ABSTRACTS

POLITICAL SCIENCE

Vyshnevska I. G. Forms and functions of strategy of containment and engagement of China in U.S. foreign policy.

After the collapse of the USSR the United States become the undisputed leader in the system of international relations. However, nearly 1.4 -billionth China, moreover, communist, with abruptly increasing economic power, military capabilities and ambitions for regional leadership, appears in political arena. The collision of national interests of the USA and the PRC causes the reaction of the United States, because of what strategy of congagement appears which combined elements of classical doctrine of containment and engagement.

Congagement strategy includes various forms of influence: both synthesized polar (containment and engagement) and their derivatives – as a consequence of the transformation of the US-China relations. The main forms of influence of the congagement strategy can be called as engagement, constructive engagement, coopetition, containment, particularly hedging (hedge strategy). Hedging is a derivative of A. Mahan's strategy of "anaconda", which aims to isolate or block China from accessing the raw material bases and warm seas in the South. With the help of the regional states, the circle of anaconda should finally close up around the PRC, reducing its capabilities.

Congagement strategy designed to solve three main tasks: to keep the expectations inherent in the policy of engagement; not allow China to become the enemy; as well prevent capacities of China from challenging the U.S. interests. The immanent functions of congagement strategy are continuation of China's engagement, its adaptation to the existing international system, reorientation of Chinese officials on the democratic value paradigms, demonstration of power by the United States in order to undemocratic forces have realized the futility of their challenges.

Although the strategy of "congagement" is transforming into various forms of influence – "constructive engagement", "responsible stakeholder", "strategic reassurance" – but containment and engagement remain their fundamental principles.

Keywords: USA, China, the strategy of containment and engagement, hedging, constructive engagement, responsible party, strategic reassurance.

Krasnozhon V. R. Modern view on the policy of John F. Kennedy in the context of the confrontation with the USSR (1962).

Statement of the problem. Political changes during the second half of 20th century influenced on the formation of a new world order. Its main features are political and economic confrontations between two nuclear-armed states, the USA and the USSR, and the possible beginning of the Third World War. It was hard to analyse actions of these states and get reliable information, because of the secrecy of some documents and small amount of scientific works. But now declassified documents help to form a new opinion on events of those days.

Analysis of recent research and publications. The article is based on the research of two American scientists, L. Chang and P. Kornbluh, who released the first collection of documents from the U. S. National Security Archive.

Further research was conducted by A. Feklisov, G. Kornienko, S. Mikoyan, Z. Gribkov, A. Chubaryan, O. Khlobustov, A. Dobrynin and others.

Objectives of the article: the conduction of thorough research of the Cuban Missile Crisis and the analysis of John F. Kennedy's policy, using declassified documents from the U. S. National Security Archive website and politician' private archives.

Research and analysis results. Declassified documents from the Pentagon Foundation, the Joint Chiefs of Staff (JCS) and the U.S. Department of State show that the most influential American politicians tried to urge John F. Kennedy to start an invasion of Cuba. The reports of Maxwell D. Taylor contain the detailed information about all possible risks which could arise in the USA during that period. A top-secret Pentagon correspondence describes how to deceive Moscow and convince it of American willingness to attack Cuba.

Conclusion. To sum up, analysis based on new archival documents show that early strategic concepts of the USA interpreted the policy of the American President incorrectly. Most of the declassified documents indicate repeated attempts to influence the further actions of John F. Kennedy. But offensive actions of the USA could lead to the beginning of the Third World War.

Keywords: John F. Kennedy, the USA, the Cuban Missile Crisis, Fidel Castro, Nikita Khrushchev.

Khoma N. M. Political Performance as a Form of Postmodern Social Protest

The article explores the concept of performance as a form of political action-game in postmodern reality. The political performance is analyzed as a new technology of communication in the system “power-society” that appeared in response to the loss of potential by traditional technologies of political communication. It is being proven that performance ideally fits the sociocultural matrix of the present time. It is stressed that political performance has already been embedded as a form of social protest in Ukraine and its effectivity as a technology of interaction (influence) has already been proven.

Virtually all connotations of a performance indicate the existence of an active setout, which engenders the creative act. Generally the creativity of the performance’s subject is oppositional to the political government, that’s why it doesn’t fit within its political stratagems and tactics. The performance should be understood as a creative act of a subject, which is realized in a certain place and at certain time, carries public and demonstrative character, and is being realized through a peculiar dramatized action, visually registered by the audience. The performance is a creative act of a subject, its self-presentation through the conception and action, addressed to a particular audience.

We prove that, though the performance appeared in XX century, its elements have been present in all historical epochs, beginning with the most ancient civilizations. It is argued in the paper that protoforms of the performance were present already in the Antiquity, that means that dramatization has always been an important part of public politics. Thus, we suggest the existence of a profound interconnection between politics and theater.

It has been emphasized that the primary goal of political performance is not the communicative act itself, but the achievement of the audience’s attention, since the political choice is often done under the influence of emotions.

It has been specifically stressed on the importance of discernig between political performance and political ritual. If there is a border between the performer and the spectator in political rituals (parades, inaugurations, etc.), such a border is consciously eliminated in the performances and the accent is laid upon the interaction between the scene and audience. It is being proven that the performance is a complex communicative action, in which the role of both the performers and the audience is equally important. The essence of performance manifests itself in its function as a way of manifestation of political ideas and demonstration of the role of its supporters.

Key words: performance, political performance, political communication, social protest, dramatization of politics.

Tsymbal D. I. Structuring the parliamentary opposition and the peculiarities of its functioning in 2010-2013.

In the article "Structuring the parliamentary opposition and the peculiarities of its functioning in 2010-2013" discusses and analyzes the conditions of the political opposition in Ukraine under President Viktor Yanukovych, investigated the problem of interaction between government and opposition, as well as examining the characteristics of the relationship of opposition forces. The publication is a summary and analysis of events in the political field, which characterize the political process in the period 2010-2013.

The author focuses on the issue of strengthening of authoritarian tendencies in Ukrainian politics, and the usurpation of power in the hands of the leader of the Party of Regions - Yanukovych. The article also discusses problems in the functioning of the political opposition in the conditions of domination party in power in the central government and assesses the performance of the opposition forces. The author discusses, in particular, about the persecution from the government's political opponents, as well as the reasons that prevented the consolidation of the opposition in the parliamentary elections of 2012. The article gives examples and evaluation of the ideological confrontation between opposing political forces. According to the author, the main drawback is the inability of the opposition of its leaders overshadow the personal ambitions and accumulate all the forces on the formation of an alternative to the current government. In support of his opinions by leading political scientists assess, in particular, K. Bondarenko and V.Karasev, as well as the results of Political Studies of the Ukrainian Independent Center, according to which in 2013 the opposition forces have not been able either to long-term, nor to the situational cooperation.

The author concludes that the board of Viktor Yanukovych in 2010-2013. negative impact on the development of the institution of the opposition in Ukraine because of the absolute dominance of the party in power, the persecution of political opponents and civil strife of the opposition forces.

Thus, the author comprehensively highlighted the changes in the political field, which occurred after the victory of Viktor Yanukovych in the presidential election of 2010, and also analyzed the problems and the peculiarities of the opposition in Ukraine in 2010-2013. The main value of the

work is reasoned consideration of problems in the functioning of the opposition in Ukraine, as well as focusing on the strengthening of authoritarian tendencies in Ukrainian politics and leveling the role of the opposition in the strategic decision-making at the highest state level.

Key words: political opposition, political forces, power, elections.

SOCIOLOGY

Bogdanova O. The Level and Specifics of Religiosity in European Societies: Does Secularization Theory Have Any Chances for Applicability?

The article aims to offer a basic comparative overview of religiosity in 45 European societies (48 countries and territories) based on data of the 4th wave of the European Values Study (2008–2010), taking into consideration the belief in continued conscious existence after death, religious self-identity, religious exclusivism, and attendance of religious services. In the light of this data, some considerations are offered regarding the applicability of secularization theory to explaining contemporary religiosity in societies of the European continent.

The relatively low level of religious service attendance and a sizable share of faith in reincarnation, despite its absence in contemporary official doctrines of Christianity and Islam, can be interpreted as a refusal of many believers to perceive religious organizations and professional clergy as those who can offer a holistic spiritual truth. The weakening of influence of formal religious doctrines and organizations might be related to emphasis on critical and independent thinking, which appeared in European societies in the context of democratization, economic and technical development, and accessibility of education, which altogether could be summarized under the concept of modernization, as was suggested by Steve Bruce, who is a prominent proponent of secularization theory.

However, on the other hand, the level of economic and democratic developments of societies cannot explain the differences between the levels of religiosity in European societies, since countries of the former communist bloc are among most religious as well as most secularized (i.e. not at all concentrated on one particular end of the spectrum). Moreover, the most secularized countries (territories) in terms of individual beliefs are Eastern Germany and the Czech Republic, which cannot be classified as most modernized. Thus the data suggests that a more plausible explanation might be found if we explore the dimensions suggested by Jose Casanova: the interrelation of the state and religious organizations as well as national and religious identities.

Changes that are happening now in Christianity in many cases could be described in terms of diversification and privatization and only occasionally in terms of secularization. The plurality of religious doctrines and organizations within contemporary Christianity could be the outcome of three circumstances: this religion has existed for a significant period of time by now, it has an immense number of followers, and Christian societies have passed the period of religious coercion provided through state structures (the latter can be referred to as secularization on macro level). Since Christian Churches are no longer interlocked with a repressive state apparatus that could create religious homogeneity by limiting access to alternative information, punishing dissidents and encouraging religious conformism, religious diversification and privatization came into the social arena. However, it is doubtful that either religious diversification or privatization of faith constitute precursors to religious indifference and hence secularization of European societies, as suggested by Steve Bruce.

Key words: secularization, de-secularization, theory of secularization, religious views, religious practices, religiosity in European societies.

Weston C. The national state, modernization and globalizations: The Case of South Korea`s Transformation in the 1960s to early 1980s.

The paper examines the rise of South Korea (or the Republic of Korea) with a particular focus on the period of 1961 to 1987 when South Korea transformed itself from an impoverished, US aid reliant, nominal state, still reeling from the destruction of the Korean War of 1950-3, to the rich, gleaming, thrusting, Asian economic behemoth of more recent times. The story told therein is not necessarily one of an effortless passage to greatness and a highly respectable GDP per capita, there were undoubtedly challenges along the way but there is a narrative that South Korea, due in part to its successful industrial conglomerates – the Chaebols, both ruthlessly competitive and highly innovative, combined with solid property rights and inherent entrepreneurship, was set (destined perhaps?) to achieve this deserved status. There is some merit in the above but it was far from the whole story.

Whilst commentators, such as, for example, Evans , have noted the essential role of the Chaebols in the development of South Korea, with the State serving as a key instrument in underpinning the modernization project, this paper seeks to go beyond the surface appearance and

examine other key important events and factors that also lay behind South Korea`s successful transformation.

There is the key role of the South Korean army which, in addition to its military role, also constituted a source of political and economic power, particularly in the era of Chung Park Hee.

In addition, there is also the economic role of the rapprochement with Korea`s former colonial power, Japan and South Korea`s re assumption of its periphery role in Japan`s economy, which had been seemingly terminated in 1945 following the latter`s defeat by the newly emerging superpower, the USA. South Korea`s own development would also closely parallel that of the rise of the American Empire, particularly through its substantial involvement as a key US ally in the Vietnam War – indeed a number of the Chaebols would rise to prominence through their business and commercial involvement in this war.

The winding down of the Vietnam War in the late 1960s and early 1970s might well have had a negative impact on Korea`s modernization trajectory but for the increasing trend of the globalization of capitalism, particularly in respect of the inflows of international capital and South Korea`a growing importance to Japan as an integral element of its own economic expansion.

The 1973 Oil Crisis led to an opportunity for South Korea as it became a major beneficiary of recycled petrodollars in an arrangement that closely mirrors the triangular trade of the eighteenth century by which the then emerging power, England, benefitted, as noted by Beaud, Gunder Frank, Williams and Wolf.

Thus South Korea`s own primitive accumulation of capital throughout the period was an essential ingredient in it realising its modernizing strategy, or ideology.

Finally, the paper will take a brief look at whether “inclusive institutions” were as important to South Korea`s modernization as has been suggested or whether other factors were equally, if not more important, in achieving its transformation.

Key words: national state, modernization, globalizations, South Korea.

Kuprieieva I. Theoretical and Methodological Approaches to the Study of Protest Activity in the Western Sociological Thought

In this article the author discusses the main theoretical and methodological approaches to the study of protest activity.

The first try to analyze protests was initiated by theorists of collective behavior. They explained protests in the terms of emotional reaction to situations outside individual’s control. They argued that mass protests are always destructive and lead to a breakdown of institutional order.

Later diffusion of different social movements caused an emergence of the relative deprivation theory that assumed a close link between the frustrations or grievances of a collectivity of actors and the growth and decline of protest activity.

Another approach to the study of the protests associated with the name Alain Touraine and was a consequence of the spread of postmodernists ideas in sociological thought. He looks through contention in post-industrial society as the major way to achieve happiness.

Further development of social movements led to their understanding from the standpoint of economic and political theory. It was reflected in the resource mobilization theory. Its researchers argue that in any society there is enough discontent to supply the grass-roots support for a movement if it is effectively organized. That is why protest becomes the usual way to achieve a social movement’s goals in the modern political system.

Today resource mobilization perspective still offers an important new insight into the understanding of protest activity, especial in the process of the development and spread of the Internet.

Key words: protest, relative deprivation, new social movement theory, resource mobilization theory.

Martsenyuk T. O. "I'd like my children do not know what is gypsy life": situation of Roma communities in the Ukrainian society.

The empirical material for this research consists of in-depth interviews with Roma people (mainly from Volyn oblast of Ukraine), expert interviews with international human rights and Roma NGO, focus groups with Roma people and Roma NGOs activists (fieldwork was done in autumn 2013).

The results of the measurement of social distance according to Bogardus scale, conducted by the Kyiv International Institute of Sociology in 2013 showed that the level of xenophobia against Roma people is the highest among the other ethnic groups. Despite the large size and long residence in Ukraine, Ukrainian Roma people still are not perceived as the permanent residents.

The “Strategy for protection and integration of Roma national minority into Ukrainian society by 2020” has been adopted by the Ukrainian government in 2013. But experts from Roma rights

NGOs are very critical towards this document, as it lacks proper mechanisms to implement changes; they feel there is little political will to address the problems facing Roma.

Ukrainian authorities do not have any reliable statistics on Roma, as many Roma do not have identity documents. According to the 2001 Census, there were then 47 600 Roma people living in Ukraine. However, the Council of Europe Roma and Travellers Division estimates that the Roma population is much larger, between 120,000 and 400,000.

The research for this study and other studies has revealed that Ukrainian Roma people face regular and systematic discrimination in almost all areas, including access to education, housing services, health care, employment and communication with police. Marginalized groups of Roma population who live in the compact settlements (in Volyn they buy cheap houses in villages for state support of born children) are also illiterate and can't find decent jobs. That is why they are begging or doing some other illigal work (like digging metal for selling).

Key words: Roma, the Roma national minority, public policy, discrimination of Roma.

Melnichenko A., Akimova O. Problems and prospects of electoral sociology in Ukraine.

In this article the authors aim to study to find out specifics of the national electoral sociology and to analyze the negative experience of sociological support election campaigns in Ukraine. The authors are convinced that dominant functions of electoral sociology, among other functions of social science is forecasting and diagnostic.

The study argues that the institutionalization of electoral sociology in Ukraine since independence has started, because in the Soviet Union, this branch of sociological knowledge and practice are unlikely to have development prospects.

An important issue of electoral sociology in Ukraine, which on the surface is rather frequent failures reputable research agencies and famous sociologists associated with the prediction of voting behavior of the population.

The main problems of domestic electoral sociology authors emphasize failure to implement adequate theoretical reflection of existing empirical rather rich.

Moreover, serious methodological problem was a "limited" electoral sociology that empirical dimension focused mainly on pollsters-approach.

To demonstrate some of the problems of modern domestic electoral sociology turn to sociological impacts elections to the Verkhovna Rada of Ukraine, 2012.

Through the analysis of the 2012 election authors conclude manifestations effect «the last minute swing». In addition, the authors raise the issue of interpretation "inconformity" or answers wavering. The article states that as a result of the rise of authoritarian tendencies in society or voter or the sociologist or the customer (which is often a representative of the ruling elite) cannot to provide qualitative sociological information.

Key words: electoral sociology, electoral settings, surveys, forecasting election results.

LAW

Holosnichenko I. P. On the problem of implementation in Ukraine of criminal misconduct and distinguishing it from an administrative offense.

The orientation of the Ukrainian state towards reforming of the administrative and criminal law, and the appropriateness of introducing of a criminal offense are shown. The signs of separation of the administrative offenses and criminal offenses are determined.

It is reasonable to separate these illegal acts on the bases of such criteria as the degree of harm caused by their public relations, the type of the object of the offence, the subject of jurisdiction, the severity and type of penalties provided for by their commission, the subject of the offence.

According to the degree of harmfulness of the offense, high, significant and low levels of social harm can be distinguished. The offense with the low level of social harm can be considered one of the signs of an administrative offense. It is advised to characterize the significant level of social harm as the criminal offense.

It should be noted that in case of a positive solution by the legislator of the introduction of the criminal responsibility for the offense, that must be provided in tort law, it can be included to the latter a number of actions that are now classified as crimes and entail criminal liability, major sign of which is a criminal record. During the introduction of the institute of criminal misconduct it is necessary to conduct the reform of administrative responsibility that will focus primarily on the protection of the rights and freedoms of citizens, as the responsible for a criminal offense, by its

nature, should not entail criminal record as a major sign of criminal responsibility. Moreover, during the commission of a criminal offense softer penalties should be provided.

Kravchuk O. O. Organization of feedback in state property management on the basis of standardization of accounting and control.

Problems of accounting and control over state property are considered in the article. The author examines the state as user of account information from the perspective of a typical large owner. Standardization of accounting and control are very important for the state as the owner like any large owner to providing adequate quality feedback. Paid attention to the issues of standardization of accounting policies, the formation and synthesis of accounting information, the problem of mandatory accounting standard forms. The impact of these factors on the information provision of state property management is revealed.

The author notes that the accounting policies in the public sector should ensure the unity of the procedures, the accuracy and consistency of information about the same types of assets and liabilities. To do this, their availability, use and flow should be considered in the same forms of accounting documents. These forms must be defined, standardized in accounting policy.

Subsystems of state property management at state enterprises, institutions, organizations level should enable the compliance with the relevant standards – accounting and control should be based on uniform principles.

Nationwide registry of state property should be formed and its maintenance should be ensured authorized to exercise control in the sphere of state ownership central executive authority. And it should not be the registry of real estate. It should be real and full register, based on a result of the provision of accounting and monitoring the availability and condition of state property and on the base of common methodological principles.

Golosnichenko D. I. The acquirement of authorities by legislative bodies and executive power.

The definition of authorities and the order of their acquirement by legislative bodies and executive power are considered in the article. The legitimacy of authorities in case of their acquirement by these bodies as well as the origin of authorities from the Ukrainian nation are under attention. The power considered as a characteristic element of authorities and the local government bodies and their official individuals possess such attribute as authoritativeness.

It attests the genesis of this phenomenon, its origin from nation power. Nation as a source of power possesses this power in top extent and as a carrier of sovereignty concentrates main public functions. In civilized civil society they are allocated between country and other institutions depending on domains, on things of competence and on the extent of the obligatory of their authorities. The Main Law of Ukraine defines also the order of government formation. If parliament gets authority concerning the fulfillment of power directly from electors – the citizens of Ukraine, then the Cabinet of Ministers of Ukraine as the as supreme body of executive power receives necessary authority from Verhovna Rada of Ukraine, as it administered to accomplish the laws of Ukraine accepted by Verhovna Rada, having in mind that these laws are not only to define the order of government activity but also to establish its rights, duties and the circle of competence. Hereby, Verhovna Rada of Ukraine delegates the part of authorities received from Ukrainian nation – Ukrainian citizens of all nationalities, expressing sovereign will of nation to the Cabinet of Ministers of Ukraine. State power authorities in the domain of executive power along with responsibility for their fulfillment are allocated in order determined by the Constitution and laws of Ukraine. However, it is important that citizens of Ukraine can directly accredit the bodies of executive power to fulfill certain functions of state government adopting laws by referendum. Therefore in first case the indirect delegacy of authoritative authorities happens, in another – delegacy is direct. Hereby, the general rule of acknowledgement of the legitimacy of authorities to the body of legislative or executive power, or functionary is that they both acquire authorities on the basis of the adherence of all demands of legislation and act in the manner determined in it.

Borets L. V. Legal regulation of the governmental internal control in the Internal Affairs system of Ukraine.

This paper investigates the problems of organizational and legal providing of implementation of the governmental internal control in the system of Ministry of Internal Affairs of Ukraine, whose elements are internal control and internal audit.

The basic principle of the governmental internal financial control is a clear distinction between internal control and internal audit.

The internal audit should determine how to carry internal control.

The basis of internal control is responsibility of head for the management and development of the organ in general.

Internal audit in the system of the Ministry of Internal Affairs is carried out by relevant units of internal audit. The main division of the carrying out the internal audit in the system of Ministry of Internal Affairs is the Internal Audit Department of Internal Affairs of Ukraine.

The object of the internal audit is the activity of the Ministry of Internal Affairs and its territorial bodies of internal affairs, of Internal Forces of the Ministry of Internal Affairs, of enterprises, institutions and organizations that belong to the field of management of the Ministry of Internal Affairs (further – the objects of audit), in full or on specific issues (at various stages), and measures which are carried by the leadership of audit objects for the providing of effective functioning of the internal control system (compliance with the principles of legality and efficient use of budgetary funds, delivering of results in accordance with established goals, performing tasks and plans and keeping the requirements regarding of activity of audit objects)..

Kachura O. A. Concept of administrative procedures of state registration.

The paper clarified the term "administrative procedure of state registration" and made proposals for legislative consolidation.

It is stated that definitions of "administrative procedure" the literature has not developed a single point of view, although the specified term investigated known Ukrainian experts. As for normative fixing of concept of "administrative procedure", it is absent in the legislation of Ukraine.

Suggested definition of administrative procedure: it is part of the not judicial administrative process which includes totality of legally enforceable rules of law to resolve individual administrative cases which carried out by public administration for a clear order and in a certain sequence aimed at achieving certain administrative and legal results and completed taking of administrative act and its execution or signing of the administration contract.

Analyzed the views of scientists and legal definitions regarding the definition of "registration procedure", "state registration". Substantiated that there is no need to provide a definition of state registration of each piece of legislation, which regulates the specified legal relationships, but necessary to legislate the concept of of state registration and basic principles of its holding in the special law of Ukraine.

Offered the definition of state registration - is regulated by the administrative law authorized activities of public administration attestation (confirmation of official recognition) certain legal facts through the commission procedural actions making entries in public registers and issuing of supporting documentation.

According to a study proposed the following definition of copyright administrative procedure of state registration is regulated by administrative law authorized activities of public administration to resolve individual cases of administrative certification (confirmation, official recognition) certain legal facts through the commission procedural actions making entries in public registers and issuing of supporting documentation.

Borets M. V. The concept of administrative supervision in the area of prevention and counteraction to legalization of profits, obtained in criminal way (money laundering).

This abstract explores the nature of concepts: "regulation", "supervision", "state management", "state regulation ", "state regulation and supervision in the area of prevention and resistance of legalization of profits, obtained in criminal way (money laundering) and terrorism financing",

State regulation and supervision in the area of prevention and counteraction of legalization of profits, obtained in criminal way (money laundering),- this a system of measures for the prevention, detection and suppression of crime, recovery of the established order and taking the guilty persons in to administrative responsibility, which should be carried out by authorized agencies (the state regulators) and their officials by special methods and legal procedures.

The essence of administrative supervision is expressed in constant observation and specialized judicial verification by the authorized state bodies and their officials of strict implementation of certain rules in the activities of specific legal entities and natural persons - entrepreneurs (subjects of the state financial monitoring).

Chepulchenko T. O. Peculiarities of legal regulation in the countries of the religious right.

In education refers to an emphasis on the fact that the originality of religious legal systems is that they are based on a system of creeds; traditional (conventional) and religious regulation of public relations, with flexible to the ability to adapt to the conditions of development public relations, are constantly changing. The dominyuchoyu normative system is religious.

Religious law appears as a framework for concerted and related regulations of the religious texts; norms caused by their interpretation and specification of common legal norms. The religious right is closely linked with the socio-historical conditions of development of the country, the distribution of world religions sprovodzhuvalosya adoption of local customs, which in the minds of people joined and began to be recognized religious customs and norms.

The law in the sense of the Roman and Romano-Germanic law in the Muslim understanding does not exist. So, according to the theory of Islamic law state in the person of the ruler of a monarch or in later times, the Parliament cannot make the law, be the legislator. Theoretically, only God has the legislative power.

In the article the legal regulation of the religious legal families is considered on the example of the Muslim legal family, and in particular, according to the doctrine of the four sources of Islamic law: the Quran, the Sunnah, Ijma and kiyasu.

As a conclusion it is emphasized that the peculiarity of the legal regulation for the countries of the religious right, in particular, Muslim countries, is that a legal provision is of secondary importance, and the efficiency of its implementation in legal work depends on the consistency with the norms of morality, religion, custom or tradition. In this regard, social role, content, volume of legal work in different legal systems will be uneven.

Iegorova V. S. Regulatory and legal guarantees of judges of courts of general jurisdiction under the Constitution of Ukraine.

Based on the content of the constitutional laws distinguish organic nominal and ordinary laws. With organic constitutional law amends , supplements , amendments to the current Constitution and made an integral part to the text of the Basic Law or added in the form of amendments .

The procedure for acceptance and change most complicated : the order of adoption is no different from the order of the Constitution . Nominally they are constitutional laws, and a list of names that are provided in the Basic Law . These laws are a kind of continuation of the Constitution, their position in the text of the Constitution are not included. This - mostly statutory acts, the main purpose of which - to specify and refine certain constitutional provisions . Examples of nominal law is the Law of Ukraine " On the Judicial System and Status of Judges ".

Legislative guarantees include regulations and other branches of law , including labor, administrative , criminal , information and more.

The priority view of constitutional and legal guarantees of judges of courts of general jurisdiction are legal guarantee that is the body of law by which ensured the rights and freedoms of the judges order their health and protection. Legislative safeguards are rules, principles , legal responsibilities and legal obligations envisaged by the Basic Law states, codes, laws and regulations and international legal agreements.

Daraganova N. V. Authority labour officers of Ukraine.

This article is devoted to the issues related to the analysis of the authority of the State Labour Inspection of Ukraine – the basic element in the Ukrainian state labour protection system and the authority of the labour officers of Ukraine.

The author determines place and role of labour protection in the system of administrative law of Ukraine.

The author determines place and role of labour protection in the system of administrative law of Ukraine.

The theoretical analysis of categories: «labour protection», «observance control of a labour protection legislation», «authority labour officers of Ukraine» is carried out.

The thesis investigates the complex of theoretical and practical problems connected with the realization of control-supervisory activity of labour officers of Ukraine.

Contents of right to the labour protection are specified. In the present study the current state of the legal of labour protection in Ukraine is analysed.

The international legislation of labour protection is investigated.

It has been established that the content and the volume of the labour officers of Ukraine in most cases match the requirements of international acts, although there is a range of disparities associated, in the first place, with the problem of conducting planned and unannounced inspections by authorised labour officers.

Concrete proposals to improve on the legal of relations in the sphere of labour protection in the conditions of market economy are developed.

Keywords: Labour inspection, Labour officers of Ukraine, labour protection, administrative law.

Davidovich I. I., Kipran Y. O. Problems of criminal for murder with the motive of compassion for the victim.

The research of matters of criminal liability for homicide due to compassion is quite problematic today as the effective Criminal Code of Ukraine does not resolve this problem, and the theory of criminal law is rich with ambiguous opinions on legalization of such act on legislative level. The great number of scientific works by domestic and foreign scientists serves as proof of the above.

This article researches various theoretical approaches in a systemic way, related to matters of euthanasia, and generalizes them; it also contains offers regarding improvement of the current Criminal Code in the part of regulation of liability for homicide due to compassion.

The analyzed approaches to possible resolution of the euthanasia problem on legislative level might be useful for other countries with similar problems and assist in its resolution.

The formulated texts of articles which authors suggest introducing to the Criminal Code of Ukraine in the future have a great practical value.

In writing their articles, the authors used works of domestic and foreign scientists who researched this matter.

The article considers types of euthanasia, namely: active and passive, and their subtypes. The foreign experience of resolving this matter has been analyzed, namely, the three main approaches to its resolution have been distinguished: 1) adjudging euthanasia privileged homicide; 2) relating euthanasia to circumstances, which exclude criminality of the act; and 3) including euthanasia into homicide and murder category without mitigating circumstances.

There are also offers on adoption of the law which would supplement the criminal code in the part of regulation of homicide due to compassion, namely, it should contain a procedure of performing the homicide of a lethally ill person upon this person’s request; the list of persons or bodies which are legitimate to perform this procedure; as well as other disputable matters which would maximally ensure avoidance of abusing such right.

Lushpiyenko V. M. Regulatory and legal guarantees of judges of courts of general jurisdiction under the Constitution of Ukraine.

The Federal Republic of Germany has one of the most stable criminal procedure laws in Europe. The German Code of Criminal Procedure (CCP) was adopted in 1887 and is now applied as amended on April 7, 1987. It reflects the general ideas of the democratic reforms of criminal procedure that took part in the 19th century. Witness’ status in the German CCP is described in Chapter 6 ‘Witnesses’ of Book 1 ‘General Provisions’. The Witness chapter contain the terms setting out: a witness’s rights and obligations, procedure of interrogation of witnesses and certain categories of persons (federal President, MPs and ministers), a witness’s oath, compensation as well as legal counsel. One of the main differences of the German law from that of Ukraine is that in the German CCP witness’ status is described in a separate chapter specifying their rights and obligations, while in the Ukrainian CCP these are included in ‘Other Participants of Criminal Proceedings’. The German CCP does not focus on the definition of a witness as much as in the Ukrainian CCP – this is what makes German CCP really specific as it contains no definitions of the terms used therein. Therefore, the legislator enabled to develop them in the criminal procedural doctrine and jurisprudence. In Germany, ‘witness’ is most commonly defined by the reference to the definition that was made up by the Supreme Court of the German Empire: ‘A witness is the person who, without taking any other procedural position, should inform the judge about the facts such person perceived.’ Looking at the German testimony concept we can say that it was created in old times together with the legal process itself, and evolved under the influence of a variety of circumstances, mainly due to the transition from one type of criminal procedure to another.