economic specialities. The main aims of the course are:

- to develop students' verbal skills and written language skills that allow them communicate, conduct business talks and read business correspondence in English;
- to develop reading and translation skills necessary for reading business and economic literature;
- to develop better understanding of oral economic information [1].

As the demand for knowing English is increasing, the application of modern information technologies in English Language teaching can help students to master the language better and faster. The classical way of teaching the English language with the help of books, pictures, cassettes, videos, etc. seems obsolete and uninteresting for both teachers and students as it doesn't possess as many opportunities as the modern means of teaching with the help of information technologies. This paper mainly expounds the technologies used in language teaching and gives advantages of their application.

The technological resources currently used in language teaching can be outlined as follows.

**Audio devices.** The most popular and most widely used devices appropriated by modern language teachers remain the CD player and the audiocassette recorder. More recently, the Web has served as an additional source for authentic listening materials thanks to the possibility of fast downloads using MP3 software.

**Video.** The use of moving images linked to sound provides learners with exposure to all important elements of spoken communication: gestures, pronunciation, intonation, all embedded in natural, cultural contexts. And devices like DVD players, videocassettes, web sources, the laserdisc and video cameras readily supply these. Thanks to modern technology, scenes can be located, isolated and replayed at random and there is an abundance of literature suggesting how to exploit video sequences meaningfully. Different forms of visual support can now be offered (e.g. optional sub-titles in the mother tongue or target language to assist understanding and facilitate access to the language).

**Television and radio broadcasts.** Both satellite and terrestrial radio and television programmes offer cheap access to contemporary, authentic, and potentially culturally rich programmes for the language learner. The immediacy of current affairs programmes ensures that learners' exposure to the language is up-to-date and embedded in the real world of native speakers. Linked to modern recording equipment, broadcast radio and television also offer the advantages of the audio and video devices mentioned above.

**Telephone.** ISDN has gone a long way to overcome the problem of the relatively poor quality of analogue transmissions, which has so far prevented this medium from being widely used for language teaching. Audio exchanges via the Internet now also provide possibilities for real time synchronous oral communication. The principal uses of the telephone then have been limited to supplementary tutoring for those engaged in distance education. However, with the advent of digital quality and lower connection costs, there is now considerable potential for its extended use – including the possibility of conference calls.

**Computers.** With the introduction of the multimedia computer, the learner and teacher have at their disposal an instrument, which can combine all the advantages of the above-mentioned media in a compact and easily accessible form. The computer may be used as a local machine or within a network. Computer Assisted Language Learning software, CD-ROMs, and office software applications have become commonplace in many teaching environments [2].

In professional life and in business world the new technologies have taken central stage and allow fast and efficient communication and collaboration, information generation, exchange, and management. The professional world today would in most cases be impossible without information technology. This places a challenge on teachers who need to prepare their students for professional life. As students' needs and authentic tasks are paramount in business English, it can be of great use for teachers to integrate information technologies into their courses and use word processor and email, the internet as a source for authentic material and place for authentic communication, virtual conferencing platforms, simulation software, or, in recent years, mobile technologies.

Several advantages of using information technologies in teaching English can be outlined:

1. They provide interaction and communicative activities representative of specific professional or academic environments.
2. They foster understanding of the socio-cultural aspects of the language as practiced in various fields and professions.
3. They provide comprehensible field-specific input and facilitate student production.
4. They provide sheltering strategies for language development and content-specific understanding (modelling, bridging to students' background experiences, contextualising, metacognitive activities, etc.).
5. Uses task-based and inquiry-based strategies reflective of tasks in discipline specific settings and situations.
6. They use authentic materials from specific disciplines and occupations.
7. They supply authentic audiences, including outside experts in specific fields.
8. They support cognitive abilities and critical thinking skills required in the disciplines.
9. They use collaborative learning.
10. They facilitate focused practice for the development of reading, writing, listening, and speaking skills across the curriculum and disciplines.



11. They are student-centered and address specific needs of students.
12. They use multiple modalities to support different learning styles.
13. They meet affective needs of students: motivation, self-esteem, and autonomy.
14. They provide appropriate feedback and assessment of content knowledge and English skills [3].

The role of English in the fields of economy and business is ever increasing. Consequently, so are the demands on teachers and students to serve the needs of students and professionals in these fields to conduct their studies, research and business in English on an international scale. Modern information technology can not only show the teaching content vividly, enlarge students' horizons, broaden students' views through the combination of audio and sound, appropriate forms of expression but also activate classroom atmosphere greatly, enrich the teaching content, stimulate students' interest and thirst for knowledge, strengthen students' ability of autonomous learning and understanding. Therefore the application of information technology in English teaching has become the hotspot in English education.

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### INTERNATIONALISATION OF EDUCATION AND STAFF POSTGRADUATE TRAINING AT POLOTSK STATE UNIVERSITY

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*In this paper the issues of internationalisation of education at Polotsk State University are considered with the view of capacity building of staff through their postgraduate studies which have been updated according to the requirements and principles of the Bologna Process in Europe tackled by the international EU-funded projects. The paper contains an example of a joint European project of the Tempus programme financed by the European Commission and shows how the staff at Polotsk State University are effected with sustainable impact.*

Internationalisation strategy has been for a number of years one of the leading policies at Polotsk State University and considered such practices and guidelines as inter-University exchange, training overseas students at PSU, employing international staff at its faculties, and implementation of international bi- and multilateral projects. Tempus programme financed by the European Commission has been the lead donor in the foreign investments into the academic development of the University. The advancements were undertaken in such areas of modernisation as University management, curriculum development, and enhancing University-enterprise cooperation.

In 2013 the University started to implement a Tempus project 543724-TEMPUS-1-2013-1-LT-TEMPUS-JPCR “New Model of the Third Cycle in Engineering Education due to Bologna Process in BY, RU, UA” (acronym – NETCENG). It is still an ongoing project aimed widely at ensuring development and exploitation of pilot Doctoral Programmes in Engineering in line with the Bologna Process, according to the ten basic principles of Salzburg and Bucharest Forum. The specific project objectives include: development, implementation, and accreditation of core and transferable curricula based on the modular principles of education and application of ECTS credits as basic indicators of postgraduate students’ work load. The upgraded structure of the doctoral study programmes in engineering will meet the requirements of the regional and national labour market

Postgraduate training of engineering staff at Polotsk State University started more than forty years ago. The building of petrochemical industrial enterprises and the need in research professionals at a newly established polytechnic institute determined the necessity of teaching staff postgraduate training. As a result, well-known scientists, researchers and engineers from the Soviet Union research centres, universities, and industry were invited to work, arrange postgraduate training, and establish research schools.

Further capacity building of research staff training was associated with the opening of postgraduate study programmes in 1989. Initially, there were three PhD study programmes, two of which were in the field of civil engineering and architecture – ‘Constructions, Buildings and Facilities’ and ‘Heat and Gas Supply, Ventilation and Illumination’. The third programme was in the field of chemical technology – ‘Chemical Technology of Fuel and High-energy Materials’.

In the period from 1989 to 2014 the total number of postgraduate students was more than five hundred. Today the University offers twenty two postgraduate study programmes. More than 70% of them are in technical fields of study and research. [1], fig. 1.

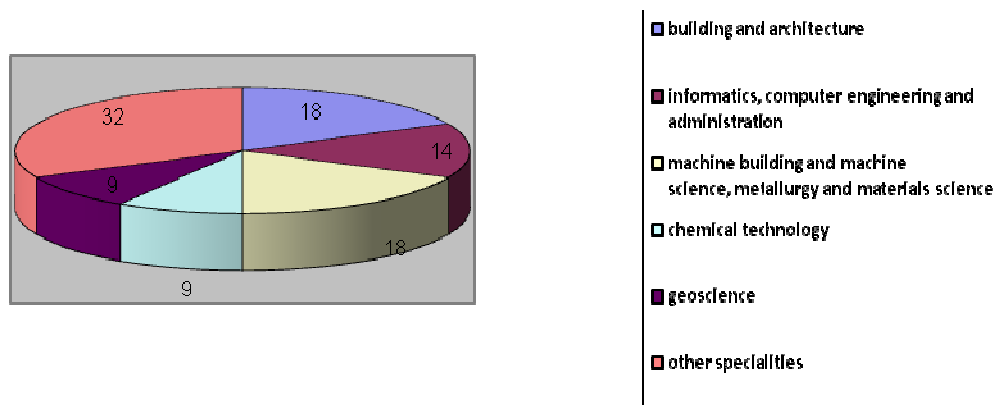


Fig. 1. The percentage of technical postgraduate study programmes at PSU

Under current circumstances of intensive innovation development and tough competition preference is given to the introduction of new elements, materials, technologies and equipment in different fields. This problem can be solved by supplying science and production with highly qualified scientists.

Postgraduate students have a great opportunity to improve their professional skills, and realise their scientific and engineering potential. More often young professionals consider postgraduate education not only as a possibility to become a teacher at university but also as a possibility to increase their rating on the labour market. As a result, the requirements are increased not only to those who want to become a postgraduate student, but also to the University research schools and research supervisors who support the PhD students, advise, and involve them in continuous research.

Eight research schools have been formed and developed at Polotsk State University in the following spheres: historical and contextual methods in the world literature, plasma emission electronics, mobile development of machinery manufacturing based on the rational choice and adoption of new products and technologies, computer-aided design of module production tools and intensification of machine and physico-technical material processing, alternative methods of mathematical measurement treatment, structural assessment and reinforcing of buildings and facilities, industrial security of objects of pipeline transport, archeological and ethnographic study of Podvinye region, and theory and practice of information security.

Knowledge accumulated at these schools help young researchers to gain invaluable experience through linking theory and practice. Later it helps postgraduate students to become professional teachers and continue their research in dissertations.

According to the current state of postgraduate education and taking into account the developed traditions staff training at the University is carried out in the following way:

- selection of candidates for postgraduate course at 1st and 2nd stages of higher education and vocational guidance work with students who are going to work at research;
- selection of research supervisors including their research and teaching;
- regular monitoring of the whole period of postgraduate education till the defense of a dissertation.

Candidates for postgraduate studies are selected from young talented students who are willing to join research teams or schools at the University.

Students usually start their research activities during the first stage at University in those subjects which they learnt at school (physics, mathematics, history, etc.). The advanced study of basic sciences helps students to find and analyse necessary information, to set certain goals and problems. As a rule, students study basic sciences till the third year, when they start learning special courses. It helps them to get acquainted with research

activities of leading scientists, departments and laboratories. From the third year till the end of studies students take part in contests, competitions and research conferences.

Undergraduate students who are engaged in research activities have a possibility to publish their works in the serial publication 'Young staff research papers' and in the annual publication of proceedings of the 'Junior researchers' conference' in the English language. The results of the best research works co-authored with research supervisors can also be published in the academic periodical 'Herald of Polotsk State University'.

Students usually continue their research work during master studies if they choose it. Master study programmes were opened at Polotsk State University in 1997. It included seven technical study programmes in petro-chemistry, machine-building and civil engineering. At present the University offers twenty one master study programmes, 50% of which are in technical fields [1], fig. 2.

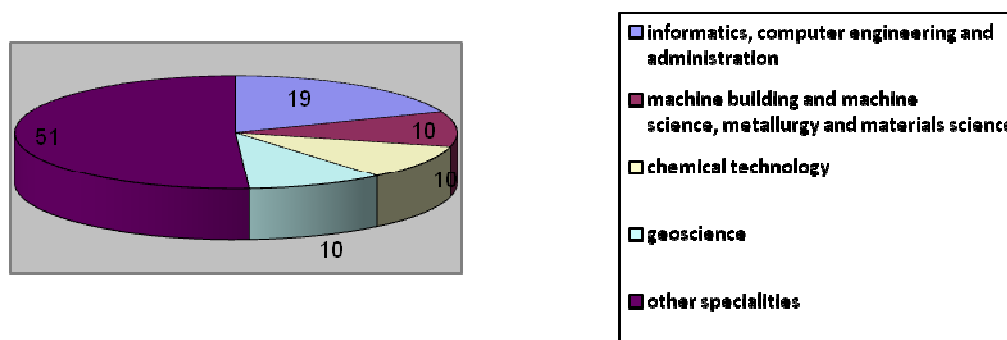


Fig. 2. The percentage of technical master study programmes at PSU

Staff training at postgraduate PhD and Master study programmes respects not only the requirements of Polotsk State University but also the requirements of scientific, production, innovation and administrative spheres of the regional and national economy. This is exactly how postgraduate staff training is carried out at Yanka Kupala State University of Grodno, Belarusian-Russian University, JSC 'Khimremont', MUDPE 'Polotkselstroy', 'Vitebskgrazhdanproekt', JSC 'Naftan', etc.

In 2012 the evaluation of research supervisors' competences was set to take place regularly at the end of each year of postgraduate studies at the sitting of the University Council. At the same time the number of postgraduate students supervised by one research supervisor has been reduced. It was caused not only by the increase bureaucratic responsibility of research supervisors but also by the tightened requirements to postgraduate students, stricter control within limiting regulations and prescribed deadlines for dissertation manuscript presentation and defense.

In 2013 to increase research supervisors' motivation and enhance efficiency of staff postgraduate training, the University Council adopted special regulations for the encouragement of research supervisors at Polotsk State University.

The matter of postgraduate students' education is under consideration at their attestation. In 2006 quarterly attestations of postgraduate students were set up. In 2011 annual and semi-annual attestations were initiated. In 2012 with the completion of postgraduate study programmes, the final attestation of postgraduate students and applicants was performed by the national certifying commission. Since 2012 the national certifying commission awards the scientific qualification of a researcher and the diploma of a researcher to all postgraduate students who have successfully completed their postgraduate studies [2]. The scientific qualification of a researcher allows postgraduate students to work as a lecturer or an assistant for two years without any staff elections and can participate in election competitions for a vacant job of a senior researcher.

The recent monitoring has shown that all postgraduate students who have finished postgraduate study programmes in the past five years now work as lecturers and members of the research sector at the University. However, for some postgraduate students research is not a career destination.

It must be mentioned that success of dissertations depends on the interaction between postgraduate students, research supervisors, and the head of the department. At the same time, senior postgraduate students who work as assistants or lecturers have to study more subjects (from three to five), prepare for the lectures. Sometimes it slows down the work on dissertations. An average duration of dissertation writing after graduation is about five years at the University.

At Polotsk State University young researchers are provided with all the necessary conditions for their research. The existing system of staff training helps to select talented young people who could work at

manufacturing and solve real economic problems in the country. However, market relations create a noticeable trace on the behaviour and the system of values of young researchers. In market relations knowledge is not only a result of research but also a product for merchandise that must be sold. In recent years the fall of the prestige of researcher and teacher professions has been observed. It is related to the constantly growing pragmatism of young generation who start their career. It leads to the constant flow-out of young staff to different branches of economy and business.

At Polotsk State University there is a complex of measures which help to stimulate young specialists to work at the University. There are also measures which help to raise the standard of the material prosperity of postgraduate students. Among them – creation of temporary research teams for the application of postgraduate training and research, and combining teaching with training at the Institute for Professional Development at PSU. But this has a negative effect which is in slowing down the work on dissertations. Polotsk State University provides young staff with accommodation, usually in its own halls of residence. At the same time, the governmental social support of young staff is of high importance, especially in the matter of solving housing problems.

The problem of attracting the junior staff at Polotsk State University has to be solved. In spite of the fact that students succeed in their postgraduate studies, some leave the University without getting employment at it. As a result, many departments are short of senior researches and PhD holders in general.

To summarise it should be mentioned that the enhancement of the system of postgraduate staff training at the University it has:

- to carry out the vocational guidance work with talented students at the first and second stages of higher education and emphasise the advantages of a research career;
- to engage talented young staff members to work in temporary research teams for application of their postgraduate studies;
- to consider work of postgraduate students' research supervisors as a prioritised activity at the University;
- to create conditions for dissertation writing in groups of postgraduate students, research supervisors, senior postgraduate students and heads of departments.

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UDC343.265

#### ENVIRONMENTAL CRIMES AGAINST FLORA IN THE CRIMINAL CODE(1999) AND THE CRIMINAL CODE OF THE BELARUSSIAN SSR(1960)

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*Standards of the criminal code of Republic of Belarus (1999) and the Belarussian criminal code by the Soviet Socialist Republic (1960), the regulating public relations encroaching on ecological safety and environment, namely on flora are considered in the article. The comparative and legal analysis of the above-stated norms is carried out.*

At a turn of the XXI century fight against ecological crime reached urgency peak. Confirmation of it is the Concept of national security of Republic of Belarus (further – the Concept) which in item 4 includes as one of the base directions in the maintenance of a state policy ensuring national security in the ecological sphere. This Concept in item 36 allocates as internal sources of threat of national security in the ecological sphere:

- high concentration on territories of Belarus of ecologically dangerous objects, their placement near residential zones and life support systems;
- radioactive pollution of habitat owing to the Chernobyl accident;
- formation of large volumes of production wastes and consumption at low extent of their recycling and the hi-tech processing, the raised levels of emissions and dumpings of polluting substances;
- insufficient development of legal and economic mechanisms of ensuring ecological safety, systems of the accounting of natural resources, monitoring of emergency situations and quality of environment [1].

As neutralization of internal sources of threats of national security in the ecological sphere the Concept specified above the special place allocates for development " ... effective regulatory legal base of ecological safety, including system of payments for using natural resources and adequate compensation of the damage caused to environment" (item 56).

In our opinion, inclusion of ecological safety as one of the basic directions in the maintenance of the state policy providing national security, testifies that the Belarusian legislator aspires to bring national legal system into accord with the international standards, and also it is aspiration to keep national natural heritage of the country.

As it is represented, for deeper analysis of crimes against ecological safety and environment as a whole a certain scientific and practical value will have carrying out within the real research of the comparative legal and retrospective analysis of formation and development of ecological crimes in the Belarusian state.

In earlier existing Criminal code of BSSR of 1960 (further – UK BSSR) the legislator allocated eight structures, providing responsibility for the ecological crimes seven of which are in hl. 11 "Crimes in the sphere of business and other economic activity", and the eighth in hl. 15 "Crimes against public safety, a public order and population health" [2]. Thus, there was no certain head who would be devoted to especially ecological crimes, therefore, favorable environment was not considered as independent object of criminal encroachment.

The short story of the Criminal code of Republic of Belarus 1999 (further – UK) is allocation of twenty two structures providing responsibility for ecological crimes which hl were systematized and united for the first time in history the national criminal legislation on the basis of object in separate. 26 "Crimes against ecological safety and environment" [3]. This fact directly testifies that fight against ecological crimes and gains the increased public importance.

Allocation of ecological crimes in the separate chapter of UK made possible definition of a patrimonial data object of structures of crimes that could not be made on UK BSSR. N.A. Baby understands the public relations providing ecological safety of human dwelling, and also safety and rational use of natural resources as patrimonial object of ecological crimes [4, p. 449] and suggests to divide ecological crimes on direct object into the following types [4, p. 454]:

- - crimes against ecological safety;
- - crimes against the lifeless nature;
- - crimes against flora;
- - crimes against fauna.

Within this scientific publication we will carry out the comparative and legal analysis of formation of the Belarusian legislation concerning group of crimes against flora.

In UK the following structures relating to crimes against flora are fixed: pollution of the wood (Art. 275), destruction or wood damage on imprudence (Art. 276), illegal felling of trees and (Art. 277) bushes, violation of the rules established for fight against weed vegetation, diseases and wreckers of plants (Art. 280).

In turn UK BSSR carries to crimes against flora: the violation of the rules, established for fight against diseases and wreckers of plants (Art. 159), damage of crops (Art. 164), illegal felling of the wood (Art. 165).

Comparing crimes of this group, we note that fact that UK provides criminal legal protection to wider list of the public relations, rather than the Soviet legislation. On UK BSSR such structures as "Wood pollution", "Destruction or wood damage on imprudence" did not provide criminal liability. In our opinion criminalization of data of structures is reasonable since pollution, and also destruction or wood damage as an ecological complex harms environment and generates threat of ecological safety.

We note that fact that in UK such structure as "Damage of crops" is excluded by UK BSSR Art. 164. Decriminalization specified above structure, in our opinion, occurred because this article provided responsibility for deliberate destruction or damage of the state or public property in special way. The comment to UK BSSR explains that in such a way is damage of crops or damage of field-protecting afforestations, fruit and berry and

other special plantings of scotomas or a bird or as a result of journey of a cartage, cars, tractors, combines and other cars [5]. Let's pay attention that Art. 164 of UK BSSR does not contain an administrative law as a necessary condition for criminal prosecution and provides the sanction at a rate of two years of corrective works or a penalty to three hundred rubles. Certainly, the Belarusian legislator could not include so severe norm in UK, since it would contradict principles of the criminal law and criminal liability. However it should be noted that fact that the legislation of Republic of Belarus provides responsibility for a pasture of pets in unstated places of Art. 15.44 of the Code about administrative offenses of Republic of Belarus (further – KOAP) and provides responsibility in the form of a penalty to four base sizes [6]. As to the remained ways of commission of the objective party "Damage of crops", they did not find the fixing neither in UK nor in KOAP. In our opinion decriminalization of these ways of commission of the objective party of Art. 164 of UK BSSR is a consequence of that these acts do not possess public danger to recognize them criminal, and harmful consequences which can be caused by them, are not so great to recognize them as an offense.

It should be noted that UK BSSR provided responsibility for damage or destruction of crops and plantings by such ways as cutting down, an arson, etc. this act was subject to qualification according to Art. 96 "Deliberate destruction or property damage", i.e. article providing responsibility for crimes against a property.

By the main difference of structures of crimes against the flora, fixed UK BSSR and UK, it is expressed in object definition. Object of crimes against flora on UK are the public relations providing protection of ecological safety and environment. While in UK BSSR as object understands the public relations providing protection in the sphere of business and other economic activity. It should be noted that the Belarusian legislator change of object of crimes was beyond economic activity, thereby having increased the public importance of ecological crimes.

Let's carry out the comparative and legal analysis of Art. 277 of UK "Illegal felling of trees and bushes" and UK BSSR Art.165 "Illegal felling of the wood".

The objective party of Art. 277 of UK is expressed in the following alternative options of active behavior:

- to illegal felling of trees and bushes in the woods of the first group;
- damage to extent of the termination of growth of trees and bushes in the woods of the first group;
- to felling of not entering into wood fund protective and tree and shrub plantings;
- damage of not entering into wood fund protective and tree and shrub plantings.

Let's use Art. 16 of the Wood code of Republic of Belarus: the woods located on belong to *the first group of the woods*:

- especially protected natural territories (reserves, national parks, wildlife areas of republican value, nature sanctuaries of republican value);
- the woods of especially valuable sites of the wood fund, having genetic, scientific and historical and cultural value;
- the water security woods (forbidden strips of the woods and the wood in borders of water security zones on coast of the rivers, lakes, reservoirs and other water objects);
- the protective woods (the antierosion woods, protective strips of the woods along the railways and high ways of the general using);
- the sanitary-and-hygienic and improving woods (the city woods, the woods of green zones round the cities, other settlements, the industrial enterprises, including the wood of forest-park parts of green zones) [7].

Having analyzed the foregoing, we draw a conclusion that Art. 277 of UK has an essential shortcoming, namely it provides with criminal legal protection only the woods of the first group, in turn the woods of the second group which according to the Wood code have operational value and make 54% of the state wood fund [7], are subject to administrative legal protection. In our opinion the woods of the second group have not only economic, but also important ecological value for Republic of Belarus, and illegal felling in the woods of this category does the same harm of ecological safety of our country, as well as illegal felling in the woods of the first category. In our opinion it is necessary for Belarusian legislator to expand a subject of Art. 277 of UK, namely to provide with criminal legal protection all categories of the woods.

It should be noted that the objective party of Art. 165 of UK BSSR "Illegal felling of the wood" provided responsibility for illegal felling of trees and bushes in:

✓ *the woods of the first group*, dividing this group on:

- the woods which are carrying out protective, sanitary-and-hygienic and improving functions, and also reserves, national and natural parks, reserved wood lots, the woods having scientific and historical value, natural parks, forest parks in that case if the damage caused to them exceeds hundred rubles;
- other woods relating to the first group. For criminal prosecution it is necessary, that the damage made two hundred rubles on a rate established for calculation of the amount of collecting for a damage, the caused illegal felling and damage of trees and bushes;

✓ *other woods* if the damage exceeds three hundred rubles on a dachshund mentioned above.

Having analyzed the above-stated article, we draw a conclusion that UK BSSR provided criminal legal protection of the wood of all categories that in turn promoted prevention of adverse ecological effects in the form of wood destruction.

It should be noted that the positive moment of Art. 277 of UK is that the Belarusian legislator provided for criminal prosecution for illegal felling of trees and bushes the lowered size of a damage. According to notes to Art. 275 and 276 UK the large size of a damage in Art. 277 is considered eighty and more times exceeding size of base size, especially large – two hundred fifty and more times exceeding size of base size. In our opinion fall of the size of a damage is reasonable since wood destruction by its cutting down is today an actual problem for Republic of Belarus.

Carrying out rather legal analysis of the criminal rules of law regulating illegal felling of the wood on UK and UK BSSR, we draw a conclusion that the subject and the subjective party at these structures is similar.

UK, also as well as UK BSSR fixes one more similar norm protecting the public relations, providing a safe condition of vegetation and animals. In the Belarusian UK this norm is Art. 280 "Violation of the rules established for fight against weed vegetation, diseases and wreckers of plants" in Art. 159 UK BSSR "The violation of the rules, established for fight against diseases and wreckers of plants", will carry out the comparative and legal analysis of these norms.

From the name of the above-stated norms it is possible to draw a conclusion that UK expands a subject of the protected public relations, providing responsibility not only for violation of the rules established for fight against diseases and wreckers of plants, but also for violations of the rules established for fight against weed vegetation. In our opinion this expansion is reasonable since today there is a large number of various chemical preparations at which use perish not only weeds, but also is harmed crops that subsequently can harmful affect both on health of animals, and human health.

It should be noted that non-compliance with the rules established for fight against weed vegetation, diseases and wreckers of plants, makes negative impact on a flora condition, breaks norms of functioning of fauna, creates threat of ecological safety.

Having carried out the comparative analysis, the above-stated norms on the subjective party and the subject of a crime we draw a conclusion about their similarity.

Carrying out the comparative and legal analysis of crimes against flora, we allocate a number of the public relations which were not regulated by UK BSSR: wood pollution, destruction or wood damage on imprudence. It should be noted that these structures found reflection in UK, having expanded the sphere of the public relations which are subject to criminal legal protection. Criminalization of these acts is represented actual owing to being aggravated environmental problems, and in particular deteriorations of a condition of the wood by means of its pollution and destruction.

Having analyzed the Soviet criminal code and having compared it with Belarusian concerning group of crimes against flora increase of the public importance of ecological crimes, change of patrimonial object and extension of the list of structures of crimes as advantages of UK should be noted. The main lack of UK BSSR is that he did not give due consideration to protection of data of natural objects as in a priority protection of economic interests was put.

Thus, the criminal legislation in the field of environmental protection cannot be static and will constantly change according to actual problems and needs of society for this sphere.

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UDC 371.1:379.851 = 111

**ON THE PRINCIPLE OF GOOD FAITH IN CIVIL LAW IN RELATION TO OBLIGATIONS ASSOCIATED WITH PROVIDING THE SERVICES ON HEALTH IMPROVING TOURISM**

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*Normative and doctrinal implementation of the principle of good faith in the civil law of the Federal Republic of Germany, the Russian Federation, the Republic of Belarus is examined. The peculiarities of performance of this principle in relation to obligations associated with the rendering of services in health tourism in Belarus are studied. Some conclusions about the need to fix the principle of good faith in the Law of the Republic of Belarus "On Tourism" are made and substantiated.*

Civil law relations in various degrees are based on the common law and branch principles. With the adoption of the Civil Code of the Republic of Belarus in 1998 the legal principles found their concrete embodiment in the civil legislative regulations. Although scientists of civil law have not reached consensus on what principles should be attributed to the branch ones, and which of them should not be, there is no doubt *the principle of good faith belongs to the field of civil law*. After all, good faith is currently playing an important role in contractual relations.

Good Faith is a concept that attracts a lot of interest in modern law, not only because it performs certain functions, but also because it entails legal uncertainty that surrounds it.

According to Russian scientists V. Vorontsov and V. Mkrtchyan, good faith is one of the most contentious issues discussed, for example, in modern English contract law. This dispute has now attracted a lot of attention, especially in connection with an active discussion on the topic of fixing of good faith as a general principle of action at the conclusion, execution and abrogation of the contract. Further the authors state that the practice of dispute settlement only complicates the problem exponentially [1, p. 64].

In the German Civil Code it is established the prohibition on the exercise of the right against "good morals", or the liability to fulfill obligations considering the "good morals": "A debtor is to comply his obligations in the way as credibility and trust require considering the customs of the legal turnover" (§ 242 of the Civil Law Code of Germany) [2].

According to the professor of the Free University of Berlin Burkhard Brayg, there is no good faith" itself in German law: the principle is formulated as "Treu und Glauben", and translates as "faithfulness to the word" and trust between people. It is in this sense "Treu und Glauben" is used in the pre-contractual and contractual relations. And, for example, in order to refer to a bona fide purchaser some other terms are used in German law. The German scientist believes that good faith is not the norm, but the principle; the content of such a principle is not disclosed by paragraph 242 of the Civil Code of Germany – it exists "not dependent" on the norm, developing in the doctrine and judicial practice [3].

Close attention is paid to this principle by the Russian legislation. Y. Deyneko cites the following information: "In the explanatory memorandum to the Federal draft law "On Amendments to the first, second, third and fourth parts of the Civil Code of the Russian Federation ..." it indicates that the rules of good faith is a natural counterbalance to the rules that approve the freedom of contract and party autonomy, as well as the normative implementation of the principle of good faith will permit not only to establish the most important guidelines in the behavior of subjects of law, but also to apply wider measures of civil and legal defence in cases of unfair actions of turnover participants" [4].

Accordingly, paragraphs 3 and 4 of Art. 1 of the Civil Code of the Russian Federation as amended by the Federal Law of December 30, 2012, № 302-FL, first, set the duties of subjects of civil and law relations to act in good faith, and secondly, these subjects the right to benefit from their illegal (unfair) behavior were denied [5]. It should be noted that the Civil Code of the Russian Federation, was adopted in 1994, and the norms of good faith were included in 2012.

In furtherance of these provisions, a deployed version of Art. 10 of the Civil Code of the Russian Federation was adopted illustrating the system of the state attitude to the legal, but unfair behavior. Thus, paragraph 5 of Art. 10 of the Civil Code of the Russian Federation states that "Good Fair of members of civil legal relations and the reasonableness of their actions are assumed".



Commenting on these norms, I. Raskotikov notes that the exercise of civil rights, directed exclusively to cause harm to another person (*chicane*) acting in circumvention of the law with illicit purpose, and any other deliberately unfair exercise of civil rights, is classified as "abuse of a right" and is prohibited. The earlier law and order only refused to protect the acts constituting the formal components of the "*chicane*" and other obviously unfair behavior of civil right subjects. It is followed by the statement that the number of issues to be resolved by the court in the application of this norm, has doubled [6, p. 603]. Note that the term "*chicane*" is used in German law, Russian legislation does not contemplate it, but it is used in the Russian jural literature.

A. Ulyanov does not share the view that the good faith is the norm or principle, he believes that the good faith is not a legal concept and it is to be considered as one of supposed properties of social relations governed by civil law [7, p. 133].

In contrast to the Russian Civil Code, good faith as a principle was included in the originally adopted edition of the Civil Code of the Republic of Belarus of December 7, 1998. Article 2 of the Civil Code of the Republic of Belarus contains the following: "good faith and reasonableness of participants of civil legal relations are presumed, since otherwise stated (the principle of good faith and reasonableness of participants of civil legal relations)" [8].

Belarusian legislation does not give legal definition of the principle of good faith, although it is reflected in many articles of the Civil Code of the Republic of Belarus. As noted by V. Chyhir, the concept of "good faith" is evaluative. The meaning of good faith is revealed by the characteristic of bona fide acquisition of property from a person who had no right to alienate it. If the "acquirer did not know and could not know about it," he is a bona fide purchaser (paragraph 1, Art. 283 of the Civil Code of the Republic of Belarus). The concept of bad faith is revealed in the first part of Art. 284, conformably to the illegal owner of another's property. A person "who knew or should have known that his possession is illegal" is an unfair owner. Anyone who has acted unfair carries deleterious consequences under the corresponding article of the Civil Code [9, p. 34].

According to Art. 53 of the Constitution of the Republic of Belarus, everyone is obliged to respect the dignity, rights, freedoms and legitimate interests of others [10]. N. Bondarenko believes that the principle of good faith of participants of civil legal relations based on this constitutional clause permeates the whole civil law, as well as criminal, labor, family, housing, tax and other branches what does not permit to talk about the exceptional branch attribute of the principle. However, she admits that it is in the norms of civil law that the fundamental principle is revealed and claimed most complete [11]. According to the author the good faith in the Civil Code of the Republic of Belarus is fixed not as a principle, but as the presumption (as soon as good faith is presumed, *author's note – V.M.*). Further there is the statement of the need to develop these doctrinal concepts conformably to each type of civil legal relations.

It should be noted that the principle in question often goes together with the second component – the reasonableness of civil turnover participants. At least, it is set in the Civil Code of the Russian Federation and of the Republic of Belarus.

In this situation it seems possible to consider the principle of good faith in a separate context. This is due to the fact that many independent studies are devoted to the elucidation of the nature of good faith, and because both components (good faith and reasonableness) have no regulatory definition the clarification of their meaning requires further separate purposeful work.

Summing up the first part of this study, it is possible to draw the following conclusions.

Good Faith in one capacity or another is fixed in the legislation of many countries. At the same time among scientists there is some disagreement on the nature of the concept of "good faith": this is the norm, principle, presumption or property of social relations.

The legislation of the Republic of Belarus does not contain the legal definition of good faith.

In our opinion, based on direct interpretation of Art 2 of the Civil Code of the Republic of Belarus good faith should be considered as the principle of civil law, which requires its own legal and doctrinal fix to certain social relations.

Today tourist sector occupies a significant place in the world economy, while remaining one of the most popular and profitable activities.

Among the types of tourism they signify health improving tourism, which represents a "tourist trip of citizens of the Republic of Belarus, as well as foreign citizens and stateless persons to the establishments of health improving tourism with the aims of disease prevention, resort treatment, recovery, recreation and medical rehabilitation" [12 p. 155]. Among establishments of health improving tourism there are traditional resorts, dispensaries, health camps, recreation centers.

According to Gennady Bolbatovsky, the director of the National Center for Health Improvement and sanatorium treatment of the population at the Council of Ministers of the Republic of Belarus, during the first eight months of this year 159.5 thousand foreigners visited Belarusian health resorts for rest and treatment, it is

2,000 more than in January-August 2013. People from all over Europe, as well as from Israel and other countries, go to the resorts of Belarus for the spa treatment [13].

The relations in the field of health tourism to a greater extent are governed by civil legislation, the legislation on tourism and healthcare.

According to paragraph 2, Art 288 of the Civil Code of the Republic of Belarus "Liabilities arise from the contract, tort, unjust enrichment and of the other grounds specified in this Code and other legislative acts." In this situation, the bases of the rise of liabilities concerned with the rendering of services in the field of health improving tourism are: 1. Contract of Health Tourism service, concluded between the tourist (customer) and Tourism Organization (performer). The approximate form of the contract is approved by the Council of Ministers of the Republic of Belarus on December 11, 2014, № 1064 [14]. This contract is a type of agreement on paid services, established by Art 733 of the Civil Code of the Republic of Belarus. 2. The contract between the tourist organization and the organization of health improvement tourism, concluded on the reception of tourists for health improvement. The essence of this agreement is not clearly defined by the legislation: it may be a contract of agency, commission or other contract, determined by the Civil Code. Obviously, the definition and characteristics of civil law contracts concluded between the tour operator and the establishment of health tourism, is the subject of a separate study.

According to paragraph 1, Art 294 of the Civil Code of the Republic of Belarus: "The performance of the obligation can be entrusted by the debtor to a third part, unless the law or the terms of the obligation or his being does not imply the obligation of the debtor to perform the obligation personally. In this case, the promisee must accept the performance offered by the third person for the debtor". In the case of the rendering of health improving services the performance of the obligation is *always* carried out by a third part, that is, by the establishment of health improvement tourism. This fact not only complicates the relationship between the customer and the given establishment, but as further imposes on an organization the need to carefully and punctually perform its obligations. But this is a direct reflection of the civil-law principle of good faith.

Another important fact to be considered is the potential risk to life and health, present in the area of health tourism. On the one hand, the harm may be caused during the journey to a place of healing, the fault of the tourist organization. On the other hand, the customer may suffer during the rendering of health services, it means by the fault of the healthcare establishment. After all, health services are closely related to medical ones, in certain cases, during recovery medical services are performed. For example, by Art 1 of the Law of the Republic of Belarus "On health care" it is determined that "medical rehabilitation is a complex of medical services aimed at restoring of normal life of the patient and the compensation of its functionality, disturbed as a result of the disease" [15]. Although the legislation has developed certain civil law "mechanisms" of compensation for damage caused to the tourist, it is more important to prevent such harm. In this regard, the compliance with the principle of good faith by subjects is a very important condition for the activity in question.

Based on the above, it is proposed to make changes and additions to the Law of the Republic of Belarus "On Tourism", having included the following norm: "During the exercise of one's rights and fulfillment of obligations the parties of legal relations in the tourism sector must act in good faith, must not violate the rights and legally protected interests of other persons, to prevent harm to others".

The inclusion of this norm in the Law of the Republic of Belarus "On Tourism" will strengthen the guarantees of the rights of participants of tourist relations, including in the area of health improving tourism.

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## THE IMAGE OF A MODERN PSYCHOLOGIST

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*A psychologist evaluates, diagnoses, treats and studies behaviour and mental processes. Psychologists are generally described as being either “applied” or “research-oriented”. Psychologists face a number of complex challenges creating a positive professional image. A professional image of a psychologist is the set of qualities and characteristics that represent perceptions of a psychologist.*

In our country an applied psychologist is a relatively new profession and many people, due to the lack of information about it, think that seeking out help can lead to getting a stigma of a "sick man". The words psychiatrist, psychologist and psychotherapist may be confused. A psychiatrist and a psychotherapist have graduated from medical school. A psychologist is a practitioner of psychology, the systematic investigator of the mind, including behaviour, cognition and affect [2]. The subject of his work is the state of mind of man, the inner experiences of person. Psychologists help people to find harmony, both inner harmony and with people around them. Psychologists help to ensure the health and well-being of all people: individuals, families, groups, and society as a whole. Psychologists apply their knowledge to a wide range of endeavors, including health and human services, management, education, law, and sports. They usually specialize in one of a number of different areas [5].

Applied psychologists help children adapt more quickly to new and changing conditions in schools and kindergartens. Psychologists diagnose levels of child's mental development, cognitive skills. They help children to increase their ability to learn about themselves and their environment [1]. They work with children who have problems in learning. School psychologists help children to cope with stress, improve classroom behaviour and academic performance. They collaborate with parents, teachers and school children to promote a healthy learning environment that focuses on the needs of children [4].

Psychologists work in business and industry, where they help young professionals to join the team, build relationships at work place. They conduct consultations and studies concerning the impact of psychological factors on human psyche. Psychologists can work with recruitment agencies to provide professional training.

Family psychologists are trained to deal specifically with interpersonal issues that arise in individuals, couples, families, and groups. They consult people who can not establish a harmonious relationship in marriage. They assess, diagnose, and treat psychological distress within the context of the marriage and family systems. The professionals provide counseling services in several different areas including premarital counseling, relationship counseling, child counseling, and separation and divorce counseling [1].

Clinical psychologist provide direct and indirect services to help a wide variety of clients better manage their problems, resolve crises, take advantage of their opportunities, get along with others.

At the moment, the need for this profession is very high. However, individual counseling is not common in our country. The reason is that people are used to solve their own problems, they prefer choosing own friends as counselors.

For many people, the image of a psychologist has developed due to Western films: a man or woman sitting in an office, scribbling notes while a client sits or lies on a leather fainting couch. Some people believe that a psychologist will help to solve all their problems. But psychologists can not give a one hundred percent universal recipe for getting rid of all ills. Psychologists are able to help only those who want to collaborate with specialists to find internal resources. Most failures in one's personal and professional life do not often depend on external factors. The most problems are in man himself, in his attitudes, stereotypes, beliefs. Many people fail to succeed in their life because they do not believe that they will manage [6]. They seem bent on making themselves miserable by setting up situations in which they will eventually fail. Psychologists help people to see things as positive. Our perceptions tend to reinforce and even intensify our feelings about our self-worth and our adequacy in the larger world. In order to change the world, we should change ourselves [3].

Of course, such a complex and delicate task, as psychological assistance requires some mental as well as professional qualities. A psychologist should have an extensive understanding of human behaviour, well developed listening and communication skills, an ability to collaborate with a wide variety of people, an openness to learn new knowledge and skills, an ability to gather, organize, critique, and evaluate information, an ability to analyze and solve problems.

This profession has raised a lot of false information about the methods and content of this activity.

People are constantly observing behaviour of a psychologist and forming theories about his competence, character, and commitment.

Psychologists face a number of complex challenges to creating a positive professional image. They often experience a significant incongruence between their desired professional image and their perceived professional image. In short, they are not perceived in the manner they desire; instead, their undesired professional image may be more closely aligned with how their key constituents actually perceive them.

A professional image of a psychologist is the set of qualities and characteristics that represent perceptions of a psychologist.

We conducted a survey in Polotsk State University. 176 students 18 – 22 years old were interviewed. We wanted to study peculiarities of perception of a psychologist by students of technical and humanitarian faculties.

We asked students: "How do you perceive a psychologist?"

For data analysis, we used the method of content analysis. Content analysis is formalized method of studying the text and graphics, is the translation of the study information in quantitative and statistical processing.

We analyzed the data; first of all we calculated the total number of given characteristics. We obtained 291 responses in total; students from humanitarian faculties gave 90 characteristics, students from technical faculties gave 201 characteristics.

Then we formed all the characteristics into several groups: "Professionalism", "Appearance", "Communication Skills", "Cognitive Skills", and "Characteristics Influenced by Mass Media".

The group "Professionalism" formed several sub-groups: "Education", "Experience", "Professionally Important Qualities". The group "Appearance" formed the following sub-groups: "External Data", "Clothes", "Gender", "Accessories", "Age".

In order to find significant differences we used the criterion of Fisher.

Analyzing the empirical value of the Fisher criterion we can define that engineering students pay more attention to the appearance of a psychologist, his communicative skills and "Characteristics Influenced by Mass Media" than the students of humanitarian faculties. Analyzing the characteristics in the group "Professionalism", we can find significant differences as to the experience requirements (the students from technical faculties pay increasingly more attention to the experience of a psychologist), and the educational requirements (for the students from humanities faculties, this criterion is more important). If we take the group "Appearance" the engineering students visualize a psychologist as a woman 25 – 45 years old, with glasses, wearing a skirt and a sweater in the study with a chair or a couch and a notebook. For the students from humanities faculties it is

important that a psychologist should wear a sexy suit but a psychologist should be representative. The age was mentioned the same (25 – 45 years old). The gender was not precisely defined.

Based on the data of the study, it is possible to create a portrait of an ideal psychologist for the students of humanities and engineering faculties.

The perceived image of a psychologist (the students of humanities faculties of Polotsk State University):

A psychologist is a person who is able to help in a crisis. A psychologist understands a client at a first glance. A psychologist is a good professional; a psychologist assesses a problem and finds a solution easily. A psychologist is well-educated, competent, and most importantly can keep secrets. A psychologist is a good person, patient, calm, understanding, helpful, responsive, confident, polite, and sincere and knows how to win. A psychologist is a good listener. It is desirable that a psychologist is wearing a suit and high heels (for women), and has accessories – a notebook and glasses.

The perceived image of a psychologist (the students of technical faculties of Polotsk State University):

To begin with, a psychologist is a cute, nice, neat woman. But first of all a psychologist is a qualified specialist and knows her profession, and can help in a difficult situation. A psychologist is self-confident, competent, intelligent, calm, responsible, educated, kind. A psychologist inspires confidence. A psychologist is always smiling, positive thinking. A psychologist accepts people as they are. She is sociable, able to listen, intelligent and insightful.

Summarizing the above mentioned data, we can emphasize the fact that engineering students are more prone to perceptual mechanisms such as stereotyping and causal attribute than the students of humanities faculties. Besides we can trace some characteristics perceived in the image of psychologists taken from Western films and television series. Many of students watched the Western series and films about psychologists and omniscient doctors: "Doctor House", "Lie to Me", "Hannibal", "The Mentalist"; "The Sixth Sense", "Good Will Hunting", "Analyze This", "A Dangerous Method" and others.

In order to create a positive professional image, impression management must effectively accomplish two tasks: build credibility and maintain authenticity.

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UDC 343.2/.7

#### VICTIMOLOGY: THE EARLY ROOTS & KEY CONCEPTS

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*"Victim" has its roots in the early religious notions of suffering, sacrifice and death. The article is devoted to the historical overview of victimology, the early roots and basic key concepts of victimology.*

The word "victim" has its roots in many ancient languages that covered a great distance from northwestern Europe to the southern tip of Asia and yet had a similar linguistic pattern: victima in Latin; vih, weoh, wig in Old European; wih, wihi in Old High German; ve in Old Norse; weihs in Gothic; and, vinak ti in Sanskrit (Webster's 1971).

Victimology as an academic term contains two elements:

- One is the Latin word "Victima" which translates into "victim".
- The other is the Greek word "logos" which means a system of knowledge, the direction of something abstract, the direction of teaching, science, and a discipline.

Although writings about the victim appeared in many early works by such criminologists as Beccaria (1764), Lombroso (1876), Ferri (1892), Garofalo (1885), Sutherland (1924), Hentig (1948), Nagel (1949), Ellenberger (1955), Wolfgang (1958) and Schafer (1968), the concept of a science to study victims and the word

"victimology" had its origin with the early writings of Benjamin Mendelsohn (1937; 1940), these leading to his seminal work where he actually proposed the term "victimology" in his article "A New Branch of Bio-Psychosocial Science, Victimology" (1956). It was in this article that he suggested the establishment of an international society of victimology which has come to fruition with the creation of the World Society of Victimology, the establishment of a number of victimological institutes (including the creation here in Japan of the Tokiwa International Victimology Institute); and, the establishment of international journals which are now also a part of this institute. Mendelsohn provided us with his victimology vision and blueprint; and, as his disciples we have followed his guidance. We now refer to Mendelsohn as "The Father of Victimology"[3].

This concept of "victim" was well-known in the ancient civilizations, especially in Babylonia, Palestine, Greece, and Rome. In each of these civilizations the law mandated that the victim should be recognized as a person who deserved to be made whole again by the offender.

"Crime victim" is a person who has been physically, financially or emotionally injured and/or had their property taken or damaged by someone committing a crime.

"Victimogenesis" refers to the origin or cause of a victimization; the constellation of variables which caused a victimization to occur.

"Victim Precipitation" a victimization where the victim causes, in part or totally, their own victimization.

"Vulnerability" is a physical, psychological, social, material or financial condition whereby a person or an object has a weakness which could render them a victim if another person or persons would recognize these weaknesses and take advantage of them.

"General Victim" is a person who has been physically, financially or emotionally injured and/or had their property taken or damaged by someone, an event, an organization or a natural phenomenon.

"Victimization" refers to an event where persons, communities and institutions are damaged or injured in a significant way. Those persons who are impacted by persons or events suffer a violation of rights or significant disruption of their well-being [3].

"Victimology" is an academic scientific discipline which studies data that describes phenomena and causal relationships related to victimizations. This includes events leading to the victimization, the victim's experience, its aftermath and the actions taken by society in response to these victimizations. Therefore, victimology includes the study of the precursors, vulnerabilities, events, impacts, recoveries, and responses by people, organizations and cultures related to victimizations.

"Abuse of Power" is the violation of a national or international standard in the use of organized powerful forces such that persons are injured physically, mentally, emotionally, economically, or in their rights, as a direct and intentional result of the misapplication of these forces.

"Victim Rights" are privileges and procedures required by written law which guarantee victims specific considerations and treatment by the criminal justice system, the government and the community at large.

"Restorative Justice" is a systematic formal legal response to crime victimization that emphasizes healing the injuries that resulted from the crime and affected the victims, offenders and communities. This process is a departure from the traditional retributive form of dealing with criminals and victims which traditionally have generally perpetuated the conflict which resulted in the original crime.

"Victim Trauma" includes emotional and physical experiences that produce pain and injuries. Emotional injury is a normal response to an extremely abnormal event. It results from the pairing of a painful or frightening emotional experience with a specific memory which emerge and have a long-lasting effect on the life of a person. The more direct the exposure to the traumatic event, the higher the risk for emotional harm and prolonged effects.

"Crisis Intervention" is the provision of emergency psychological care to traumatized victims so as to help them return to an adaptive level of functioning and to prevent or mitigate the negative impact of psychological and emotional trauma.

"Compensation" is a formal administrative procedure provided by law which provides only money to victims for "out of pocket" real expenses directly resulting from the victimization to be paid by the state after the victim is found to qualify according to specific criteria determined by the respective state or federal law.

"Restitution" is a formal judicial procedure used by a judge after guilt is determined as part of a sentence which can provide money and/or services to the victim for damages or suffering which resulted from the victimization to be paid or performed by the offender.

"Victim Survey" is a periodic data collection and analysis process conducted usually by a government entity within the general population to study information about crime victims regardless whether they reported their victimization to the police or not. It typically uses a face-to-face or telephone interview (or sent questionnaire) and covers demographics, attitudes about crime and details about the victimizations experienced over the previous six months.

Thus, victims are an integral part of the criminal justice process. Their rights must be respected by acknowledging that their input is necessary and should be factored into the disposition of a case. Although great strides have been made in the victims' rights movement, further advancement has been undermined by an absence of substantive rights for victims [3].

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## UDC 342

## WARRANTY AND REALIZATION OF SOCIAL RIGHTS IN EUROPEAN STATES

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*The article deals with the changes taking place in the social sphere of the European states, the factors influencing the changes and the reaction of the states to the situation. The changes in the provision of pensions are also discussed.*

One of the most important areas of domestic policy is social policy, which is designed to resolve conflicts between the existing and future public interest. Today there is no doubt about the importance of social rights. In European countries a great impact on their recognition is provided by the European Court of Human Rights, the European Social Charter which recognizes not only the rights of this group, but also the level of their warranty. The author previously conducted research on the social rights of warranty, depending on the constitutional characteristics of the state [1, p. 138]. Having studied jurisprudence and constitutional doctrine we made sure once again that the warranty of social rights is treated to advantage of the state. For example, in the interpretation of the right to a pension there is a lot of talk about solidarity, fairness and proportionality, but the pensioners who have no other income except pension remain aggrieved.

We analyzed the current situation in the social sphere in the European States. For example, in the Republic of Lithuania the most vulnerable layers of the population that suffered were the pensioners whose pensions were reduced because of the crisis.

In 2012 the decision of the Constitutional Court of the Republic of Lithuania "On the conformity of legal acts of the Republic of Lithuania regulating the conversion and payment of pension to the exigencies of the state in the difficult economic and financial situation of the Constitution of the Republic of Lithuania" on February 6, 2012 [2] set forth the need to compensate for the reduction in the pension crisis. The Seimas of the Republic of Lithuania approved the beginning of the refund paid pensions at the end of 2014, and the calculation of all retired before the end of 2016, only on May 15, 2014 in the law "On state compensating of old age pensions and disability pensions". However, the reduced salaries of officials were returned immediately.

In January 2012 the law "On financial support to low-income residents" was adopted which stated that financial assistance would depend on the number of family members. For example, if a poor person lives alone, he receives 100% of the benefits. If there are more members in the family, the benefit will be differentiated: the second family member will be paid 80%, the third one and all the rest – 70% of the benefit amount. It is believed that this law will lead to a more active search for work. Actually, the able-bodied should provide for themselves, but the government cannot provide jobs. As a result a lot of residents of working age leave the country and Lithuania has the highest level of immigration in the European Union. This situation threatens the income of the state budget because of the reduction of tax revenues. At the same time the number of people of retirement age is increasing. The situation is getting worse because of the low birth rate and ageing of the population. Although the number of immigrants is decreasing, the statistics are still not happy. In 2012 41100 residents aged 20 – 34 left the country. They could have saved the state from a lack of labour force for at least the next 30 years. According to "Demografija ir MES" it is predicted that at the end of the century the residents aged 65 and more

may make 40% of all the residents (now about 18%). It is also said that even if the birth rate increases, the ageing of the population will continue.

Nowadays many states focus on retirement age. "More and more people are becoming old. A huge army of those who are sixty, all the wartime and post-war generations are getting ready to retire. And the smaller part of the population is going to work. Therefore, the government is in a hurry with the pension reforms: the cake will soon be reduced, but the number of consumers will increase" [3].

So T. Medaïskis also believes that pensions should be considered more widely. If a state has few working people and a lot of retirees, it will not have enough tax for normal pensions. In his opinion, in order to live a decent life in old age, people need to take care of themselves: to work longer, to retire later, to learn for life [4]. Another point of view is that pensions are threatened not only by demographic but also by the economic situation.

Nowadays 1.3 million people can work, but there are people of working age who do not work. Their number is 220,000 – 230,000. Besides, there is a large number of economically inactive people and people who are ill. It is necessary to pay attention to new-born children, because in 30 years it will be their task to finance pensions.

The state must provide jobs for them in the future otherwise they will become unemployed, and the state will have to pay unemployment benefits. In 2014 a new version of the Law «On financial social assistance to low-income residents» was adopted which provides targeted distribution of social benefits, i.e., for the needy. Each application will be considered on an individual basis, the living conditions will be examined. The innovations are designed to avoid cases of fraud that had taken place before.

The transition to the new principles of financing pensions in some countries is explained not only by the decline in the birth rate but by the increasing of life expectancy. Except for specific reasons mentioned above, the lack of funding has been caused by the global economic crisis. Spain and Italy are cutting their spending to balance the budget. In Germany, France and a number of countries the retirement age has been raised. Sweden has always been an example of prosperity. The pensions here are recalculated each year (the more a person lives, the greater the pension is). But even in Sweden they think about the increase in the retirement age, though it is one of the highest in Europe – they retire at 65. However, this increase is due to positive changes. The Prime Minister of Sweden, Frederick Reinfeld offered to consider the increasing of the retirement age to 75 years old as the life expectancy in Scandinavia is one of the highest in the EU. Besides, it is supposed that every second new-born baby in the country will live to be 100.

In the Republic of Belarus, the retirement age increase is not planned, but a number of incentives for later retirement are provided. The stimuli that already exist were supplemented by the decree of the President of the Republic of Belarus "On measures to improve pension provision of citizens" № 136 from 18.03.12. The Decree fixed the increase of pensions for persons who continue to work after reaching the retirement age and refuse to receive the pension. In addition the unification of the cost of the periods without payment of fees and their inclusion in the calculation of earnings are provided.

The decree serves the following purposes: 1) to increase the level of retirement income; 2) to reduce the load on the Fund of social protection of the population. The number of pensioners is increasing, and labor resources are shrinking. According to the statistics given by the Ministry of labor in the current year per 100 employees will account for 57 pensioners, and by 2020 the number may reach 67 people. The norms fixed in the decree are without doubts a positive thing. The pensioners get the right to choose and they ease the work of the social security Fund. The savings element in our pension system is presented in the form of voluntary pension insurance. However, for the time being this tendency is not widespread. Therefore, the new norms can fill these gaps.

Decree №136 applies to the workers who are still forming their pension rights. Since 2014 the right to retirement pension in the Republic of Belarus will be given to the persons who paid fees to the Social Security Fund for 10 years (earlier it was 5). And from January 1, 2015 you will have to pay the required fees for at least 15 years to get a retirement pension. This norm is presented in the Decree of the President of the Republic of Belarus No. 570 «On improving pension provision» on December 8, 2014. However this change will not affect families with many children and parents who have handicapped children.

Cutting on social benefits is characteristic of the whole of Europe. Today, working people support dozens of pensioners and migrants. The situation started to deteriorate in 2007 when the economic crisis began. It showed that the existing models have weak points, and that previous schemes do not work. We have to admit that the crisis is the acute phase of the disease, when all is bad. The situation in Europe is increasingly compared to the 20s of the 20<sup>th</sup> century. It is obvious that the states cannot cope with the situation. Our research proved that the problems in the social sphere exist in many states. The reasons are similar in many ways. They are the ageing of the population, unemployment and economic crisis. Also, in our opinion, it is necessary to reconsider the role



of the state in the social sphere, to analyse whether it copes with the administration. So we see that the rights were recognized, but there are a lot of reservations in the course of their realisation. There is a guaranteed minimum, ensuring the physical survival but not a decent life for people. Perhaps we should agree with the opinion of some scholars who think that a new model of the state is required, only then we will be able to cope with modern challenges. Maybe the functions of the state are simply the directions of the activity and not the activity itself.

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**ROLE OF PROSECUTOR'S OFFICE IN ENSURING ECOLOGICAL SAFETY**

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*In article reveals the role and value of prosecutor's office in ensuring ecological safety reveals. The special attention is paid to the purposes and problems of public prosecutor's supervision in this direction. On the basis of studying of experience of the Russian Federation the question of need of creation of nature protection prosecutor's offices is raised the conclusion that this measure will provide complexity, systemacity and overall performance on ensuring ecological safety Locates.*

According to the Concept of national security of Republic of Belarus the concept "ecological safety" is understood as a condition of security of environment, life and health of citizens from the threats resulting from anthropogenous influences, and also factors, processes and the phenomena of natural and technogenic character [1].

When studying the National report on a state of environment of Republic of Belarus some indicators of quality of environment and level of the existing ecological threats in Republic of Belarus attract attention. It is necessary to carry to the most serious environmental problems of the country: radioactive pollution of environment, pollution of water objects and ground waters, reduction of rare species of animals and plants.

So, annually the volume of gross emissions of the polluting substances in atmospheric air in Republic of Belarus makes more than 1,3 million tons, in reservoirs more than 900 million cubic meters of the sewage containing the polluting substances are taken away, more than 1 million tons of dangerous wastes of production is formed, pollution of lands chemicals in some territories considerably exceeds the established standards [2].

It should be noted that the condition of surrounding environment in many respects depends on how the ecological legislation is executed. In other words, exact performance of such legislation by all without exception by government bodies, public organizations, subjects of managing, and also citizens promotes rational use of natural resources, improvement of surrounding environment, ensuring ecological safety.

In Republic of Belarus there was a certain system of ensuring ecological safety including:

1) bodies of the general competence to which are carried the President of Republic of Belarus, the Government of Republic of Belarus, local executive administrative organs;

2) bodies of interindustry competence. Depending on the volume of coordination powers in this group of subjects are allocated: a) bodies of direct management of the sphere of the ecological relations (Ministry for Protection of the Environment and Natural Resources, Ministry of Emergency Situations); b) the bodies coordinating activity of subjects concerning ecological safety within other branches of management (Ministry of Agriculture and Food Production, the Ministry of Energy, Minleskhoz, KGB, the State Property Committee, Gosstandart);

3) bodies of branch competence (Ministry of Health, Minstroyarkhitektura, the Ministry of Internal Affairs, Minzhilkomkhoz, Ministry of Transport, the State inspectorate of protection of an animal and flora at the President of Republic of Belarus) [3, p. 13].

The prosecutor's office in system of government bodies on ensuring ecological safety takes a special place and exercises supervision of exact and uniform performance of the legislation in the field of environmental protection and environmental management.

In the sphere of ecology treat the main objectives of public prosecutor's supervision: 1) identification of violations of the ecological legislation; 2) establishment of the reasons and conditions promoting ecological offenses, and also perpetrators; 3) elimination of the revealed violations of the law and circumstances promoting these violations; 4) taking measures to indemnification (damage) caused by commission of ecological offenses; 5) taking measures to attraction to the responsibility of the persons which allowed violations of the ecological legislation established by the law; 6) prevention of violations of the ecological legislation [4, p. 78].

The purposes of public prosecutor's supervision of performance of the nature protection legislation are providing and protection of a constitutional right of everyone on favorable environment and other rights of citizens in the field of environmental protection, real elimination of violations of the nature protection legislation, the reasons and conditions promoting them providing a full recovery of the harm done to environment. Activity of prosecutor's office is directed on protection of the violated rights, identification and elimination of violations of the ecological legislation.

At the same time, practice of public prosecutor's supervision has to be improved constantly taking into account change of the legislation and constantly worsening ecological situation. Prosecutors should study systemically a wide range of questions, influencing ecological safety are violations of the forest, water legislation, the legislation on a subsoil.

Practice of work of prosecutor's offices testifies that the numerous facts of violations of the called legislation as officials including carrying out functions of environmental control, are everywhere allowed by heads of the state and non-state organizations, businessmen, and citizens.

So, check of observance of the legislation on rational and safe use of a subsoil by prosecutor's office of the Brest region showed that control of development of pits on production of all-widespread minerals and their timely recultivation is weakened, the territory of not used pits was unsanitary.

The facts of unauthorized use of natural resources that promoted irrational use of a subsoil are elicited, and also created threat of life and to health of the population. For the purpose of elimination of violations by prosecutors 9 representations are brought and 12 instructions are taken out. 22 perpetrators are involved in an administrative and disciplinary responsibility.

Following the results of consideration of acts of public prosecutor's supervision in area rekultivirovano it is also provided to a safe condition of 38 pits, on 3 largest pits the begun works are continued within regional plans of recultivation of lands for the current year [5].

As a rule, ecological offenses affect at the same time the rights of a significant amount of persons. In this regard it is necessary to emphasize human rights nature of the work which is carried out on this direction in which the special role is played by interaction with the ecological organizations and citizens.

Activity of bodies prosecutors on supervision of performance of the legislation in the ecological sphere has to have the expressed precautionary character what requires continuous informing the population on measures for counteraction to offenses in the sphere of ecological safety, carrying out checks according to addresses, discussion of the most burning issues at meetings.

It should be noted that at the present stage in the Russian Federation the effective mechanism of public prosecutor's supervision of performance of laws on conservation and rational use of its resources is adjusted, the network of nature protection prosecutor's offices works. Prosecutors prevent and stop ecological offenses, essentially raise questions of responsibility of perpetrators and collecting the material damage caused by them [4, p. 307].

In the long term in Republic of Belarus creation of specialized nature protection prosecutor's office that would allow to provide complexity, systemacity and overall performance is also possible, to concentrate attention on the most important environmental problems and purposefully, consistently to achieve from public authorities and local government of their decision.

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## VICTIMIZATION OF PUPILS IN THE CONDITIONS OF PSYCHOLOGICAL SECURITY OF EDUCATIONAL ENVIRONMENT

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*The article provides the analysis of victimization of pupils under conditions of psychological security of educational environment and the investigation of the discovery of the attitude to the secure educational environment and the measuring of teenagers' tendency to the realization of different forms of victim's behavior.*

The problem of psychological security, personal as well as collective, applies to the number of the prior ones. Psychologists, teachers, social workers, society public figures write about psychological security in modern educational system. Numerous research has been devoted to this problem.

A considerable contribution into the comprehension of educational environmental psychology was made by B.G. Ananiev who created the theory of individual's activity in relations of a person with surrounding reality; G.M. Andreeva who picked out factors of formation of psychological security for her education environment participants; V.I. Slobodchikov singled out three different methods of educational environmental organization depending on the type of links and relations structuring them [1, p. 45]. A great contribution into the elaboration of the term of victimization was made by O.O. Andronnikova who created the method of investigation of tendency to the victimous behavior; V.L. Vasilieva, I.G. Malkina-Pyh who studied criminal victimology examined matters of work with victims who had already endured different forms of violence; D.V. Rivman, A.V. Timchenko who determined the main directions of victimity by prevention.

Scientific understanding and effectiveness of organization of secure behavior, possibility to arm a psychologist with a scientific way of which a child is situated and in the interactions with which his development as a personality and individuality takes place exactly depend on the results of theoretical investigation of this problem.

The problem of children isadolesent'svictimity and the reduction of the level of risks and danger to psychological development,which is becoming one of the urgent tasks of modern society. Thus, in 2011 in Vitebsk and Vitebsk region 5 cases of suicide behavior of children under 18, two of them at the age under 15 are recorded. During 2012 48 cases of parasuicides among children under 18 for such reasons as conflicts with relatives, conflicts with schoolmates, social problems in the family were recorded [2, p. 20].

The aim of the work is the investigation of victimization of students in the conditions of psychological security of educational environment.

At present children-adolesent's victimization is determined as a social-psychological phenomenon, connected with the predisposition of a child to become the victim of unfavourable conditions of socialization, characterized by the variety of victim types the appearance of which is the result of objective and subjective psychological factors [3, p. 104].

One of the reasons of children-adolesent's victimization is school bullying. Bullying can be considered as intentional, not having the character of self-dependence and not sanctioned by normative – right acts of the state, repeated physical or psychological violence from the side of the individual or the group, who have certain advantages comparatively with the individual and takes place mainly in organized collective with a determined personal aim [4, p. 120].

The main methods of investigation are theoretical: comparative analysis of psychology-pedagogical conception devoted to the mentioned problem; empirical: the questionnaire "Psychological diagnostics of educational environment security of school" (The author is I.A. Baeva) for pupils and the questionnaire "The appearance of victimization in the behavior" (the author is M.A. Odintsova)

The empirical investigation of the discovery of the attitude to the secure educational environment and the measuring of teenagers tendency to the realization of different forms of victims behavior. 32 students of comprehensive secondary school: among them: 20 students of the 9<sup>th</sup> form, 12 – of the 8<sup>th</sup> form at the age of 13–15 took part in the investigation.

In the course of analysis of the results achieved from the questionnaire “The appearance of victimology in behaviour” displays the fact that 25 per cent of students are victims. The main behavioral characteristics are infantilism, demonstrativism, the fear of responsibility, externality, manipulation by people. The social role of a victim was revealed among 50 per cent of pupils. This fact says that such pupils possess the feeling of being a social outcast, the surrounding world seems hostile to them. The position of a victim is determined among 19 per cent of pupils.

All the characteristics of the game role of the victim are preserved, they get an expressive character. They are such characteristics as infantilism, the fear of responsibility, externality. The status of a victim is revealed among 6 per cent of pupils.

This fact says about embodiment of the social role of the victim, about strong education, which includes total combination of rent directives. They are consolidated in pupil's model of behavior by effort of main characteristics of a social role and contribute to person's deformation in his behavior.

In the course of analysis of the results from the questionnaire “Psychological diagnostics of educational environment security of school” for pupils the following fact was achieved: the pupils with manifestation of factious victim role, the position of a victim consider the educational environment more secure than pupils with manifestation of social role of a victim and the status of a victim.

According to mentioned ideas we may come to the conclusion that one of the main tasks of social-pedagogical service at school is the control of psychological and physical health of all the participants of educational process. Besides, among students there is a necessity of formation of the system of knowledge, skills of secure behavior in difficult life situations and rendering assistance while looking for constructive ways out from them.

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#### THEORETICAL AND PRACTICAL PECULIARITIES OF THE INSTITUTE OF DIGITAL INHERITANCE

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*The work is a comparative analysis of theoretical and practical peculiarities of the Institute of digital inheritance. The analysis of the current legislation in the sphere of digital inheritance has been carried out. The terms of Service of different Internet providers have been studied. The issue of the correlation of the Terms of Service of different Internet providers and current legislation in this area has been considered. In the final part we have drawn the conclusion about the features of the Institute of Digital inheritance and have made development prospects.*

People have been transitioning remnants of their identity from conventional physical effects, such as photos and trinkets, to online profiles and social networks. Identity is being digitalized, this raises certain difficulties such as the population ages [1]. A significant portion of modern decedent's assets may consist of digital assets' such as e-books, domain names, and online accounts. Unlike their tangible predecessors, digital assets may be difficult for executors and administrators to obtain. Death today presents more complex issues than before the digital age. As far as death questions are concerned, components of online identity do not fit the mold of the traditional framework of the society.

With the ever-increasing landscape of online accounts, social networking websites, and web-based email accounts, it has become more and more common for people to have numerous online accounts with different usernames and passwords. This creates an issue for estate planners in terms of what will happen to these accounts and the personal information stored in them after a person's death. One of the first problems facing estate planners is that there is currently no proper definition of a digital asset or a digital estate provided in either Dictionary or Law Dictionary. With no definition to act as a compass, estate planners are left guessing as to what will qualify as a digital asset.

Before pressing on into how digital assets and estates should be planned for, a working definition must first be established. Currently, no definition exists, which proves to be a challenge to estate planners. A proper definition, however, would not only provide practicing estate planners with a proper compass, but it would also serve to allow estate planners, courts, and other practicing attorneys to be able to identify digital assets and to decide what amount of legal protection the assets should receive [2].

Nathan Dosch, an estate planning and tax attorney with Neider & Boucher and creator of the Digital Estate Planning Blog, pieced together definitions of "digital" and "asset" from Webster's Dictionary in order to define digital asset as "any file on your computer in a storage drive or website and any online account or membership". Examples of digital assets include documents created via a Microsoft Office Program (e.g. Word, Excel, or PowerPoint), digital photos, digital videos, music on iTunes [3].

Additionally, digital assets include online accounts and memberships such as e-mail accounts, profiles on social networking sites such as Facebook and MySpace, online digital photo accounts, online banking and credit card accounts, and websites or domain names owned by a person, and any online subscription accounts.

Additionally, digital assets and estate might be considered "virtual property" (note that virtual property and digital assets are one and the same), which would include things such as "a website, a bidding agent, a video game character, or any number of other intangible, digital commodities" [2]. Therefore, the working and suggested definition of a digital asset for this comment will be: any digital file on a person's computer as well as online accounts and memberships [4].

While this definition might seem broad, it should be noted that a broad definition is necessary in order to encompass everything that is in fact a digital asset. Therefore, digital assets must not only include those documents that a person creates (via Microsoft Word, Excel, or PowerPoint), but it must also include all owned domain names, any legally downloaded files (e.g. MP3 Music Files and Movies), and any web-based personal accounts that require a username and password for access (e.g. a social networking account, a web-based e-mail account, and any accounts storing personal information; such as online banking account and online shopping accounts).

Digital assets, therefore, can be found in many different forms. For example, some digital assets may be stored on a computer or smartphone or uploaded to a website. These assets would include items such as music, videos, medical records, tax documents, financial records, photographs stored on websites such as Shutterfl y or Flickr, or generic file storage sites in the Cloud such as Dropbox. Most, if not all, of these types of digital assets require a login ID and password to gain access to the stored materials.

Other assets involve social media websites, such as Facebook, LinkedIn, Twitter, Pinterest, or Google Plus etc, which promote social interaction, messaging and connection to other individuals. Many of these sites also offer storage for photographs and videos. Again, these types of digital accounts typically require a login ID and password to gain access. In addition, there are many other types of accounts that we use in our daily lives that have secured access. These accounts include email accounts such as Yahoo!, Gmail or Hotmail, It should be noted that these email account providers are free services. Many people pay a fee for their email service to companies such as Time Warner Cable, Optimum Online and AT&T. For these types of services, the email accounts will remain active as long as the fee is paid. These accounts also comprise on-line banking accounts, Paypal accounts, eBay accounts and Amazon accounts, just to name a few. Certain digital assets have their own pecuniary value such as ownership of a domain name or a blog. It is no wonder that with all of these digital assets, estate planners and administrators are wondering how to deal with them after the death or incapacitation of the "owner" [5].

In own research Naomi R. Cahn separates different categories of digital assets: personal, social media, financial, and business [6].

Although there is some overlap, of course, clients may need to make different plans for each. An inventory of each of these assets should include the domain name, user name, and password, and, when known, the date the account was created.

It is also important to determine what definition of property that digital assets will fall into. Generally, property is divided into two types: real and personal. On the one hand you have real property, which is essentially land and anything that is attached to it [3]. Personal property, on the other hand, is anything that is not

real property. Additionally, personal property is further divided into two subcategories, “tangible (car, furniture, jewelry, art, clothing, appliances) and intangible (stocks, bonds, patents, trademarks, copyrights)” [3]. This distinction is important because digital assets have the unique potential to change from an intangible asset to a tangible one. A digital asset, such as a digital photo or e-mail, can change from intangible property to tangible property simply by printing out a copy of it. Whether an item of personal property is classified as intangible or tangible has the potential to completely alter the probate process.

Therefore, unless a proper definition is established and decided upon, estate planners will continue to have issues not only deciding what exactly will qualify as a digital asset, but they will also face substantial issues regarding how to properly prepare for what will happen client’s digital assets and estates after their death.

Digital assets are not the first intangible assets that estate planning attorneys have faced. Copyrights, for example, are capable of probate and non-probate transfer. But copyrights clearly belong to the holder rather than being subject to terms of service with another party. If the analogy is instead to tangible assets, such as bank accounts, then few problems should arise when the executor or personal representative seeks to collect estate assets.

Nonetheless, few states have laws directly on point, and few court cases address these issues. One of the only such cases involved Justin Ellsworth, a soldier killed in Iraq, whose father wanted access to his son’s Yahoo! e-mail account. When Yahoo refused to provide access, the father went to court, and a probate judge ordered Yahoo to turn over the e-mails [7]. Even in this situation, Yahoo was not required to provide access to the actual account.

Connecticut has enacted legislation that responds to situations like that involving Cpl. Ellsworth and requires e-mail providers to turn over copies of all e-mails (sent and received) to the executor or administrator of a decedent’s estate. Conn. Gen. Stat. § 45a-334a [6]. The legislation does not cover other on-line accounts, however, and it is unclear whether a testator could prevent this result or require the provider to transmit the e-mails to another individual [6].

Indiana explicitly requires “any person who electronically stores the documents or information of another person” to “provide to the personal representative of the estate of a deceased person, who was domiciled in Indiana at the time of the person’s death, access to or copies of any documents or information of the deceased person stored electronically by the custodian.” Ind. Code § 29-1-13-1.1 [6].

Oklahoma has enacted an even more comprehensive statute. The law, which became effective on November 1, 2010, states: The executor or administrator of an estate shall have the power, where otherwise authorized, to take control of, conduct, continue, or terminate any accounts of a deceased person on any social networking website, any microblogging or short message service website or any e-mail service websites. 58 Okla. Stat. Ann. § 269 [6]. This statute is a start but, by its own terms, does not authorize full-blown access to all of the decedent’s digital property. First, it is limited to the sites that are covered. Second, it explicitly grants the executor power only “where otherwise authorized”. A general problem is that on-line sites can claim the ability to control the transfer of accounts through their user agreements, and these service agreements can contain terms that, arguably, would not permit the accounts to survive the decedent or allow anyone else, even an executor, to access the accounts. Consequently, service providers might challenge any effort to apply the law when it allegedly violates a service agreement. They might also claim not to be controlled by Oklahoma law. On the other hand, analogizing on-line content to laws applicable to bailment, safe deposit boxes, and more traditional types of probate assets might be productive in recognizing the rights of an executor to the on-line property of the deceased [8].

Few states have enacted statutes to deal with electronic content and digital assets. That means for most people in most states, if the service provider has a policy regarding the transfer or disposal of account access and content under the provider’s Terms of Service (“TOS”), then the TOS will control the fate of the deceased person’s account and content for that service provider. Service providers routinely amend the TOS agreements with no notice to the account holder, so it is wise to periodically check the service provider’s website for any changes to the TOS. Most people agree to the TOS of the service provider by clicking on the “I agree” button when establishing an account [6]. Some service providers have a policy that indicates what will happen upon the death of an account holder. Others have no detailed policy. For example, Shutterfly’s TOS does not include an explicit discussion of what happens when the account holder dies. Shutterfly’s TOS states that the individual agrees not to disclose his or her username or password to any third party and acknowledges that the individual’s access to the account is non-transferable [9].

The TOS for Linked In, Google and Twitter each contain similar language regarding disclosure of the secured access information and transferability [10; 11; 12]. Conversely, Gmail has a policy for potentially releasing emails to the personal representative of a deceased account holder [13].

The policy makes it clear, however, that there is no guarantee the email content will be released and a court order will be required [13].

Yahoo! explicitly states in its TOS that the account can not be transferred and any rights to content within the user's email account terminate upon death and all content may be permanently deleted [14]. Facebook allows someone to report a user as deceased and the deceased user's Facebook page may then be converted into a memorial to the deceased user. Only confirmed friends will continue to have access to the deceased user's profile and may continue to post messages in memoriam on the deceased user's wall [15].

A more complex issue surrounds the choice of law clause that is generally included in a service provider's TOS.

A choice of law clause dictates which state's law will govern the TOS itself and any transaction that is related to the TOS. The result may be that even where the deceased resides in a state with a statute governing the disposition of and access to the deceased's digital assets, if the state law governing the TOS does not have a similar statute, the TOS may override the state law where the deceased resides. Current Law Regarding Fiduciary Access to Digital Assets At the time of this writing, only six states, Connecticut, Rhode Island, Indiana, Oklahoma, Idaho, and Virginia, have enacted statutes to deal with electronic content and digital assets. These statutes make good progress towards resolving the digital asset dilemma. However, the Oklahoma and Idaho statutes do not authorize full-blown access to all of the decedent's digital property. In addition, the Oklahoma statute expressly grants the executor power only "where otherwise authorized" [16]. This language can give the service provider the ability to claim control over the transfer of the deceased's account through the TOS. As discussed above, most service providers utilize a TOS that does not allow for transfer or assignment, much less access to the deceased's accounts by a fiduciary. Finally, Virginia's statute was very recently passed in March 2013, and was crafted to specifically address the inability of the parents of the 15-year old who committed suicide to gain access to their son's Facebook account [16]. The statute, however, appears to only address the access of digital accounts that were controlled by a minor.

In this research, we have outlined the central challenges relating to what happens to digital artifacts after users die. It should be noted that currently there is no single model of inheritance and wills digital assets. This failure to engage with user death impacts adversely on both users and industry. To solve this problem it is necessary to find a balance between the interests of the privacy policy and the internet- providers need access to digital assets of the deceased heirs and executors of the will. As the Internet continues to grow and expand, so does the need for estate planners who are able to assist their clients in ensuring that the client's digital assets and estate are properly planned. Unfortunately, however, despite the increasing popularity of web-based accounts there has still been little to no legislation regarding this area of estate planning.

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## THE MAIN TYPES OF CYBER CRIMES ON THE INTERNET

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*Cyber crime is emerging as a serious threat. Worldwide governments, police departments and intelligence units have started to react. Initiatives to curb cross border cyber threats are taking shape.*

Cyber crime is a term used to broadly describe criminal activity in which computers or computer networks are a tool, a target, or a place of criminal activity and include everything from electronic cracking to denial of service attacks. It is also used to include traditional crimes in which computers or networks are used to enable the illicit activity. Computer crime mainly consists of unauthorized access to computer systems data alteration, data destruction, theft of intellectual property. Cyber crime in the context of national security may involve activism, traditional espionage, or information warfare and related activities.

### **Cyber Stalking**

Cyber stalking is the use of the Internet or other electronic means to stalk someone. This term is used interchangeably with online harassment and online abuse. Stalking generally involves harassing or threatening behaviour that an individual engages in repeatedly, such as following a person, appearing at a person's home or place of business, making harassing phone calls, leaving written messages or objects, or vandalizing a person's property [1].

Cyber stalking is a technologically-based 'attack' on one person who has been targeted specifically for that attack for reasons of anger, revenge or control. Cyber stalking can take many forms, including:

- harassment, embarrassment and humiliation of the victim;
- emptying bank accounts or other economic control such as ruining the victim's credit;
- harassing family, friends and employers to isolate the victim.

The term can also apply to a 'traditional' stalker who uses technology to trace and locate their victim and their movements more easily (e.g. using Facebook notifications to know what party they are attending). A true cyber stalker's intent is to harm their intended victim using the anonymity and untraceable distance of technology. In many situations, the victims never discover the identity of the cyber stalkers who hurt them, despite their lives being completely upended by the perpetrator.

### **Hacking**

Hacking is a crime, which entails cracking systems and gaining unauthorized access to the data stored in them. A case of suspected hacking of certain web portals and obtaining the residential addresses from the e-mail accounts of city residents has recently come to light [2].

Crackers are people who try to gain unauthorized access to computers. This is normally done through the use of a 'backdoor' program installed on your machine. A lot of crackers also try to gain access to resources through the use of password cracking software, which tries billions of passwords to find the correct one for accessing a computer. Obviously, a good protection from this is to change passwords regularly. In computer



networking, hacking is any technical effort to manipulate the normal behavior of network connections and connected systems. A hacker is any person engaged in hacking. The term 'hacking' historically referred to constructive, clever technical work that was not necessarily related to computer systems. Today, however, hacking and hackers are most commonly associated with malicious programming attacks on the Internet and other networks.

M.I.T. engineers in the 1950s and 1960s first popularized the term and concept of hacking. Starting at the model train club and later in the mainframe computer rooms, the so-called 'hacks' perpetrated by these hackers were intended to be harmless technical experiments and fun learning activities. Later, outside of M.I.T., others began applying the term to less honorable pursuits.

Before the Internet became popular, for example, several hackers in the U.S. experimented with methods to modify telephones for making free long-distance calls over the phone network illegally. As computer networking and the Internet exploded in popularity, data networks became by far the most common target of hackers and hacking.

### **Phishing**

Phishing is just one of the many frauds on the Internet, trying to fool people into parting with their money. Phishing refers to the receipt of unsolicited e-mails by customers of financial institutions, requesting them to enter their username, password or other personal information to access their account for some reason. Customers are directed to a fraudulent replica of the original institution's website when they click on the links on the e-mail to enter their information, and so they remain unaware that the fraud has occurred. The fraudster then has access to the customer's online bank account and to the funds contained in that account.

Phishing is the act of sending an e-mail to a user falsely claiming to be an established legitimate enterprise in an attempt to scam the user into surrendering private information that will be used for identity theft. The e-mail directs the user to visit a Web site where they are asked to update personal information, such as passwords and credit card, social security, and bank account numbers, that the legitimate organization already has. The Web site, however, is bogus and set up only to steal the user's information.

For example, 2003 saw the proliferation of a phishing scam in which users received e-mails supposedly from eBay claiming that the user's account was about to be suspended unless he clicked on the provided link and updated the credit card information that the genuine eBay already had. Because it is relatively simple to make a Web site look like a legitimate organizations site by mimicking the HTML code, the scam counted on people being tricked into thinking they were actually being contacted by eBay and were subsequently going to eBay's site to update their account information. By spamming large groups of people, the 'phisher' counted on the e-mail being read by a percentage of people who actually had listed credit card numbers with eBay legitimately.

Phishing, also referred to as brand spoofing or carding, is a variation on 'fishing', the idea being that bait is thrown out with the hopes that while most will ignore the bait, some will be tempted into biting [3].

Phishing is an e-mail fraud method in which the perpetrator sends out legitimate-looking e-mail in an attempt to gather personal and financial information from recipients. Typically, the messages appear to come from well known and trustworthy Web sites. Web sites that are frequently spoofed by phishers include PayPal, eBay, MSN, Yahoo, BestBuy, and America Online. A phishing expedition, like the fishing expedition it's named for, is a speculative venture: the phisher puts the lure hoping to fool at least a few of the prey that encounter the bait. Phishers use a number of different social engineering and e-mail spoofing ploys to try to trick their victims.

### **Cross-Site Scripting**

Cross-site scripting (XSS) is a type of computer security vulnerability typically found in web applications which allow code injection by malicious web users into the web pages viewed by other users. Examples of such code include HTML code and client-side scripts. An exploited cross-site scripting vulnerability can be used by attackers to bypass access controls.

Cross-Site Scripting attacks are a type of injection problem, in which malicious scripts are injected into the otherwise benign and trusted web sites. Cross-site scripting (XSS) attacks occur when an attacker uses a web application to send malicious code, generally in the form of a browser side script, to a different end user. Flaws that allow these attacks to succeed are quite widespread and occur anywhere a web application uses input from a user in the output it generates without validating or encoding it. An attacker can use XSS to send a malicious script to an unsuspecting user. The end user's browser has no way to know that the script should not be trusted, and will execute the script.

Because it thinks the script came from a trusted source, the malicious script can access any cookies, session tokens, or other sensitive information retained by your browser and used with that site. These scripts can even rewrite the content of the HTML page.

### **Vishing**

One emerging threat called vishing has already affected thousands of people in the Midwest. In these cases, criminals use the power of Voice over Internet Protocol to spoof caller IDs and prey on unsuspecting financial institution customers. Believing the information displayed on their caller IDs is accurate, customers are willing to share their private personal and financial information with the caller who is not, as their caller ID claims, a financial institution employee.

Vishing (voice or VoIP phishing) is an electronic fraud tactic in which individuals are tricked into revealing critical financial or personal information to unauthorized entities. Vishing works like phishing but does not always occur over the Internet and is carried out using voice technology. A vishing attack can be conducted by voice email, VoIP (voice over IP), or landline or cellular telephone.

Vishing is difficult for authorities to trace, particularly when conducted using VoIP. Furthermore, like many legitimate customer services, vishing scams are often outsourced to other countries, which may render sovereign law enforcement powerless.

Consumers can protect themselves by suspecting any unsolicited message that suggests they are targets of illegal activity, no matter what the medium or apparent source. Rather than calling a number given in any unsolicited message, a consumer should directly call the institution named, using a number that is known to be valid, to verify all recent activity and to ensure that the account information has not been tampered with.

### **Bot Networks**

A cyber crime called 'Bot Networks', wherein spamsters and other perpetrators of cyber crimes remotely take control of computers without the users realizing it, is increasing at an alarming rate.

Computers get linked to Bot Networks when users unknowingly download malicious codes such as Trojan horse sent as e-mail attachments. Such affected computers, known as zombies, can work together whenever the malicious code within them get activated, and those who are behind the Bot Networks attacks get the computing powers of thousands of systems at their disposal.

Attackers often coordinate large groups of Bot-controlled systems, or Bot networks, to scan for vulnerable systems and use them to increase the speed and breadth of their attacks. Trojan horse provides a backdoor to the computers acquired. A 'backdoor' is a method of bypassing normal authentication, or of securing remote access to a computer, while attempting to remain hidden from casual inspection. The backdoor may take the form of an installed program, or could be a modification to a legitimate program. Bot networks create unique problems for organizations because they can be remotely upgraded with new exploits very quickly and this could help attackers pre-empt security efforts.

In a first of its kind initiative in India to tackle cyber crime, police have taken the initiative to keep an electronic eye on the users of the various cyber cafes spread over the city. Many countries have established Computer Emergency Response Teams (CERTs) with an objective to coordinate and respond during major security incidents/events.

These organizations identify and address existing and potential threats and vulnerabilities in the system and coordinate with stakeholders to address these threats. Policy initiatives on cyber crime are as yet lethargic because of a general sense that it is nothing more than juvenile hackers out to have fun or impress someone.

Net surfing by youngsters lures them into dangerous domain. The need for a conscious effort to checkmate the undesirable fallout of youngsters accessing and using the Internet is of concern.

The print media has a duty to educate unwary parents and youngsters about the dangers inherent in treading dangerous areas in the cyber-world.

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**PEDAGOGICAL CONDITIONS  
OF VALUE ATTITUDE FORMATION TOWARDS TEACHING**

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*The article is devoted to the analysis of pedagogical conditions of value attitude formation towards teaching. The set of conditions is outlined; their implementation in the teaching and educational process of higher educational establishments is described.*

The problem of value attitude formation towards teaching has been a significant one for a long time. Teaching ranks low on the list of professions popular in this country and the tendency seems to be rather stable. The objective of our work was to scientifically justify and develop theoretical basis and organizational and pedagogical conditions of value attitude formation to profession among teachers-to-be. Therefore, this article describes pedagogical conditions of value attitude formation towards teaching among students.

The research we carried out dealt with the implementation of a set of pedagogical conditions aimed at the development of value attitude among teachers-to-be. We presupposed that the set included the following conditions:

- diagnostics of the components of value attitude towards teaching;
- successive change of phases in the process of value attitude formation;
- use of self-reflection and self-rating while setting personal developmental goals;
- ensuring of an active subject position in the educational and self-educational process;
- stimulation of stable positive motivation in order to accept professional values via situations of social and moral kind;
- activation of students' creative skills;
- use of traditional and nontraditional educational means and information-communication technologies.

The conditions enumerated were implemented through a number of teaching and educational procedures in the process of value attitude formation.

The adaptive-diagnostic stage of the experiment together with the planning-correction one let us estimate the level of value attitude among the students. We worked out a questionnaire that was used as a tool for building of the student's value attitude profile. It helped them to pinpoint the necessary directions of further work and mark them in their personal plan of self-development. We also tried to lower the level of stress and improve academic results of the students providing them with additional instruction, special organization of lectures and seminars, etc. This work showed that first year students are not equipped with a sufficient number of academic skills and need the help of lecturers and tutors in order to improve them.

The following aspect of experimental work was devoted to the problem of students' active subject position. Our research reveals that the vast majority of students are not ready to take responsibility for their academic success, are inclined to get ready-made answers, tend to memorize and repeat facts rather than question what they are said or instructed. In order to stimulate a more challenging atmosphere of studying we included inquiry-based learning using a gradual shift from structured to guided and then open inquiry. We started with the defining of the courses, giving the students a detailed plan of what they would discuss and explore, thus letting them be aware of the necessary information and skills to be proficient in at the end of the course. Another important step was stimulating of a complex communal dialogue in the classroom. For that reason, we tried to include more project work organized in groups rather than individual tasks checked in a written form. Evaluating student work without tests and quizzes turns out to be less threatening and monotonous. Projects also provide students with a variety of ways to demonstrate their understanding and competencies. They are more flexible than tests because they can be restructured owing to individual differences in cognitive skills. They also give students more opportunities to make their own decisions. Each project is unique meaning that students can recognize the importance of the choices they make while completing the task. Hence we inferred that the idea of a subject-centered classroom (achieved via project work, inquiry-based learning and a communal dialogue) creates more opportunities for higher order thinking; developing of communication and collaborative skills, research and information literacy; better retention, thus

forming lifelong learners. Project work also provided a chance for better evaluation of the student's results. Completing a project, they need a sort of guidance or supervision thus having their work assessed several times before it must be finished. Grading then becomes more a tool of learning and growth than a final judgment of the product. It also makes students rely on each other and the skills of consensus are more likely to be learned.

Another example of efficient organization of the teaching and learning process in order to stimulate active subject position of students is the use of debate. In addition to providing meaningful listening, speaking and writing practice, debate is also highly effective for developing argumentation skills for persuasive speech and writing as well as analytic thinking skills. The practice in the debates also leads students to become more accustomed to expressing opinions.

Moreover, teaching is a demanding job that takes place in a complex and dynamic setting, the classroom. Although classrooms are familiar places for beginning teachers, most have known the classroom from in front rather than behind the teacher's desk. That is why we relied on the possibilities of professionally oriented technology in the educational process involving case method and management games. A case puts students in a role of a person faced with a problem and asks them to devise, defend, discuss, and refine solutions to that problem. Such situations usually require not only professional knowledge and skills but also a kind of moral choice that should be made in accordance with values either personal or professional. Management games help to create the atmosphere of a real classroom and imply a lot of acting out which is useful for teacher-to-be. Another advantage of management games and case method is enhancing student creative skills through eliminating of traditional discussion of theoretical points and inserting of practical tasks.

Taking into account what has been said above, it takes a lot to be an effective teaching professional. Moreover, accomplished teachers are inventive in their teaching, recognising the need to admit new findings; they stand ready to incorporate ideas and methods developed by others that fit their aims and their students. They are supposed to be involved into constant search and creative activity. Thus, the students took part in several university competitions and, while at school, prepared pupils for a local phonetic contest. Eventually, the students had to evaluate their progress in studies, review their performance in different activities either successful or not, describe their achievements and analyse their fails.

The conditions described proved to be efficient in the experiment we carried out from 2009 to 2013 at PSU. The qualitative and quantitative analysis of the results showed their considerable effect on the development of value attitude formation to teaching among teachers-to-be.

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## THE GENTRY DEMOCRACY CHARACTERISTIC FEATURES OF RZECZPOSPOLITA

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*The features of social and political system of the Commonwealth are considered in the article. The general characteristic of the legal status of the gentry are mentioned. The process of the political system formation and development of the Commonwealth has been analyzed.*

The period of the Rzeczpospolita comprised the territory of modern Belarus had a great value for the country's history. Such important law monuments as the Statute of 1588 and the Constitution of 1791 appeared right at that time. The level of the legal and political thoughts was very high in the country. Moreover, a special public way so-called "gentry democracy was set up in Rzeczpospolita". In this article we'll pay attention on reviewing the peculiarities of this public way.

During the 16 -18 centuries a social and social class polarization took place especially in Belarus, the gentry was glorified. Its special rights and freedoms gave researchers the reason to believe that Rzeczpospolita was a "gentry nation" [2].

Unlike the other countries in Western Europe, where the representative form was transiting to an absolute monarchy (France) or a parliamentary monarchy, Rzeczpospolita was advancing itself in its own way. It is in this form of government emerged an elected monarch who had very limited powers.

A special agreement was set up between the gentry and a new King – so called *pacta conventa* which stressed the exact duties of the new elected monarch and was a kind of an individual contract. "Henry's Articles"

(name from the first elected King Henry de Valois) was made up with the first *pactaconventa*, where the basic principles of the gentry statehood were outlined. They forced the King and the Great Prince to accept free election, keep a religious peace, not deciding on war and peace issues without the Senat and the Sejm, not to hold the elections of the heir during the lifetime (*veventerege*), convene a usual Sejm every two years and also the possibility of holding Extraordinary Congress of the gentry was provided. When the gentry considered that their rights were broken they could refuse to obey the King.

Henry's Articles were approved in the year of 1573 when a Anjou Duke Henry of Valois was elected as the King of Rzeczpospolita. He was elected hoping for setting better relations with The Ottoman Empire, as France at that time had good relations with the Turks.

After the negotiations between Henry and Polish embassy he took the oath and assumed the obligation to comply with the "pact of the convention" and so-called Henry's Articles at the ceremony at Notre Dame September 10, 1573. "PactaConventa" 1573 had relatively narrow and precise nature: "Observe the privileges for the nobility, to make eternal peace between Poland and France, perform what is required to Sigismund Augustus, to strengthen the Polish fleet in the Baltic, open the French port for the merchants of Poland, from where boats leave for the New World and Alexandria, and so on" [2]. Provisions relating to the state system Rechy Commonwealth, have already been given above.

But right after his brother Carl's IX death Henry secretly escaped to France. Vilna governor Nikolai Radziwill Auburn in a letter to Bishop Valerian Vilna Pratasavichu skeptically assessed the attempts to make him return to Poland: "will not come back because there [in France] absolutum dominium» [2]. In 1576 a selmigradski governor Stephen Batory was elected as a king, he accepted Catholicism and without any claims signed Henry's Articles and "pactaconventa". This events gave the gentry in Rzeczpospolita a great power in the country.

In this regard a concept of "Golden Liberty" was gradually appearing in Rzeczpospolita. The major of these liberties were the equality for all the gentry before the law (*aequalitas*), the right for a free election of a King (on the *virutum* principle), the right to every nobleman for the freedom of voice (*liberavox*), the right to protest (*iusvetandi*) and also the integrity of the nobleman's personality and his estate (from 1588 manor gentry were protected from any revisions). Theoretically the gentry had the right for everything. Its freedoms could only be limited by the decision of the Sejm and Regional Parliaments but those were accepted by the gentry. Without the consent of the gentry to the King and the Grand Duke had no right to impose taxes, nor gather the militia to declare war, nor grant any other statutes relating to the nobility. This situation was unique in Europe at that time.

The gentry of Rzeczpospolita had also another peculiarity – the equality of all the representatives of the noble status. S. Kutsheba noted [3, c. 59] that it had been due to the fact that "when the state formed the state of nobility the notion of race still existed". After the adoption the coats of arms (which meant the adoption in terms of nobility) ancestral links intensified. The whole generations were taken in the composition of the gentry not only particular families. So the gentry's rights and freedoms economically supported socially weak people whose only sole support was the belonging to a particular race. Noblemen needn't have had to have land to get the title.

That system seemed to be the fairest for the gentry and every attempt to change something was accepted as an attempt to set dictatorship. The most famous ideologist of the "Golden Liberty" was the commandant of the Lviv Andrew Maximilian Fredra [4] (1620–1679) who 1660's read a treatises in its defense. In particular, considering the benefits of the traditional Rzeczpospolita unanimously adopted resolutions (*liberum veto*) he wrote that otherwise if the decisions had been made by the majority of the votes "the majority of the worse would crow over the majority of the better" and the country would have suffered greater harm.

Some scientists figuratively compared the state system of Rzeczpospolita with a chorus where "not only the royal alto but a lot of "free" voices cohesively support one melody".

So it can be noticed that the gentry highly assessed the present state system. They believed that state to be perfect and every attempt of reforming considered to be a harmful action and the break of their rights.

Over time "Golden Liberty" gained an absolute character. They were considered as a base of relations between the gentry and the country. Every attempt to reform the set system the gentry thought to be an act against their privileges and was blocked. Being scared of changes the gentry thought that the Sejm should have not only pursue their own policy but also deter the changes on the part of the king. In short, the risk was seen only in the adoption of new, harmful for those system regulations. In practice, the best way to prevent them was stopping the meeting of the Sejm by *liberum veto*. The right for one nobleman to disrupt the Sejm during the meeting became a symbol of noble freedom. Starting from 1652, "when the right was used by the Trotsky Ambassador Vladislav Sitsynski (although breakdowns occurred earlier in 1605, 1615, 1637) and by the end of the rule of Sasovo (1763) more than a half of the opened Sejms were disrupted [4]. The disruptions of the Sejms revealed a nasty disease of the gentry parliamentary.

Very soon the right of "liberum veto" became abused. It started to be a formidable tycoons' weapon who were seeking after hegemony under the weakened central government. But none of their groups was strong enough to take all the power into their hands. So they united with the gentry and were hoping for preserve the balance of power through the liberum veto as a brake, as a way to block unwanted decisions. The state of equilibrium of forces just helped idealization installed image, the desire to keep it intact.

Another important characteristic of the gentry democracy was the right to create confederations. A confederation was not recognized by the King. It was called Rokash and was an official form of armed struggle against the government. During the 17 century confederations rose in the Commonwealth dozens of times - whether to revolt against the monarchy and achieve their demands, or to support it. Achieving their political goals confederations drew into public life wide circles of the gentry and the army. And illustrious lords besides the number of the serving nobility had various military units that were sometimes stronger than the state army. For example, "Slutsky Jerome Prince Radziwill Florian (1715–1760) held the 6000 regular army and as many Cossacks and shooters. In order to prepare officers for his army Radziwill opened in his residences in Slutsk and Nyasvizh special cadet corps, and his brother Jerome said Florian Hetman Michael Casimir founded in Nyasvizh his own military academy. The presence of such a force in the ambitious oligarchs led to the decentralization of power and risks of political anarchy in the Commonwealth" [4].

Gradually gentry democracy turned into an aristocratic oligarchy. Groups of large magnates who owned a strong reputation in the state were formed. These groups included the gentryklientela magnates.

Disorder undermined the already weak state. In such circumstances, the nobility was demoralized. Gifted with all the privileges, dominating over the whole society, the gentry, as the state, was experiencing apathy and degenerates. For general internal disorder new particularism revolted again which paralyzed weak Rzeczpospolita. A huge multinational state is one outwardly seemed to be more united. It had already been eroded by internal antagonisms for a long time and politicians' mistakes only deepened them. It was very hard to change something because as it has been mentioned the magnaterii and Catholic clergy resisted the reforms.

In the last third of the XVIII century an opportunity of internal reforms appeared in Rzeczpospolita. Many of the reforms of the state system were taken as a result of the so-called four-year Sejm. However, the reform of the political system could not be implemented to a certain extent, it was too late. Just in a few years Rzeczpospolita ceased to exist as an independent state and was divided between Russia, Prussia and Austria.

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#### THE SUBJECT OF CRIMINAL LIABILITY IN THE REPUBLIC OF BELARUS

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*The subject (perpetrator) is one of the obligatory elements of a crime. Actually, without his participation, a forbidden act cannot be committed. Criminal law defines the subject of a crime as the person who is able to bear criminal responsibility for the commission of forbidden acts stipulated by the penal code. Nevertheless, as the practice demonstrates, not every perpetrator bears criminal responsibility, because not everyone can do this. It is, therefore, necessary to consider what characteristics determine the ability of the perpetrator to bear criminal responsibility, who stipulates these characteristics, and what is their scope.*

The characteristics of the subject of a crime have been defined in the penal code of the Republic of Belarus (PC RB) of 1999 in chapter 5 of division II titled, "Terms of criminal responsibility". They are listed in art. 27 of the PC RB, which says that "only a person who is accountable, and who has reached the age specified

in this Code is the subject of criminal responsibility". Consequently, this provision means that the characteristics of the subject of a crime are: accountability, being a natural person, and having a certain age. These characteristics constitute the obligatory characteristics of a subject of any crime.

Such approach means that the Belarusian legislator links criminal responsibility with the person's ability to recognize his or her actions and to direct them. A lack in the perpetrator of one of these elements excludes his or her criminal responsibility.

The Belarusian criminal code considers only a natural person, or **a human**, i.e. a rational creature who has free will, as a subject of a crime. This means that neither animals nor objects can be considered as perpetrators of a crime. According to Belarusian lawyers, such an approach completely fulfills the tasks of criminal law, its principles, the notion of a crime, and the purposes of a punishment defined in the law itself.

Consequently, in accordance with the classical criminal law principle of individual responsibility that the Russian law incorporates, the penal code does not allow a legal person to be considered the perpetrator of a crime. Although during the works leading to the enactment of the current penal code, the inclusion of this category of persons as subjects of criminal responsibility was considered, but ultimately such a provision of law was dismissed. The responsibility of such entities was regulated in civil and administrative law.

Another characteristic of a subject of crime is his or her **age**. The Belarusian legislator, in determining the age at which criminal responsibility becomes possible, used the psychological criterion. The age limit was linked to the level of intellectual development of the individual, his or her ability to comprehend the nature and social impact of the act, to evaluate the act, and on the ability to realize his or her needs in accordance with social norms. The legislator concluded that the ability to recognize the surrounding world, its appraisal, the ability to make a choice between various motives occurs inline with a person's biological and social development; at the moment when a certain level of legal awareness is in place. Therefore, criminal responsibility should be effective once a person reaches a certain age. In Art. 27 of the PC RB, the legislator stipulated two age limits that constitute a basis for criminal responsibility. In principle, persons who have reached the age of 16 at the time the crime is committed face criminal responsibility (art. 27, item 1, PC RB); except for responsibility of persons who have reached the age of 14 (art. 27, item 2, PC RB). Article 27, item 2, of the PC RB states that a minor who, at the moment of committing a crime, has reached the age of 14, is subject to criminal responsibility for: committing a homicide (art. 139), deliberately causing a grave bodily injury (art. 147), deliberately causing a medium bodily injury (art. 148), rape (art. 166), committing sexual acts using violence (art. 167), kidnapping a person (art. 182), theft (art. 205), plunder (art. 206), robbery (art. 207), extortion (art. 208), illegal seizure of a car or another means of transportation (art. 214), deliberately destroying or damaging property in aggravating circumstances (art. 218, item 2, 3), taking a hostage (art. 291), theft or extortion of weapons, ammunition and explosive materials (art. 294), incapacitating means of transportation or roads (art. 309), theft or extortion of intoxicating or psychotropic substances (art. 327), hooliganism in incriminating circumstances (art. 339), false message about the dangers (art. 340), vandalism (art. 341), and other. The legislator has concluded that the nature of these crimes, their danger to the society, and the fact of deliberate commission, are adequately understandable for 14 years old persons.

However, this does not mean that minors bear responsibility on the same level as adults. In sentencing the court takes into consideration the principle of humanism, as well as regulations concerning sentencing in cases involving minors, the course of serving the sentence, the ability to release them from criminal responsibility. The issue of criminal responsibility of minors is regulated in the general part of the PC RB, in chapter V "Criminal responsibility of minors". Moreover, in art. 27, item 3, of the PC RB, the legislator provides for the release of a minor from responsibility despite reaching the age of criminal responsibility in situations where, as a result of a delay in his or her mental development, nor related to a mental disorder, he or she is unable to fully realize the actual nature and the threat to the society caused by his or her actions (or omissions) or to direct his or her actions [1, p. 122]. Thus, the abovementioned provision, called the age non-accountability, excludes criminal responsibility of minors. Because the age of a perpetrator of a crime is determined at the time the crime is committed, the exact date of the person's birth (day, month, and year) is important with respect to his or her criminal responsibility. Belarusian legislator states that "a person is considered to have reached the age where the criminal responsibility starts, not starting on the day of birth, but after twenty four hours which starts the next day, i.e. starting at 12.00 AM". The Belarusian penal code does not provide for a category of a juvenile Perpetrator.

Another characteristic of a subject of crime is **accountability**. The Belarusian law specifies that only an accountable (able in body and mind) person can be the subject of a crime. However, the PC RB does not provide a precise definition of the notion of accountability. Nevertheless, it defines non-accountability, in art. 28 of the PC RB, as a state in which a person "could not realize the actual nature and the danger to the society posed by his or her actions (omissions) or to direct them, due to a chronic mental disorder, a temporary mental disorder, a

mental handicap or another pathological mental state". The consequence of actions (omissions) in such a state is exemption from criminal responsibility. This definition indicates that the legislator has characterized the state of non-accountability by two criteria. One of them constitutes a basis of determining the biological pathological state of the body, which consists in:

- a chronic mental disorder, characterized by a long duration and frequency of pathological states (e.g. schizophrenia, epilepsy, manic-depressive psychosis);
- a temporary mental disorder (e.g. pathological drunkenness, alcoholic psychoses);
- mental handicap (oligophreny, imbecility, idiocy);
- other mental condition.

The second criterion characterizes the mental state of the person at the moment the crime is being committed. It is such a level of intellect that makes it impossible to realize the actual nature and the danger to the society posed by one's actions (omissions), as well as an element of will which makes it impossible to direct one's actions. This criterion is called legal or psychological [2, p. 134].

In order to conclude a state of non-accountability it is necessary to determine, through psychiatric expert examinations ordered by the court, the presence in a person of one form of a mental disorder. The conclusion of a mental disorder in the perpetrator of a crime testifies to the lack of one characteristic required of a subject of crime. Consequently, actions conducted by a person who cannot, due to a pathology, realize the nature of his or her actions or to direct them, ought not to be considered as criminal, and such a person is not subject to a punishment. Consequently, according to the provisions of law, such a person does not commit a crime and does not bear criminal responsibility [3, p. 201]. On the other hand, on the basis of art. 28 item 2 of the PC RB the court may apply towards this person the means of coercion of medical nature stipulated in the PC RB.

At this moment we should mention the issue of criminal responsibility of persons with a mental disorder which does not eliminate accountability. This is how the Belarusian law describes limited accountability. According to art. 29, item 1, of the PC RB, "an accountable person who, at the moment of committing the crime, due to a mental disorder, could not fully realize the actual nature and the threat to the society posed by his or her actions (omissions) or direct them, is subject to criminal responsibility".

This means that the legislator has identified limited accountability not as a state between accountability and non-accountability, but as a part (manifestation) of accountability [2, p. 146]. Thus, the legislator has provided for a full criminal responsibility in such cases.

On the other hand, according to art. 29 item 2 of the PC RB, acting in the state of limited accountability should be taken into consideration by the court at sentencing and may constitute a basis for applying measures of coercion of medical nature. At this stage of the analysis it is necessary to present a regulation concerning the responsibility of a drunk or intoxicated perpetrator of a crime.

This regulation demonstrates that the Belarusian penal code does not release a person from responsibility for crimes committed by him or her in a state of intoxication that resulted from consumption of alcohol, narcotics or other intoxicating substances. What this means is that such a person is responsible on the basis of general principles. Consequently, a state of intoxication is not considered at all by the legislator in the aspect of non-accountability. The legislator concludes that intoxication with alcohol or narcotics does not constitute a mental illness, although consumption of such substances may cause pathological conditions (e.g. drug craving or delirium tremens) [3, p. 124]. Such a solution should be considered as rightful, especially in a country where the proportion of crimes committed under influence of alcohol to the total number of crimes amounts to approximately 20%.

In contrast to the above considerations, the legislator treats differently the commitment of crimes in the state of pathological intoxication. It may occur, for instance, as a result of severe stress, a physical or mental weakening of the human body, even after consuming a small amount of alcohol.

Such intoxication is considered to be a manifestation of a temporary mental disorder which precludes accountability and thus releases the person from criminal responsibility [1, p. 124].

At the conclusion of this discussion, it is necessary to mention that the characteristics of the subject of the crime discussed above are obligatory.

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**CHILD ABUSE IN A FAMILY****DARYA TUKHTO, SVIATLANA ASTAPCHUK****Polotsk State University, Belarus**

*Child abuse in a family is a serious problem for society in all countries. Parents' desire to "break", to "improve" the child by manipulating, humiliation, threats and physical punishment creates an unsuitable situation for his life in the family. As a rule, domestic child abuse takes place in marginalized families with aggravated social problems.*

These are families where parents are alcoholics, drug addicts, religious fanatics, minors, refugees or unemployed with handicaps (deaf, blind), mentally retarded or mentally ill, as well as single-parent families.

Abuse of children by their parents and neglect of their interests can have different kinds and forms. There are 5 main basic forms of violent acts that constitute the nature of domestic abuse. Among the most common and the most recognizable forms of violence we can identify physical and sexual forms of abuse. These forms of domestic child abuse are not exclusive; there is also a psychological and economic violence.

Physical abuse is the infliction to the child by parents or persons who replace them of physical injuries, different kinds of damage. In some families they use different kinds of physical punishment - from flaps and slaps to strapping as a disciplinary measure. Signs of physical abuse are bruises, scratches, scars, burns, abrasions, wounds, fractures, and we can observe changes in child's usual behavior.

Sexual violence is the involvement of a child in sexual activities oriented to bring physical satisfaction to a person who performs abuse or to get profits. Offering or coercion of a child to sexual activity (not depending on the result) are also considered as forms of sexual child abuse, showing of genitals to a child, demonstration of pornography, sexual contact with a child, physical contact with genitals of a child, viewing of child's genitals without physical contact, use of a child for production of child pornography.

Mental violence (verbal insults, blackmail, act of violence regarding children or other persons in order to establish control over the partner, threat of violence to yourself, a partner or other persons, horrification by pets abuse or destruction of items of property, forcing the victim to perform actions that degrading him).

Economic violence (denial of child support, income withholding, sole adoption of the most financial decisions and individual spending of family money).

We can often see such form of violence as the use of the children to take control under adult victims (use of the children as hostages, forcing the children to be engaged in physical and psychological abuse of an adult victim, battle for parental rights using the manipulation of the children, use of granting or deprivation of the possibility of visiting the child to control the adult victim).

If we talk about domestic violence, I would like not to stop at such obvious and recognized by everyone social forms of family interaction as beating with serious bodily injury, but less visible, "simple" and even familiar, and sometimes discouraged.

Mental or physical abuse of the children is first of all the problem of impotence and irresponsibility of adults. Children are very sensitive to the tone with which the adult gives the orders; it is inherent in the nature of a child. If an adult feels internally like an adult and confident person, if he really knows what he really wants from the child and if he is responsible for the result, and all this is heard in his voice – so a child of any age will obey.

There are the so-called "sensitive periods of abuse". These periods correspond to child development periods, when anatomical and physiological, hormonal, emotional and personal and psychosocial changes make him easily injured. First of all these periods are preschool and adolescence. So, more often the victims of physical abuse by the parents become the children from 12 to 17 years, reaching a peak at the age of 15-17 [3].

Adults at this period of time should show maximum of understanding and responsiveness. However, particular immaturity of parental feelings, inability or unwillingness to control their own emotions and neurotic states do not allow developing tolerance and sensitivity towards such changes that occur in children in these age periods. This provokes increase of presence of aggression, rudeness, disobedience of adolescents. Physical punishment provokes again the outbreaks of aggression, brutality, which provokes new punishment in its turn [2].

We have to note the risk factors of children abuse. First of all it is referred to psychological characteristics of parents. Such parents are characterized as impulsive, immature, rigid, parents-tyrants or chronically aggressive persons, dependent and narcissistic, separated from their family and friends and who suffer with marital difficulties.

Unfortunately, most parents who abuse their children were often subjected to physical abuse themselves in their childhood, as well as to rejection, deprivation and neglect by their own parents.

Another risk factor of child abuse is the children themselves. Usually only one child in the family is regarded as the most difficult and burdensome [4].

Children with physical and mental disabilities, children with disabilities, babies born prematurely and with low birth weight are also vulnerable to violence.

At older ages, a child can contribute to physical abuse by his aggressiveness, hyperactivity and impulsive behavior. Such children less willingly comply with the rules that annoy their parents and incline them to violence. In his turn, the child begins to imitate the violent behavior of his parents, in order to prevent abuse in relation to him. As a result there is a vicious cycle of bad behavior and violence [1].

Any kind of child abuse leads to a variety of consequences: low self-esteem, loss of confidence in him, formation of pathological character traits that can lead to violation of socialization, physical injury, damage, acute mental disorders. Children feel fear, alarm. Kids that are subjected to abuse are often behind in height, weight, they begin later to walk, to talk, and they laugh less. Such children often have "bad habits": finger sucking, nail biting, swinging. Older children can have the development of a heavy depression with a sense of inferiority, inadequacy [3].

Children's reactions to emotional abuse can take the form of distancing from the rapist; it can lead to the formation of painful affections, inclinations of victims to blame themselves for violence committed against them, helplessness and passive behavior.

Children suffered from various kinds of violence feel anger that they more often vent to someone weaker: younger children, animals. It often happens when their aggressiveness is manifested in the game; sometimes their flash of anger has no apparent cause. Some of them, on the contrary, are too passive, they can't defend themselves.

Violence of any kind is a severe psychological trauma for the child.

We have to understand that child injury can occur also during the beating of one of the parents (a family member) by another parent (a family member). Parents who execute domestic abuse traumatize children [3]:

- intentionally causing damage to them to influence other members of the family (for example, a child can be maltreated to force the other family members act in accordance with the wishes of the abuser;
- unintentionally causing injuries to children during an attack on another member of the family (a child can be an unwitting participant of a fight and / or get damages when he tries to protect the victim of the attack;
- creating of an environment where children become witness of violence and / or its consequences;
- using children to control other family members who live with the child, or separately, to exercise control over his / their behavior.

We conducted a survey in Polotsk State University. The aim was to identify the level of familiarization of the students with the concept of violence, as well as what kinds of violence were used by their parents towards them when they were children.

Male students identify child abuse as follows: incest (9%), humiliation (8%), destruction of personal belongings (8%), beating (8%), derision (8%), insulting (7%), threat of being left (7%), sexual stimulation (7%), showing / participation in pornography (7%).

As regarding to their future children the male students are not against to use flap (28%), bans (23%), slap (17%), coercion (14%).

When they were kids their parents used: flap (21%), coercion (19%), bans (18%), and beating with a belt (14%).

Female students are sure that child abuse can be considered as follows: beating (10%), show / participation in pornography (9%), sexual stimulation (9%), insults (9%), incest (8%), humiliation (8%), belt (7%), as regarding to their future children the female students are not against to use flap (40%), bans (27%) and coercion (23%).

When they were kids their parents used prohibitions and coercion (both 25%), flap a little less (21%), beating with a belt (7%), insult (7%) towards them when they were children.

Combating children abuse is complicated by several factors. One of them is the fact that most cases of family children abuse for various reasons do not reach the police and social workers. Parents refuse the testimony, besides social responsibility of neighbors, relatives – all these who can see or hear the beating of a child are very low. Even children believe themselves that any family is much better than life in an orphanage.

As a result, it is possible to specify that:

- Family child abuse is a serious problem for society in all countries.
- As a rule, domestic child abuse take place in marginalized families with aggravated social problems.
- In a situation of violence not only the victim of aggression suffers. Everybody suffers from family terror.

- Abusiveness of parents towards their children and neglect of their interests can have different kinds and forms.
- Most parents who abuse their children were themselves in their childhood often subjected to physical abuse.
- Any kind of child abuse leads to a variety of consequences: low self-esteem, loss of confidence in him, formation of pathological character traits, leading to a violation of socialization, physical injury, damage, acute mental disorders.

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## PSYCHOLOGICAL ABUSE AND EMOTIONAL INTELLIGENCE

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*Psychological abuse is a form of mistreatment in which there is intent to cause mental or emotional pain or injury. There are many forms of psychological abuse. Victims of psychological abuse can develop a number of symptoms including behavioral changes, stress, and unhappiness. Emotional intelligence has become a world recognized phenomenon. Emotional intelligence includes self-awareness, impulse control, persistence, zeal, self-motivation, empathy and social deftness.*

We can face violent actions at any time and in any situation: at work, on vacation, in a public place and at home.

Violence is "the intentional use of physical force or power, threatened or actual, against oneself, another person, or against a group or community, which either results in or has a high likelihood of resulting in injury, death, psychological harm, or deprivation" [4].

Violence does not allow children to develop well; children who are victims or witnesses of violent acts have a greater predisposition to diseases. They have difficulty in communicating with both children and adults [4].

Domestic abuse – defined as a chronic mistreatment in marriage, families, dating and other intimate relationships – can include emotionally abusive behavior [3].

Around the world, at least one in every three women has been beaten, coerced into sex, or otherwise abused by a man in her lifetime. More than 20 % of women are reported to have been abused by men with whom they live [5].

Some studies tend to focus on psychological abuse within the workplace. A 1998 study of male college students by Simonelli & Ingram found that men who were emotionally abused by their female partners exhibited higher rates of chronic depression than the general population [4].

There are the following types of violence in our life: sexual, physical, economic, and psychological.

Psychological violence is characterized by the use of various influences on personality. Psychological abuse is a form of abuse characterized by a person subjecting or exposing another to behavior that may result in psychological trauma [4].

Psychological abuse does not always lead to physical abuse, but physical abuse in domestic relationships is nearly always preceded and accompanied by psychological abuse.

It can be inculcation, threatening, tampering, blackmail, intimidation and control. Psychological abuse can lead to psychological injury. Psychological abuse can be found today in many families.

Psychological abuse has much the same intention as physical abuse and threats: to control and dominate. Such pattern of behavior is really often adopted from childhood. A child, who had been abused in childhood, can use the same patterns of behavior in adulthood. Violence can not be tolerated. That's why we need to prevent violence in everyday life.

From September to November 2008 the Center for Sociological and Political Studies of the Belarusian State University in the framework of the Joint National Media Campaign to combat domestic violence under the leadership of the UN Office in Belarus carried out a study aimed at obtaining data on the situation of domestic violence in Belarus.

According to the survey 4 out of 5 women in Belarus from 18 to 60 years old had experienced psychological domestic violence caused by their husbands or partners. 25% of women were victims of physical abuse, 22.4% – economic abuse, 13.1% – sexual abuse. It was hard to understand but 9.5% of women had been physically abused by her husband or her partner during their pregnancy. 40% of women – victims of sexual abuse, had had to leave their homes, trying to avoid or escape abuse [6].

Abusive statistics among men in Belarus (the above mentioned study):

- 22% of men admitted that they had been physically abused by their wives or permanent partners;
- 5,7% men were victims of sexual abuse;
- 12,5% men were victims of economic violence;
- 79% of men had been subjected to some form of psychological abuse [6].

Psychological pressure is carried out at four levels: control of behavior (abuser controls the circle of friends of the victim and her actions), control of thinking (opinionating, installations), control of emotions (provoking emotions – from positive to negative), and control of information (abuser controls what books victim reads what kind of music victim listens).

Psychological abuse can include controlling what the victim can and cannot do, isolating the victim from family and friends. Name-calling, constant criticism that damages the victim's self-esteem is also common verbal forms of psychological abuse. Psychological abuse includes conflicting actions or statements which are designed to confuse and create insecurity in victim. Psychological abuse includes forceful efforts to isolate the victims, keeping them from contacting friends or family.

S.N. Yenikolopov indicates the following personality traits that distinguish those who are prone to abuse from people who are not prone to violence [7]:

- 1) Rapists were brought up in families where violence was carried out. They were witnesses of aggression between parents;
- 2) Rapists have a defective self-concept, low frustration tolerance;
- 3) They are more likely to use drugs and / or alcohol.

In the 70s of the last century the American researcher Lenore Walker formulated a theory describing the nature of domestic violence. According to this concept, domestic violence is a repetitive cycle of action, which includes 4 stages:

1. The increase in tension in the family. In family relationship discontent is brewing, disturbed communication between members of the family are becoming common. At this stage, the victim tries to calm the aggressor.

2. The violent incidents. An outbreak of emotional or physical abuse occurs. It is accompanied by violent disputes, accusations, threats, insults, intimidation.

3. Reconciliation. The abuser apologizes, explains the reason for violence, passes the blame on the victim, sometimes denies the incident or convinces the victim of an exaggerated perception of the events.

4. A quiet period in the relationship ("honeymoon"). A violent incident is forgotten, the offender is forgiven. This phase is called the "honeymoon" because the quality of the relationship between the partners at this stage is returned to flowers, dates, requests by the abuser to forgive him. After the "honeymoon" the relations return to the first stage, and the cycle repeats itself, and its consequences each time are only worse.

The abuser will control who the victim sees, where she goes, who she speaks to and what she does. This can take the form of simply not allowing her to use the phone, have her friends round or visit her family, or ensuring that it simply isn't worth doing by being in a bad mood because she left some housework undone, making her feel guilty that she was out enjoying herself while he worked, or even encouraging her – theoretically – to make friends, and then discounting them or complaining that she cares more for her friends/family/hobby than she does for him or is neglecting him.

We conducted a survey in Polotsk State University. 57 students were interviewed. We wanted to know whether they had been subjected to psychological abuse in their childhood and adolescence. The questionnaire included 14 questions that were directly related to experiences of abuse and 3 distracting questions – to create the atmosphere of trust. The questions allowed exploring the following forms of abuse: isolation, abuse, forcing someone else's opinion, and, insult to the dignity, control. It was found that 22 of the respondents had experienced psychological abuse rarely, and 35 people – often.

We supposed that being exposed to psychological abuse affected the level of emotional intelligence.

Emotional intelligence is a concept that describes a person's ability to recognize emotions, understand what they mean, and also the ability to manage them in such a way as to contribute to their emotional and intellectual growth [1].

Emotional intelligence includes self-awareness, impulse control, persistence, zeal, self-motivation, empathy and social deftness [2].

The average level of emotional intelligence of the students who rarely experienced psychological violence was – 133.

The average level of emotional intelligence of the students who often experienced psychological violence was 125.

In order to identify the connection between psychological abuse and emotional intelligence, we used the program Statistica.

Thus, between psychological violence and understanding of other people's emotions, intrapersonal emotional intelligence, understanding their own and others people's emotions, as well as the overall emotional intelligence there is a connection. This suggests that psychological violence does affect some components of emotional intelligence.

It means that victims of any form of violence understand people's emotions worse; they have worse emotional intelligence. Children who are subjected to psychological violence have the following problems: depression, low self-esteem, depression, and there is a high risk of neuropsychiatric and psychosomatic diseases.

How can we prevent psychological violence?

Identification of abuse is the first step to prevention. If you feel that your feelings, your needs, your opinions are being devalued, are given no importance, then you are experiencing psychological abuse.

Psychological abuser destroys the victim's identity, breaks his or her installation, and lowers self-esteem. Victims feel themselves increasingly worthless, stupid, non-independent, and selfish. Victims feel dependent on their abusers. It is often difficult for victims to acknowledge their situation and seek help. Huge amount of suppressed pain, fear, anger and self-hatred, has a great influence on what people feel at the moment. Unconscious feelings and emotions are trying to get out and provoke depression, hysteria, panic attacks or aggression, as well as diseases of the body.

All of these abusive behaviors prohibit a normal, healthy interaction between two adults as well as a lack of respect for individual thoughts, feelings, and opinions. A healthy, mutual interaction and conversation between two persons promote respect and a right of each partner to their own individual thoughts, perceptions and values.

To cope with the problem person needs to be purged from their own lies, to realize what is happening and start to trust themselves. The longer victim stays in such a relationship, the more he is exposed to the ravages of his psyche. The next step is to find support. Then there is a very important step: to remember one's interests, friends, beliefs. A significant moment in such situations is to break off all contacts with an offender. It is necessary to gain strength, relaxation and find a way to true dreams, goals and aspirations. One should consult a qualified psychologist and believe that he or she is a unique person who deserves happiness, respect and acceptance.

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**HISTORY, CULTURAL STUDIES, TOURISM, SPORTS**

UDC 908(476)(043.3)

**DEVELOPMENT OF WATER TOURISM IN WEST BELARUS AND POLAND (1921-1939)****ULADZIMIR GANSKI, KATSIARYNA ANDREICHYK**  
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*Belarus and Poland has a great potential for the development of water tourism – a large number of rivers and lakes. In 1921-1939, when West Belarus became part of Poland, canoe tourism became very popular. It quickly spread among young people and the military. In the Interwar Period the first canoe rally was organized on the territory of West Belarus and Poland.*

Pursuant to the Treaty of Riga signed in March 1921 between Poland, Soviet Russia and the Soviet Ukraine (thus ending the Polish-Soviet War), the territories of modern Belarus were divided between Poland and the Russian Soviet Federative Socialist Republic. The area that became part of Poland formed the central part of Kresy. In Soviet times, it was called West Belarus as opposed to East Belarus. West Belarus became part of Poland. The new borders established between the two countries remained in force throughout the interwar period, up until the outbreak of World War II.

World War I destroyed lots of water devices and means of transportation. The reconstruction started. Among others, water routs, devices and water units were rebuilt.

Moreover, Poland started to rebuild water transport, passenger as well as goods transport. People started propagating the motto: work on land, rest in water.

A number of organizations and associations started to arrange relaxation in water.

Going by small boats in water reservoirs had been taking place for a long time. In the 1930s on Warsaw part of the Vistula people were using boats, canoes, sailboats and even the first motorboats. Around 1850, there were 28 havens functioning on the Vistula. Moreover, the number of water units led to the introduction of the water law with the obligation to comply with it.

After Poland regained independence in 1918 the interest in using canoes in water recreation grew significantly.

The very first organization to start spreading canoe tourism was “Hellas” association established in 1924 in Myslowice. The canoes during the Interwar Period were referred to as “fold-up” canoes. It was first popularized in Silesia and then it quickly gained interest of people living in majority of river cities. The growth of canoe tourism interest triggered and the first canoe cruises took place, the so called canoeing rally.

During 1925-1926 in canoe sections alongside with wooden, usually hand-made canoes there were also first so called “fold-up” canoes. In those years a number of fold-up canoes appeared on the Vistula, Garczynski lake and Baltic coastal waters during scout water units convention. The canoes were made use of on all Polish rivers, lakes and channels. Alongside with the growing number of canoes additional canoe shelters were built. The canoes aroused interest particularly among the youth, scouts, white-collar workers and the army. The fold-up canoes were referred to as an ideal type of boat in water tourism.

The canoe equipment was composed of mast and sail, rudder with a sword, rubber pillows filled with air for sitting, tent with a floor, rubber mattresses for sleeping and dishes. The enumerated objects were supposed to provide comfort and come up to water tourists expectations as well as make them independent and self-sufficient during water cruises.

The very courageous canoe journey from Pinsk to Gdansk took place in 1925. The six Lvov participants (J. Abrysowski, L. Dabrowski, A. Dzbanski, F. Kalinowski, J. Sidorowicz and J. Zienkowicz) sailed on the canoe through the water route. The distance was covered within four weeks (from July 11<sup>th</sup> to August 7<sup>th</sup>).

At the same time, three graduates from Przemysl 2nd high school decided to cover the distance from Przemysl to Gdansk on the boat they had built themselves. Those were Hausmann, Loos and Mann.

On the initiative of “Sport wodny” editorial office in 1926, there took place a canoeing rally from Warsaw to Gdansk.

However, it was not until 1927 that Warsaw organized the first national water tourism, canoes and rowing exhibition. Even though there were lots of obstacles, a number of social organizations tried to popularize water tourism.

With regard to the diversity of water routs and their picturesque river banks as well as antique buildings situated alongside, Polish water routs surpassed all European countries. In the guide books of German travel agencies, Polish water routs on the Brda, the Czarna Woda and the Dretwica were recommended. They were equal to the Dunajec, the Dniestr, the Prut, the Wilia as well as thousands of lakes of Pomerania and Vilnius region.

Yet another canoeing rally celebrating national exhibition took place in 1929 from Warsaw to Poznan. The participants of 125 teams took part in the rally. In 1930, celebrating the 10th anniversary of regaining the sea access another rally took place, from Cracow to the sea. Alongside with the Polish participants, 22 Czech oarsmen took part in the rally. The organizer of the canoeing rally was the Polish Rowing Association.

Together with establishing structures of the Polish Canoeing Association the regulations concerning tourist canoeing rallies were introduced, both for individual and group ones. Since 1932, sailing through water routs had been regulated by "Ustawa wodna".

The act required that every boat should have technical documentation and also the so called registration number. The documents were free and issued by water administration units.

A huge event in the rowing society in Poland held in 1933 was a canoeing rally titled "throughout Poland to the sea". The rally was organized by the Maritime and Colonial League. The individual part of the rally was held from any Polish city to Torun (star rally), subsequently all the contestants rowed to Gdynia (collective rally).

In Poland in the 1930s during the Interwar Period, individual or several boat composition journeys were organized. Usually the water equipment was hand-made according to the printed manuals. According to "Przewodnik sportowy published in 1933 and the sailing diaries, scout teams rowed 600 000 km, the participants of canoe section "Wawel" Cracow – 40 000 km and the canoeists of "Wisla" Warsaw – 24 000 km. The activity of canoeists was boosted by the Polish radio contest announced in December 1932. The contest concerned the most beautiful journey "from water to water". The first winner of the contest, held in 1933, was A. Wislocki for the journey through Braslaw lakes.

The canoe tourism was regulated by the requirements of the Polish Canoeing Association concerning canoeing hygiene. The water tourism and sport participants were embraced by special medical aid. The exhaustive manual concerning the necessity of obeying 'canoeing hygiene' was introduced by Antoni Heinrich in "Podrecznik kajakowca".

The people who took up canoeing or any other water device were instructed to follow the rules:

- start the journey when relaxed and full of energy,
- if reaching the starting point requires driving then the first part of the journey should not be long,
- the effort of rowing should be evenly divided so the lungs, heart and muscles are not overworked,
- every one hour of effort should have a 10-minute break, every three hours – 20 minutes and 3-4 hours the break should include dinner,
- control the body condition, the exhausted people were viewed as those who lost attitude, were sensitive, nervous, depressed, without spark in the eye, without appetite, suffering insomnia, with the fear in heart, and whose heart beat could not reach its correct level for a long time (normally 3 to 5 minutes), and also those with weight loss.

In such a situation the author recommends rest through limiting the daily dose of effort and in more severe cases – whole day relaxation. The contestants were warned from using any medications that stimulate heart work, which improve body effectiveness for a while but after short time they lead to even bigger depression. When the muscle pain appeared it was suggested giving up the effort and staying on land until they receded completely. After the great effort it was recommended to have the proper amount of sleep – 8 hours during the night and 1 hour slumber after dinner.

Further A. Heinricha's instructions informed about keeping to the nutrition hygiene, sunbathing, taking baths as well as the first aid in case of faint and situations, especially those in water.

A great significance was attributed to the necessity of having a first aid kit. The author provides its exemplary equipment. The requirements, the equipment and usage instruction concerning the kit on the tourist unit were as follows: ammonia (15,0) – as a means used for regaining consciousness and against insects stings; aspirin – antipyretic, sudorific, used against cold, rheumatic pain, head and toothache, 2 pills three times a day, drink a lot of water; bandage (2 elastic bands – width: two to three centimeters); bromine (10×0,25) – sedative; oilcloth – for compresses; quinine (10×0,25) – antipyretic, necessity in malaria regions; ether (15,0) – for regaining consciousness; gardan (10×0,25) – for intense head and toothache; lint (1/2 m<sup>2</sup>) – sterile packed; hanzaplast (two or three – width: 5 cm) - sterile temporary dressing; iodine (20,0) – antiseptic; kaskaryna

(50 pills) – laxatives; Kola (1 box) – stimulate heart work; collodion (10,0) – liquid for plaster small wounds; Inozemcowa drops (based on ether, 15,0) – for stomachaches (10-15 drops on sugar); mint drops – for stomachache (10-15 drops with water); valerian drops (based on ether, 15,0) – heart sedative (10-15 drops on sugar), for smelling when fainting; boric acid (20,0) – antiseptic (1 spoon into 1 glass of hot water); salicyl (20,0) – for burns; potassium permanganate (5,0) – disinfectant, for viper stings (dissolve few crystals in glass of water); calcareous olive – for burns; opium (drops 15,0) – sedative for heart and intense stomachaches; Burow's solution (50,0) – for contusions, compresses for joints, muscle aches caused by overtraining (one or two spoons for glass of water). It is also available in pills 'Statim' or 'Alacet'; headache pills – 'Piramidon'; sticking plaster (width: 2cm, length: 1cm) for minor cuts; zinc powder (100,0) – for burns; baking soda (50,0) – for heartburn; bitter salt (50,0) – laxative (one to three spoons for glass of water); serum against snake bites (with the syringe); tannalbin tablets (10x0,25) – to stop diarrhea (3 to 10 times a day); tannina (powder 15,0) – used in case of eating poisonous berries or mushrooms (one spoon for liter of water – 1 spoon every 5 minutes); trigemina (10x0,25) – for intense toothache; hygroscopic cotton wool (100g); lignin (100g); boron vaseline (50g); hydrogen peroxide solution 3% (50g) – disinfectant; thermometer, scissors, safety pin, tweezers, syringe.

The author recommended that such equipped first aid kit should be accurately labelled and carried in a small container (suitcase).

Moreover the author recommended that when on trip, people should take a first aid guidebook. The already prepared medical kits "Spiess" though big and expensive, they were available in "Red Cross" pharmacies.

Further consideration concerned water accidents which demanded acting in accordance with the Polish Canoeing Association regulations. The requirements that every tourist and sportsman had to keep to were ability to swim as well as knowledge and skills concerning helping people in water and giving first aid to a drowning person.

In order to facilitate canoe transportation, due to their Polish Canoeing Association membership groups of 8 persons were entitled to 33% discount for train tickets. Moreover, a document from a proper regional unit of the national physical education department made the discount reach 50–75%. Fold-up canoes packed in proper covers could be sent by post according to 20 kg rate. The fold-up canoes could be transported in train compartments as hand luggage (without a fare), provided there was enough space.

During the Interwar Period canoe owners were able to travel not only on Polish rivers. In 1930 the participant of "Sokol" association travelled by canoes from Cracow to Belgrade where they took part in Gymnastic Association "Sokol" convention.

The preserved photos give evidence that four members of "Sokol" Cracow took part in the journey in two canoes.

The great significance in popularizing physical education among Polish society could be attributed to the fact that in 1930 the regulations of National Sport Medal were established. In the 5th group among the other requirements, rowing and rowing cruises were included.

Radio and press contributed to the popularization of canoe tourism. Among others, traveling by canoes was described in "Sport wodny" and in 1932, Polish radio announced a contest for the most interesting coverage of the trip. Thanks to a military bookshop the "Podrecznik kajakowca" by Antoni Heinrich was published in 1933. The author provides detailed descriptions and information concerning canoe tourism.

The established Maritime and River League in 1924 also contributed to popularizing canoe tourism. The precursor of the league established the Polish banner association on October 1st, 1918. The main aim of the organization was to annex overseas colonies to the territory of Poland. Moreover, it contributed greatly to popularizing inland tourism. Maritime and River League in many cities built havens and equipped them with water units.

The Maritime and River League in using the press organs popularized canoeing, rowing and sailing, among others in its monthly "Morze" and "Sprawy morskie i kolonialne". It included articles concerning canoe tourism and other water issues. It made accessible numerous havens and swimming devices such as canoes, rowing boats, and sail boats.

In many Polish cities situated on the rivers there were canoeing clubs run by a number of organizations and associations. Among others, the Maritime and River League in Hrubieszow had a campsite which in 1932 had 40 canoes that could be rent by those who wanted to take a trip on the Huczwa river.

Alongside with water tourism there was functioning an industry that transported the necessary water equipment. In 1936, Warsaw rubber factory advertised its fold-up canoes that could be bought in Bydgoszcz, Gdansk, Katowice, Lvov, Lodz, Warsaw and Vilnius.



A great popularity among the lovers of water tourism was attributed to canoe trips coverage of Melchior Wankowicz which were published in 1936, titled "Na tropie Smetka". The number of canoes in 1934 made the Polish Canoeing Association elaborate the regulations which complemented the statute of the association. It also provided a number of requirements concerning the equipment and law and water habits.

The social as well as technological development had influence on tourism consciousness in Poland. The examples of its usage in recreation by Polish famous people, for example by the president of Poland Ignacy Moscicki, had a great impact on popularizing canoe tourism. The president participated in tourism namely, canoe and ski tourism. He demonstrated his approval of physical recreation.

The journey that was documented in "Sport Wodny" in 1936 was a canoe rally of Piotr Gesior and Antoni Serwa from Rzeszow to Gdynia. The route began in Rzeszow on the Wislok river, then San and the Vistula to Gdynia. The canoeists covered the distance merely in 9 days.

The development of tourism movement in Poland and West Belarus was interrupted by the outbreak of World War II.

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UDC 796.011.1

#### FORMATION OF HEALTHY LIFESTYLE KNOWLEDGE

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*The problem of health is inseparable from the other problems of mankind. It varies with the progress of public culture. It is current in all periods of human life - from birth to death. The question of health and environmental protection is important both for the individual and for society. Formation of healthy lifestyles among young people at the present stage is relevant, because depending on how successfully it is possible to generate and secure the skills of a healthy lifestyle in the persons' minds at a young age, it will prevent or promote disclosure of personal potential in a subsequent real life.*

Health is a person's state of complete physical, mental, moral and social well-being; it is an ability to adapt to constantly changing environment and the natural growing old.

During the last decade teachers and doctors' interest in the problem of a healthy lifestyle increased. The kind of goals, that a man realizes and his behavior depend on his lifestyle.

We carried out an opinion poll in order to determine students' attitudes towards healthy lifestyles, their knowledge of a balanced diet and conditioning procedures. The survey involved 160 students at Civil Engineering Faculty of Polotsk State University. The results of the survey are shown in Table.

Table – Opinion Poll Results

| Questions                                     |   | Agreed with the statement (%) |
|---|---|-------------------------------|
| 1. Healthy lifestyle is                       | a complex concept   | 58                            |
|   | a departure from bad habits                                 | 8                             |
|   | a balanced diet   | 7                             |
|   | motoractivity   | 24                            |
|   | formation PPFK  | 3                             |
| 2. What are your views on a HLS?              | It is necessary to keep to a healthy lifestyle              | 48                            |
|   | I want to keep to HLS, but I don't know how I should do it. | 38                            |
|   | There is no need to keep to it.                             | 14                            |
| 3. Your attitude towards rational-Term Power. | I do not eat regularly, as I should.                        | 53                            |
|   | I do not know what it is.                                   | 30                            |
|   | I think that I eat properly, rationally and functionally.   | 11                            |
| 4. Do you keep to conditioning procedures?    | I take sunbath but only during summer holidays.             | 52                            |
|   | I do not do it, because I do not know how.                  | 33                            |
|   | I perform conditioning procedures from time to time.        | 15                            |

The two of the main issues are reflected in the charts (Fig.).

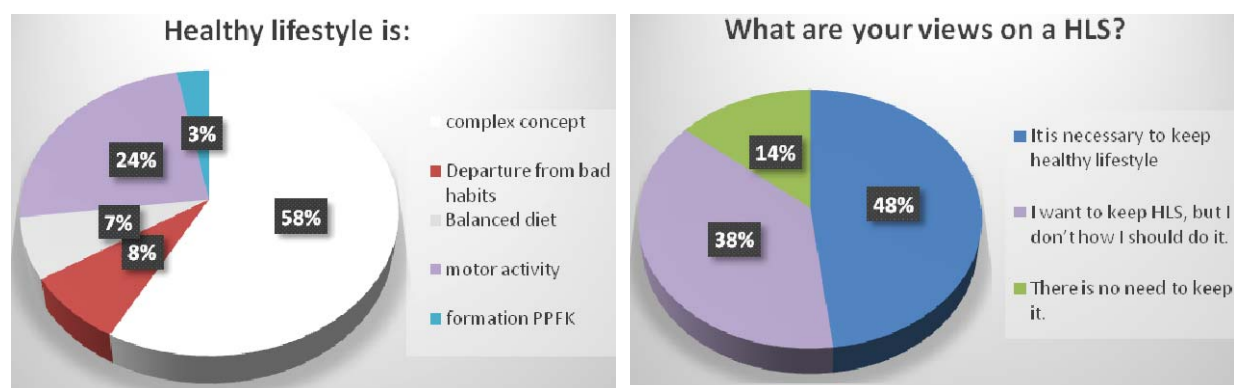


Fig. The percentage of respondents

According to the questionnaire we can draw the following conclusions:

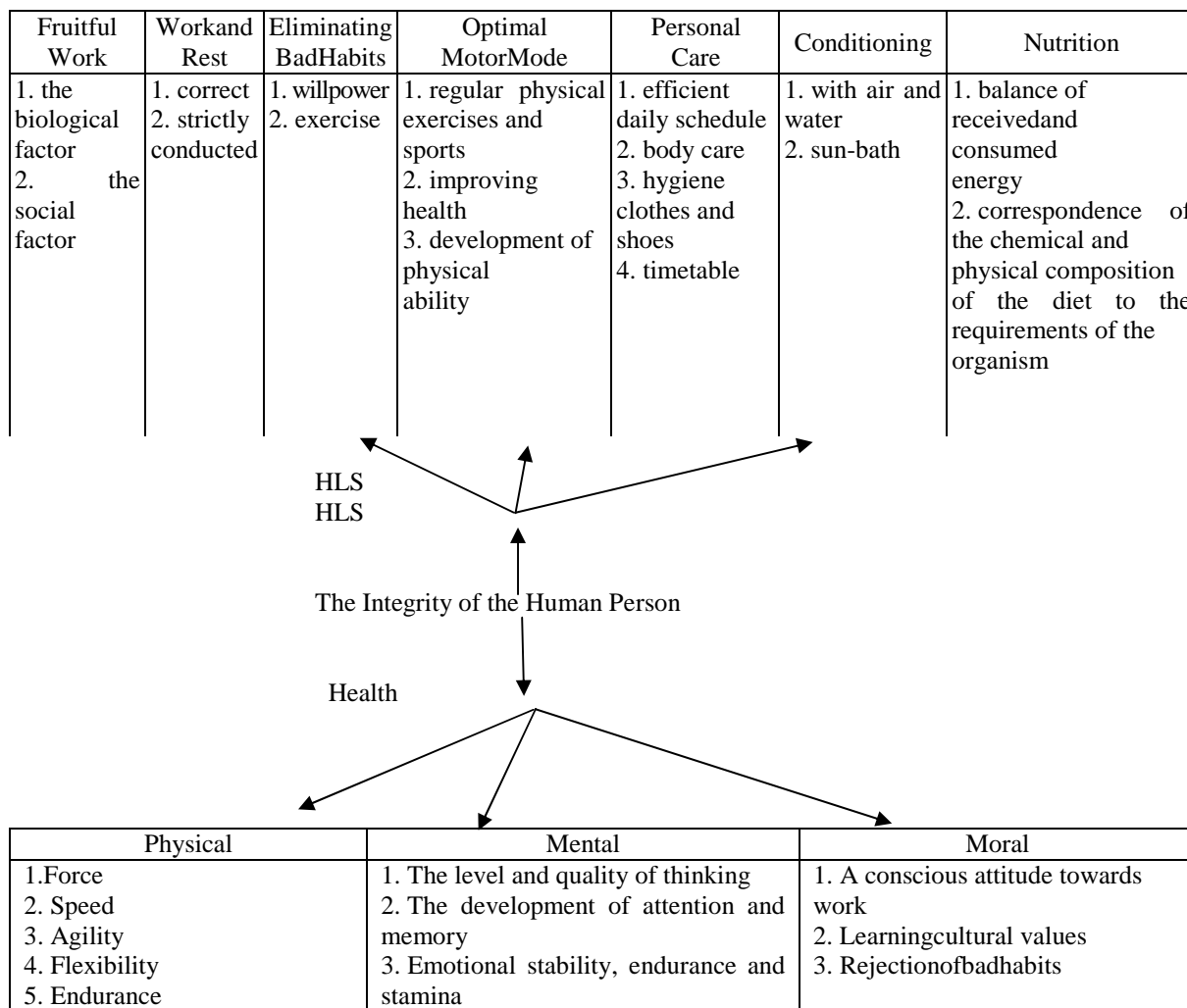
- Most students realize that a healthy lifestyle is a complex concept, including the-XOR of several components;
- Students have the desire to live a healthy lifestyle, but do not have sufficient information and practical skills to enhance their health;
- The respondents mention lack of knowledge about balanced diet (30%) and irregular pi-voltage (53%);
- Sunbathing is the easiest way of conditioning, which is the most popular among the students, and other types are not used because a lot of people do not know about them.

Young people do not always have the necessary knowledge and confidence to consciously choose a certain lifestyle. Traditions rooted in the life of a particular family, some behavior habits are harmful to a healthy lifestyle and interfere with it. It is therefore necessary to provide favorable conditions for the selection and maintenance of such behavior and a way of life that promote health.

Raising a healthy lifestyle among students is taken care of by workers of Higher School. Currently it is required to make major changes in the practice of physical education of students. There is a need to ensure a free choice of forms of employment, departing from strict regulations and standards in the educational process. The main disadvantage is a low theoretical preparation of students in the field of physical culture, a narrow focus on

the education requirement concerning the motivational value of physical culture and lack of influence on the spiritual and moral development of students. A proper teaching of physical culture and sports will help to ensure that physical culture and sports have become an integral part of a healthy lifestyle of students.

A students' healthy lifestyle is based on the principles of health keeping, which involve such social aspects as motivation and information, legal and moral values, and financial and economic support. We have compiled schematic structural elements that form the basis of a harmonious development of the human personality (see the scheme).



The model consists of two core units, which include the components of a healthy lifestyle and health. The first of these units is the components of healthy life, which consist of the total efficiency due to the intellectual potential of the human person, his abilities and skills, obtained individually in the course of his development and improvement. It also includes developing a healthy lifestyle and the environment of confrontation; motivation and interest in physical culture and sports activities; implementation of the above components in the style and way of life.

The second block describes the types of health in their relationship and interaction that manifest the integrity of the human person.

The relationship represented by the two blocks is obvious. They are interdependent and in close unity. The model is open for further development and requires practice individualization and further concrete content depending on the landmark goals, personal qualities, nature and direction of motor activity and sport involved.

A healthy lifestyle is associated with an embodiment of the identity of their social, psychological, physical opportunities and abilities to create optimal conditions for the functioning of the individual and society.

When developing a healthy lifestyle, it is not enough to focus on overcoming the risk of various diseases, struggling with bad habits, poor diet, and conflict relationships. Specialists in physical education and sport must constantly introduce out-of-the public consciousness developing "fashion health" thirst of "personal health culture" and should constantly take care of its preservation and strengthening. An integrated approach to health

problems of students at the present stage will contribute to the harmonization of personality, strengthening the whole society.

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## UDC 303.02

**ALTERNATIVE PROGRAMS AND EXTRAORDINARY ROUTES OF TRAVELLING:  
INTERNATIONAL PRACTICES AND PERSPECTIVES FOR BELARUS**

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*Travel is the only Thing you buy, that makes you richer.*  
(Anonymous)

Without any doubts it can be said that tourism is the world industry, which tries to involve everyone. Nowadays tourism is a collection of activities and services delivering a travel experience. And of course it is a dynamic and competitive industry that requires the ability to adapt constantly to the customer's changing needs and desires, as the customer's satisfactions, safety and enjoyment are particularly the focus of tourism business.

Tourism consists of a great number of components, but we will focus only on some of them, about extraordinary ways of tourism and unusual tour programs and routs. The choice fell exactly on these components, because previous researches show that the tendency to something uncommon and quaint, amusing and in some cases queer is constantly increasing. It is a positive trend and it is explicable, because every year, every month, every week and every day new wishes and desires of people about the ways of spending their holidays appear and are subjected to continuous change.

The main aims of people who work in the sphere of tourism are to Understand needs of customers all the time, to Cultivate and Devise new items for them and, certainly, Be Creative. All these aims should be carried into effect with the help of unbelievable ideas of highly qualified specialists. Now I would like to tell about creative ways of spending holidays and how people can make their rest unforgettable.

*Cinematic tourism.* The history of cinema began in 1685, and even then raised a wave of interest in the movie, but in our time it has one more variation. Now people can use cinematic picture as a potential route. Some travel companies can offer different journeys in places, which became known after the movie. One of the most famous places is in New York, and it is the decussion of 52<sup>nd</sup> Street and Lexington Avenue. It is famous for the scenes in the film "The Seven Year Itch" (1955) the air flow from the ventilation shaft subway lifted the dress of Marilyn Monroe [1]. It should be mentioned that the Empire State Building, and so even though it is a historical treasure, but there were filmed such movies as Spider-Man and King Kong (1933) – these grandiose films may be another reason to visit this place. And how you understand a great number of such places and movies can help tourists make their rest more versatile.

And if to speak about our country, one should say that Balarus has places for development of cinematic tourism. For example, the movie "Styliagi" ("Mods") was partially filmed in Minsk. The shooting areas were located in Moscow, Saint Petersburg and Minsk. It was Producer's decision for the full illustration of those times. And one more admirable example is the movie "Legenda №17" ("Legend №17"), because this film has rich geography, which can be used in tourism as a "Tour of the ice arenas" and Novopolotsk arena was presented in the film. This facts mean that in Belarus there are a lot of places, which were displayed in cinematography and this is a good opportunity to develop this kind of tourism.

*Shipwreck tours.* Such tours can still be called diving-tours. A trip around Thistlegorm today is like traveling through time and many visitors experience high emotions during the dive [2]. Thistlegorm is a place which demonstrates the atmosphere of the Second World War, because it was the British army ship, which was sunk by the enemy in the Red Sea. Thistlegorm disappeared beneath the waves and sank to the seabed a hundred feet below [3]. It's also a giant underwater museum, a war grave, a unique piece of military history and an opportunity to step into the past. The route can be adapted easily to ensure you visit the right dive sites at any time

of the year. The underwater scenery is ever changing and guaranteed to leave you breathless [4]. A great number of old shipwrecking places all over the world and a lot of them are components of history and only some of them became demand tour routs. The main facility of such tours is their maintenance in unbelievable arranging.

And the biggest lake of Belarus Naroch has its own mysteries. Unknown wreck was discovered by divers club "Sea Pegas", during the international campaign to clean up the water, on the bottom of the lake. Ship is situated about 800 meters from the shores with the keel up. Length of boat is 10 meters, a width of boat is about 2 meters. With these dimensions of the ship fits the description of combat boats. And, of course, it would be more opportunities to develop this kind of tourism if Belarus had access to the sea.

Tourism areas cover not only the ocean depths, they extend to the space as well.

*Space tourism.* "My dream is to make space accessible to tens of thousands of people." – Sir Richard Branson (English businessman) [5]. It should be said that this dream comes true because today Space is a new trend in tourism. These trips are the beginning of what could be a lucrative 21st century industry. There are already several space tourism companies planning to build suborbital vehicles and orbital cities within the next two decades. These companies have invested millions, believing that the space tourism industry is on the verge of taking off [6]. This incredible idea of space tourism appeared in the 20th century, and nowadays there are all resources for organization of space tourism.

Not many countries can boast about the development of space tourism. Belarus is among them. This is not a negative tendency, because tourism is tourism and the environment and clear skies are an important aspect of future human's existence.

*Gangster tours.* That is one more interesting way to spend your money and to know more about world's mafia. Crime big and small have been committed every single day since mankind began to distinguish right from wrong [7]. A lot of gangster tours can give you a possibility to feel yourself in outlaw atmosphere. In many places of the World tour companies can offer to you different programs of Gangster routs, where you become acquainted with places of transgression, stories of criminal authorities and gangs. Blood murders, criminal areas (districts), stories about killers and assassins, secrets of crimebosses – everything will bring you unforgettable experience.

Certainly in every state there are more or less criminal regions. Belarus hasn't criminal oriented tours, but according to statistics the most dangerous cities in Belarus are Bobruisk, Orsha, Berezina, Puhovich and Smolevichy. Accordingly, if such tour is organized for development of this direction and then try to promote it to potential customers maybe it will have some success.

*Mystical tourism.* Participate in ancient ceremonies that bring health to the body and clarity to the mind. Mystical tourism brings you closer to the Earth and teaches you about yourself [8].

Mystical tourism is a trend in tourism, which has a great list of objects. For example, vampires and werewolves, ghosts and phantoms, legends and believes, shamans, esoteric places, shadows and boggards, and so many different unusual phenomena, which for the most part unexplained.

And one of the most vivid example of such tours is Mystical Tour to Haiti, because tourgroups can get to know the Voodoo show and then curious travelers can take part in voodoo ceremonies. This program is for brave tourists because such ceremonies have its own features, strict rules, and sometimes it can be dangerous.

Without a doubt it can be said, that in Belarus there are a lot of fabulous fairy places with mysterious history, for example Golshanskiy Castle with a ghost of monk or Loshitsa homestead with a ghost of Jadwiga, Nesvizh Castle with a Black Lady. And as you know, Belarus is a country of lakes and rivers, and there are a lot of myths about Belarusian mermaids. Belarus is saturated with unusual mystical places that are already being used in tourism, but this area has its own peculiarity, which is aimed mostly at the old myth, historical sites linked to the ghosts and traditional ceremonies.

*Pizza-tour.* The modern pizza was originally invented in Naples, Italy but the word pizza is Greek of origin, derived from the Greek word pēktos meaning solid or clotted. The ancient Greeks covered their bread with oils, herbs and cheese. The first major innovation that led to flat bread pizza was the use of tomato as a topping. It was common for the poor of the area around Naples to add tomato to their yeast-based flat bread, and so the pizza began [9]. Pizza is a simple food; many of us eat it without even thinking about it. Frequently, "let's have a pizza" is the automatic response when a group of friends, workers or family members are trying to decide what to eat for dinner or lunch or a snack. Some of its fans eat pizza several times a week or even every day [10].

Such tour is aimed at those who like to get acquainted with the culture and at the same leisurely satisfying their meal. Program in tours like this suggests going to restaurants, cafes, pizzerias, any place that serves pizza, in which there are some secrets of their preparation and the secret ingredients. Gastronomic tour is a broader trend of tourism in Belarus, but if some company will provide pizza-tour in our country, it can be a wonderful tour, because in our country a lot of places, where served pizza.

As you have already noticed there are a huge number of ideas for unusual tourism in the world. Everything depends only on your preference. This is not the whole list of unusual, attractive and already famous destinations. There is still a lot of different ideas that have been developed and use one, such tours of prisons,

which hold prisoners or, for example, trips to the backstage life of Bollywood, or stalking-tourism based on computer games, or tours to the most remote corners of the planet—all those tours and programs are very interesting and deserves the attention of tourists.

And now, it is time for the submission of idea to you.

*Belarusian triangle.* The sense of idea is to create a tour, which would reflect Belarus with 3 position. In addition, this title on the one hand it shows the intension of tour, on the other hand it is attractive and recognizable title of the tour (Bermuda triangle = Belarusian triangle). And the cultivation is also a bit unusual because it involves “time-travel”. Now, let us speak about sides of this tour: 1 st side demonstrate present of Belarus, its contemporary stage; 2 nd side is repulse of traditions and believes of Belarus; 3 rd side is past of our country (Fig.).

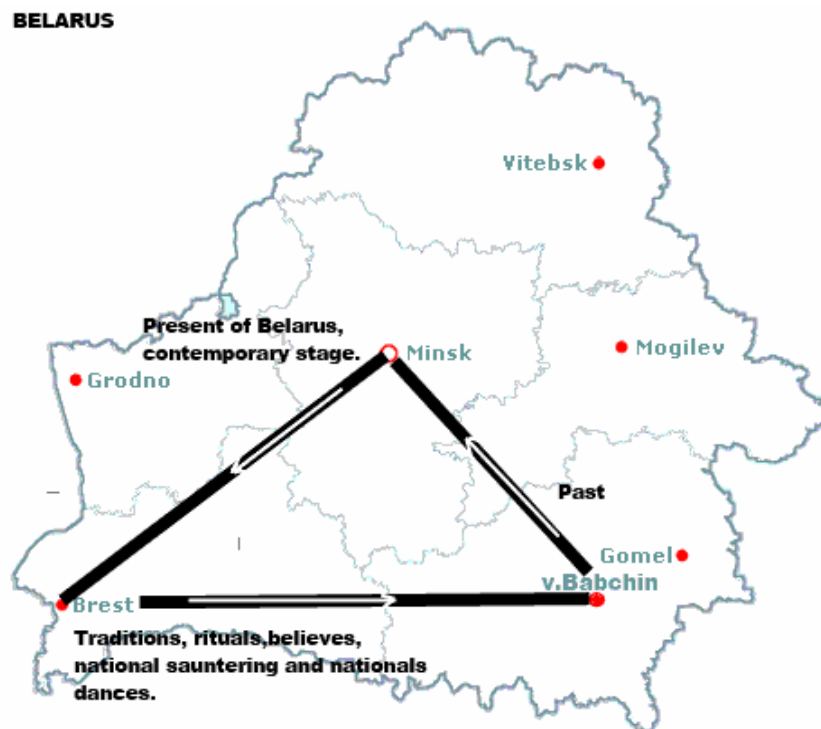


Fig. Belarusian triangle

This tour will be focused mostly on the foreign tourist, who wants to explore the richness of Belarus, learn more about rituals and traditions and fully feel the atmosphere of our country. But one shouldn't forget about Belarusians because this kind of tour can be alluring and attractive for a huge number of people, furthermore, of different ages.

The start-point will be Minsk – the heart of Belarus. It'll begin from this point due to the fact that Minsk is a modern and well-developed capital and it is an indicator of our present. From Minsk we will go towards Brest, where tourists can learn more about the traditions of Belarus and even participate in festivities (national sauntering) and dances, which will depend only on the season of the year, or on the time of complete day. After that we will go to Gomel region, exactly to the village Babchin (Belarusian zone of exclusion, after the catastrophe at the nuclear-power station in Chernobyl). This village will help to plunge into the terrible events of the past, understand the spirit of the people. Also on this route, undoubtedly, there will be stopping places for meals and overnight stays. All the way tourists will be accompanied with a guide or a guide-interpreter. After the acquaintance with all points of our travelling we will return to present. If to develop this idea in more detail and to turn it into a virtual tour, touroperator will need a lot of effort, which would be justified in the form of income and demanding of this tour in the future, because this tour could be an indicator of changes in the country that have occurred over the time, and as such program could tolerate changes.

Proceeding to the research findings it should be underlined again that the role of tourism is very huge and continues to grow. Tourism plays an important role not only for the state but also for the citizens of that, and they can say “thanks” to it because tourism helps them not only take a break from everyday work, but also constantly learn something new, helps to appear each time in different atmospheres and fulfill dreams. So all the

people of the world is the great part of the sphere of tourism and we make it conform to our needs. But in any case WE will “build” our future and only WE can save our past.

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## UDC 94(476) “1943/1944”

**THE FORMATION OF THE DETACHMENTS OF THE BELARUSIAN BOUNDARY DEFENCE  
AT THE TERRITORY OF GLUBOKOYE DISTRICT IN 1944**

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*The formation of the detachments of the Belarusian Boundary Defence at the territory of Glubokoye district in 1944. On the basis of the documents have been unpublished previously. The article considers regional peculiarities and basic events to have been held by the authorities of the Belarusian Central Rada, forming the detachments of the Boundary Defence at the territory of Glubokoye district in 1944.*

The formation of the detachments of the Boundary Defence is possible to consider the basic motive of the German authorities for the creation of the Belarusian Central Rada on the whole. That is why the Boundary Defence was paid special attention in the activities of BCR. BBD was created on the occupied territory by the order and under the supervision of the general commissioner of Belarus K. fon Gottberg, who understood clearly, that its creation would play an important role in the advocacy and would become a useful tool in the struggle against partisans and those facts were really important for the Germans in the conditions of 1943.

According to the occupants' plan the basic assignment of BBD was to the use of partisans and later against the Red Army at the German-Soviet front. Besides, mobilizing the male contingent of the population into the BBD, the Germans were getting ready with the drawal of the battleworthy population during the katabasis of the German troops out of Belarus. That is why the formation of the BBD was held under the authority of Belorussian Central Rada almost in every districts of General Commissariat “Beloruteniya”, except for the districts, where the detachments of the Polish boundary army acted actively against the partisans [29, p. 31].

So on the 23rd of February, 1944, Gotteberg gave the permission for the mobilization in BBD. But Ostrovski order about the formation of BBD was signed only on the 6th of March, 1944. It said that “the reason of the formation of “national troop”: “for the final disposition of the Bolsheviks who rob our edge, murder innocent people and destroy property” [18, p. 183].

In the appropriate order of the president of BCR the scale of mobilization events and the responsibility of the recruits for the refusal to execute the will of Rada and occupying authorities were also discovered. For their non-appearance at the specified time and place the recruit was proclaimed a traitor, and the punishment – death sentence – was meant for him by the special tribunal [18, p. 183].

On the eve of the total mobilization in BBD on the basis of the same Gottberg's order district and volost departments of BBD were formed, which were subjected to the main headquarters of the BBD reporting to Belorussian Central Rada. Frants Kushel, the Mayor, was appointed the head of the front office. He was the man of the Rada's president's inner circle. The heads of the departments took charge of the zone subdivisions, the officers of BBD – of the districts [29, p. 32].

In particular, in Glubokoye district according to the resolution of the BCR dated February 25, 1944. Gregory Zybalyo was appointed as a head of the department of BBD. Regional officers were appointed as follows: Glubokoye district – Danenkovich Nikolay; Postavy region – Yaroshevich Anton; Voropaevo region – Krikun Iosif; Parfyanovski region – Kovalyonok Alexey; Disna region – Galetski Parfeniy; Plisa region – Trus Yevgeniy; Sharkovshchina region – Kotovich Bronislav [29, p. 63].

For the mobilization in the districts the acceptance boards were formed with the following membership: the governor of the BCR as a chairman, district officer, one chairman of the povet or district town, 2 doctors [20, p. 111].

From the military point of view, the formation of the battalions of BBD was done professionally, starting from the drafting of command staff line officers and underofficers was accomplished according to the previously compiled lists, which were provided by volost foremen. In the number of involuntary recruited to BBD the following people were subjected: the officers and captains who had served in the former Belopolskaya and Red Army, at the age up to 57 y.o. including officers and underofficers up to 55 y.o., who didn't serve at the senior positions in german establishments. On the 6 th of march 1944, after the previous preparation in accordance with the Ostrovskiy's order the total mobilization to the BBD started [29, p. 33].

Servicemen of 1908-1917 and 1921-1924 ys. of birth, almost the total male population were recruited.

On the 28-30 th of March, 1944, in Minsk the 1st meeting of district deputies of BCR and district governors of BBD was held where the deputy of BCR from Glubokoye district. I.Kosyak reported: "In Sharkovshchina and Plissa povets the departments of BBD were formed. The classes have already started, in povets the propagandists are being appointed. Up to now 13 officers 97 underofficers and 2800 riflemen were mobilized [12, p. 105].

For mobilization in Glubokoye povet according to the previously composed lists 2922 men should have been present but only 2850 had. Those who hadn't come were either policemen or detached men. Those recruited were 332 men. There were 4 officers, 27 underofficers and temporarily recruited 150 men. According to the order on the mobilization, at least 500 soldiers were subjected to the draft from each povet of Belarus, that is why this was insufficient. But its necessary to mention that the mobilization in Glubokoye povet was done voluntary. The positive result of the mobilization in Glubokoye was favorable meeting of the mobilization by German authorities" [26, p. 63].

In Postavy povet the mobilization started on the 18 th of march, 1944, as the order about the mobilization was received on the 16 th of march because of the hard communication. According to the previously compiled lists in Postavy povet 2600 men were subjected to the mobilization, but only 1200 appeared. For example, from Gruzdovsкая volost, where the population was 10000 people, 22 men came to the draft commission, 20 out of them were ill, only 2 men were mobilized. But from the whole povet into the departments of BBD 576 men were accepted, 527 of them being mobilized.

2 officers and 24 underofficers were included in that number, and the rest were considered to be temporary, who were on the leave by the technical reasons, and who could be drafted any minute into the BBD [18, p. 189].

It's necessary to point that from the very beginning of the mobilization and during the whole activity of BBD in Glubokoye district a plenty of organizational and material problems occurred. According to the order about the mobilization not later than 3 hours after the announcement of the order everyone who was subjected to the draft must go to the volost assembly point and then proceed to the region center for medical-commissionary examination [18, p. 183]. At this stage of the mobilization district seniors of the departments of BBD encountered the problem of the lack of doctors. That is why the medical commissions weren't held in some povets. For example, the doctor from Postavy povet – Puchko had left for Vilnius, and those feldshers who were at the territory of the district, as, for example, Sivitskiy from Dunilovichi village, refused to take part in medical commissions, being afraid of the repressions on behalf of the partisans [22, p. 2].

According to the protocol of the meeting of district deputies of BCR and district governors of BBD, dated 28-30 of march, 1944, another obstacle while holding the mobilization in Glubokoye district, by the words of the deputy of BCR Ya. Kosyak, was the activity on behalf of the Poles: "Polish influence was more harmful than bolsheviks' one. In Miory povet the mobilization was almost entirely sabotaged because крайсландвирт came from Poznan, he surrounded himself by the placement for BBD. As if on purpose in Porfyanovsky povet, the chairman was arrested during the time of mobilization. With the draft of officers and underofficers into District Defence; managerial posts were taken up by the poles quickly" [12, p. 105].

In every povet there were specific problems for sure, but the basic bane of the BBD; common for all, was the absence of the outfit, medical service, room equipment, food.

I. Kosyak reported the following: "Due to the cold attitude of the german authorities the accommodation wasn't ready when needed. The situation with the equipment of military rooms is bad. The solders sleep on the floor" [12, p. 106]. For example, in Glubokoye povet soldiers didn't have the place to sleep because the dairymen of BBD didn't manage to get planks for beds. But this problem was solved by robbing local population. The amount of rooms was not enough but this problem was solved by getting one more building" [26, p. 63].

The contagious diseases were wide-spread among the departments of BBD of Glubokoye povet. Regardless of the fact that the soldiers took baths, washed clothes; the itch was widely spread [26, p. 63].



The similar situation with the equipment of the rooms for the mobilized was in Postavy. Some accommodation needed repair works but there was the lack of nails and planks, some of the buildings were engaged by the representatives of German authorities. The chairman of Postavy povet reported that in one of the rooms which was engaged by BBD, in the kitchen, Drozd, the supervisor, lived. Gendarmeries forbade to resettle him thus preventing the realization of mobilization [26, p. 63].

Due to material problems the command staff literally robbed the local population by carrying out special household operations. These are the words of I.S. Pratsukevich, who entered the battalion of BBD in March, 1944, which acted in Postavy for 1,5 or 2 weeks. During this time we went to the nearby villages for collecting milk and meat products." We did it in the following way: we approached the village, I surrounded it by the circle of soldiers, and Sinyavsky with the rest of the soldiers entered the village and took the required quantity off the cattle and food. In fact it was not the collecting of supplies but the robbery of the citizens [29, p. 37].

Once we suffered partisans' gunfire and entered a battle. We lost several people injured and and killed and withdrew back to Postavy where the German camp was" [18, p. 184].

Officially the mobilization in BBD was finished, according to the R. Ostrovskiy's order #3 dated 12th of April, 1944, April, 15, 1944 [18, p. 184].

Each officer, under officer and rifleman under the draft to the detachments of BBD must take to the oath [18, c. 184]. The oath had such words: "I swear, that I'll fight side by side with a German soldier until the peace and security is settled in our villages and towns, until the last enemy of the Belarusian people is destroyed" [26, p. 35].

As the officers who were mobilized involuntarily to BBD were prepared poorly for military actions; they were directed to be trained at the officers' and underofficers' courses in Minsk. After the completion of the 1st courses. The next ones were summoned [18, p. 184]. On the 15th of April, 1944, the cadets of Glubokoye district come back having completed the course of training in Minsk.

During the second draft on the 18 of April, 1944, 12 officers and 56 underofficers from Glubokoye district were sent for training. Out of them Sharkovshchina povet, Plisa, Postavy and Miory povets sent 2 men for officers' course and 7 men for underofficers' course. Disna, Parafyanovo, Glubokoye and Voropayevo sent 1 man for officers' course and 7 men to take underofficers' course [25, p. 59]. It's necessary to note that there were volunteers among those sent for the officers' courses. One of them was Lukashovich Y., the resident of the Postavy, 1928 year of birth. In his application for enlistment into BBD he marked: "I served in the artillery corps, was at the front and now I regard it my duty to enter BBD and that is why I apply for 4-month officers' course in Minsk" [13, p. 51].

Consequently, on creation of a separate Belarusian military formation, in Belarus a fratricidal war, having planned by the Nazi, started officially thus fortifying occupants in implementing the genocide [29, p. 36].

In his memoirs F. Kushel said the following in this regard: "a month passed since the mobilization had completed. People were undertaking military training in the battalions. One rifle came for approximately 6-7 men. Accountments were not enough. The partisans discovered these facts and started to attack the battalions [16, p. 64].

It's necessary to mark, that more often Soviet partisans undertook night attacks to some casernes of BBD. So in Voropayevo and Plissa of Glubokoye district the battalions of BBD were attacked and knocked out at night. A part of men were taken captive and a part of them taken a run [20, p. 112]. In Sharkovshchina, in Krasny Dvor settlement where BBD detachments were located, Soviet partisans attacked the whole battalion at night. In stone casernes the soldiers defended themselves and drove the partisans away, wooden casernes were put on fire. The partisans dispersed 2 BBD squadrons. In the report after the investigation on the case in question the head of the povet Zuy Mikhail informed the following: "Bandits, according to confidential data, are planning to destroy all detachments of BBD and the invasion of Krasny Dvor was the 1st attempt in this direction. Total quantity of the assaulters on the night of the 3rd of April, current year, was 1200 people: armed division fell on the casernes in the direction of the settlement, and the 2nd division stood nearby having furmankas (повозка, телера) and expecting the possibility of robbery. On the act of attack 3 riflemen (not 6) were killed (nominally Metla Ivan – village Stolitsa, Olehnovich Levon – village Novosyoly, Lupchenot Vladimir – village Shishki). Each of the 3 died as heroes, 2 of them struggled with rifles at the posts near the principal building, the 3rd was killed by a bullet through the window in the centre of the building. There were no wounded. While defending, all riflemen and present command staff held the field courageously. Especially it is necessary to highlight the heroism of Puchinsky, the underofficer, who repelled the attack of the bandits from the entrance through the kitchen door and Matsura, the underofficer, who defended the central entrance of the caserne" [34, p. 11].

It's necessary to say, that on the night of the raid there was no officers in the casernes, they were in the town and this fact influenced the chaotic nature of the defence. Finally, the partisans took 40 soldiers with them out of the wooden casernes. In stone casernes all soldiers stayed and on the attack they were taken to Sharkovshchina, but there from the soldiers went home arbitrarily [34, p. 11].

As M. Zuy remarked: "The attack asserted depressive influence on the soldiers of the department of BBD, and on population. But on the 5th of April, 1944, when we got more arsenal with a povet's officer, and colloquized with the departments, we saw fairly good mood in the battalion, we didn't hear any admonitions, except for those that they need boots weapon to struggle with the bandits. During our visit there were 250 people in kasermes. The draft notices were sent to those who went home. So soon there will be right number of people. The kasermes weren't prepared for the defence by fortified measures: there were no barriers, no fighting positions – batchers, people weren't allocated in the case of attack [34, p. 11].

In Postavy of Glubokoye district 2 divisions were attacked by polish diversionists – officers from the center. Under their terror once at night these two divisions left kasermes and went to the forest to polish partisans. It's necessary to note that in other districts soviet partisans' attacks on the kasermes weren't successful as they were in Glubokoye, because the kasermes were located in the cities." [20, p. 112].

Apart from that there are known cases of voluntary changeover of the partisans in favor of BBD. Thus, on the 12 th of May, 1944, the partisans of Radionov's Brigade – Anton Hadkevich and Dentyar Vladimir turned up to the battalion of BBD in Luzhki.

Ran away partisans were mobilized unvoluntary to the Rodionov's divisions, which acted on the territory of the Berezina river, Ushachi district. On switching of the divisions of the earlier mentioned brigade in Plisa district, Hadkevich and Dehtyar stepped out for a bit and destined to the station in Luzhki for "the registration for voluntary service" in BBD. The same day they were directed for a check to Glubokoye [24, p. 57].

It's necessary to note that the members of partisans' intelligent service infiltrated into the ranks of BBD with the aim of counterpropaganda and sabotage activities "from inside". Intentionally for such cases on the 14 th of March, 1944, F. Kushel on behalf of the headquarters of BBD signed the detailed instruction, which for saw "keep caution, for the enemy could hold the provocation in store." [29, p. 35].

In the fight with partisans the soldiers in the battalions of BBD usually accepted a battle but gave in because of the inferiority of the enemies' weapon. This fact affected negatively the soldiers' moral state in the battalions [32, p. 533].

It's not surprising that the discipline began to come down instead the desertion rew up; moreover this was under the influence of partisans' propaganda [32, p. 533].

On the whole, one can't say that operations being held by the authorities of BBD on the territory of Glubokoye district were quite successful. Since the very beginning of the mobilization arrangements the authorities of BBD had come across a huge number of material problems and those ones of organization, which were hard to solve in the existing conditions. Apart from the obstacles on behalf of the Poles and the Bolsheviks, German authorities were not expected to help. The only positive effect of the mobilization on the territory of Glubokoye district was notably good submission among the recruits, which was noted in the governor's reports. But this fact is belay by the fact that plenty of people went there under the constraint: at the earliest convenience the soldiers of BBD plainly scattered, as it happened in Sharkovshchina while carrying out subversive operation by the partisans. The soldiers of Glubokoye district, mobilized into BBD, being trained insufficiently in the military relation, badly equipment, having constant irregularities in material and equipment maintenance, simply couldn't struggle against partisans, thus not fulfilling their principal function.

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