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HIGHLIGHTING OF PUBLIC ADMINISTRATION IN LEGAL EDUCATION ISSUES IN DISSERTATIONS IN UKRAINE: CURRENT STATUS, TRENDS, PROBLEMS

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In the article of Ukrainian scholars' dissertations on the law-education themes have been systematized and analyzed, their statistics and dynamics according to different criteria, which have been highlighted, the main tendencies and problems have been revealed and summarized.

Keywords: public administration, legal education, scientometric analysis, trends dissertation research.

Since obtaining its independence Ukraine has sought to unite the society around the understanding of human rights and freedoms values. In this context, a number of legal documents have been adopted at the state level, including the National Program of Legal Education of the Population (hereinafter - the National Program), which states that it is necessary to resolve "the issues of further development of legal awareness of the population, to overcome legal nihilism, to meet the needs of citizens in obtaining knowledge about law" [7], and the ways of solving the set goals have been determined, one of which is to improve the system of legal education of the population, to preserve and develop national traditions in this sphere.

We emphasize that in the context of the establishment of a democratic, constitutional state and the formation of a civil society in Ukraine, it is necessary to rethink all processes that influence the functioning and development of the legal education system. In order to make the appropriate changes to the existing system, firstly it is necessary to study its condition, to analyze available information on its development, to identify problems and, on this basis, to develop effective mechanisms and identify relevant resources. In this regard, it is useful to apply the results of scientific developments of Ukrainian scientists aimed at studying the state of problems. As the centers for research on legal education in Ukraine have been identified The Ukrainian Academy Legal of Sciences and The Institute of State and Law named after V. Koretsky of the National Academy of Sciences of Ukraine.

Today in the national scientific environment there is a sufficient amount of solid scientific works, among which dissertations occupy a significant place. It should be noted that the dissertation for obtaining a scientific degree, in accordance with the resolution of the Cabinet of Ministers of Ukraine "On Approval of the Procedure for awarding academic degrees", is a "qualifying scientific work, performed personally by the candidate in the form of a specially prepared manuscript or published monograph" [6]. The thesis must contain scientifically grounded theoretical or experimental results, scientific provisions, and also be characterized by the unity of the content and have evidence of the individual contribution of the applicant to science. Thus, it is precisely the scientific work where should be offered solutions to specific scientific tasks that are essential both for a particular branch of science and for practical activity.

We will try to evaluate the state of the dissertation research related to the law-education subject with the help of scientific-quantitative analysis. To do this we will find out and systematize the dissertation works on the research issues, prepared and defended by scientists during the period of Ukraine's independence, and analyze their number, according to the following parameters:

- type of dissertations;
- year of thesis defense;
- area of research;
- scientific field;
- specialty of scientific branches.

We will also define the main tendencies and problems of scientific researches of the theoretical and methodological foundations of public administration in legal education in Ukraine.

Before proceeding to the scientific-quantitative analysis of the dissertations, we have to note that in the Ukrainian environment there is no unified approach to the definition of the essence and content of the concept of "legal education", the boundaries of its functioning has not been clearly defined. In addition, the existence of a large number of related definitions, which in one way or another relate to legal education, their blurriness, and lack of clarity in their interpretation, cause a lot of discussion in the Ukrainian society [1; 5]. In order to outline the limits of our research to the legal subjects, we will deal with both the system and the process of legal education, as well as its outcome, and therefore define the following areas of research:

- legal education (its formation, functioning, development, system, content, functions, methods, mechanisms, etc.);
- legal culture;
- legal upbringing;
- legal awareness;
- jurisprudence (theoretical and methodological approaches to teaching the discipline, as well as to the science of legal knowledge);
- legal ideology;
- legal competence (necessary legal knowledge for specialists);
- legal heritage, traditions;
- management of legal education as a system of professional legal education.

Of course, the outlined directions are not comprehensive, but these are the directions that have been covered in the dissertations of Ukrainian authors.

The analysis of the published scientific researches that are available in the Internet allowed to reveal 46 dissertations, where in one way or another law-education subjects are defined, of which 39 - PhD theses and 7 - doctoral (Table 1). The defense of the first dissertation on the relevant topic took place in 1998, which, in our opinion, is explained by the fact that in 1995 the first program of legal education of the population was adopted at the state level. Further activation of scientific research in the field of law studies might be related to the adoption of the next program in 2001. In general, analysis of dissertations according to years of their defense allows us to conclude that in 2011, 2015, 2016 there were the most defended theses, the smallest number was defended in the late XX and early XXI centuries. However, there are years when the topic of law education was not at all represented by scientists in their studies - 2000-2001 and 2013-2014.

Tab. 1.

Statistics of the dissertation defense, which can be attributed to the law-based subjects

Thesis type	Year of defence																Total acc
	1998	1999	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2015	2016	2017	
PhD	1	1	1	1	4	3	2	2	2	3	2	4	3	3	4	3	39
Doctoral	-	-	-	1	-	-	-	-	-	-	1	1	1	2	1	-	7
Total number of theses acc to years	1	1	1	2	4	3	2	2	2	3	3	5	4	5	5	3	46

Undoubtedly, in the country, scientific studies on legal education are too small in scope. Moreover, doctoral studies, even from a defined number of works, amount to only 15.2%, which negatively characterizes the process of selecting the relevant research topics. However, the above statistics gives grounds for the conclusion that the topics are increasingly becoming the subject of scientific interest of Ukrainian researchers, which may indicate the existence of a significant number of problems in practice: namely, the functioning of the legal education system, dissatisfaction of the population with the possibility of obtaining the necessary legal knowledge, insufficient availability of citizens' access to sources of legal information, etc.

In accordance with the scientific fields, most of the dissertations on legal subjects are represented in the legal (21 works) and pedagogical (19 works) sciences, which is 86.9% of the total number of works being discovered. Statistical data on the defense of theses by scientific branches are presented in Fig. 1.

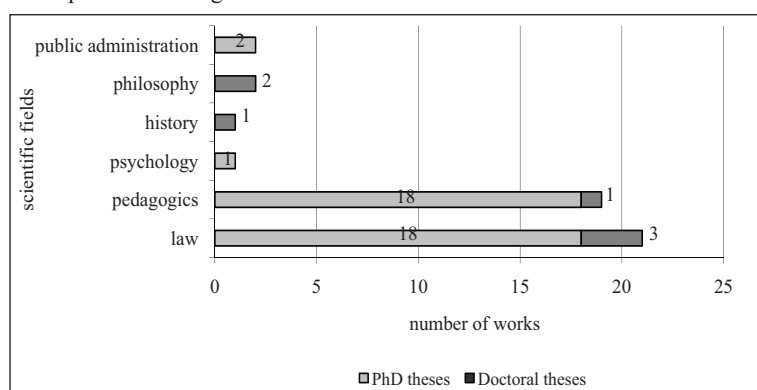


Fig. 1. Statistics on the defense of theses on law-based subjects in scientific fields

It is quite logical that in the legal and pedagogical sciences the greatest number of dissertations is presented, since the very concept of “legal education” as a phrase, is formed from two independent words, connected in grammatical terms and in meaning, namely, from the words - law and education. As for other branches of science (psychological, historical, philosophical sciences and the science of public administration), there is a steady trend in the dissertation researches which, given the importance of law-education subjects for the Ukrainian community, represents the scientists' underinvestment on this issue.

Among the specialties of legal science the undoubted leader is the specialty 12.00.01 “Theory and History of State and Law; the history of political and legal studies “. Altogether 18 dissertations have been completed in this specialty, of which 3 are doctoral. It makes up 85.7% of the total number of works performed in the scientific legal field and 40% of the total number of all theses on the law-educational subjects. Also one work per specialty on this problem was done: 12.00.02 “Constitutional Law”; 12.00.07 “Administrative law and process; finance law; information law”; 12.00.12 “Philosophy of Law”. The relevant statistics are shown in Table 2.

As for pedagogical sciences, the specialty 13.00.04 “Theory and Methods of Professional Education” is the leader with 8 theses, which is 44.4% of the number of all performed researches in this branch and 17.8% of the total number of represented works in the legal educational field. Also relevant studies have been done in three specialties in pedagogical science, two specialties in the field of philosophy and one specialty represented in each of the scientific branches of psychology, history and public administration.

Tab. 2.

Statistics of defended dissertations on law-education subjects in specialties of scientific fields

Thesis type	Number of defended theses in the specialties of scientific fields (specialty code)													
	law				pedagogy				psychology	history	philosophy		public administration	
	12.00.01	12.00.02	12.00.07	12.00.12	13.00.01	13.00.02	13.00.04	13.00.06	19.00.07	07.00.01	09.00.03	09.00.10	25.00.01	
PhD	15	1	1	1	6	3	8	1	1	-	-	-	2	
Doctoral	3	-	-	-	-	1	-	-	-	1	1	1	-	
Total acc to specialties	18	1	1	1	6	4	8	1	1	1	1	1	2	

The statistics on problematic issues related to law-education activities, which are covered in the dissertations by Ukrainian scientists, are presented in Fig. 2.

It is evident from the figure that the most investigated topics are related to the legal culture (presented in 13 papers, which is 28.9% of the total number of all theses on research), and to legal education (10 works, 22, 2% of the total number of dissertations). From 3 to 5 works have been performed in such areas of research, as: legal awareness (5); jurisprudence (5); legal upbringing (4); legal heritage, traditions (4); legal ideology (3). The least investigated areas are legal competence (1) and management of legal education (1).

Studying the content of dissertations devoted to theoretical and methodological aspects of legal education (purely law-educational direction of research), one can determine the problematic issues which are raised in accordance with the scientific fields, namely:

- legal sciences - development of legal education and science, peculiarities of functioning (S. Bogachev, V. Kakhnych);
- pedagogy: problems of the theory and practice of students' legal education management in a secondary educational institution (O. Kovalska);
- legal training of future teachers (M. Gorodysky, I. Darmanska, S. Nikitiuk, V. Odariy);
- formation of the legal education content (L. Vysotskaya);
- philosophy - the formation of the organizational awareness of the individual by means of legal education (O. Fatkhutdinova);
- history - the genesis of school legal education in Ukraine (A. Guz).

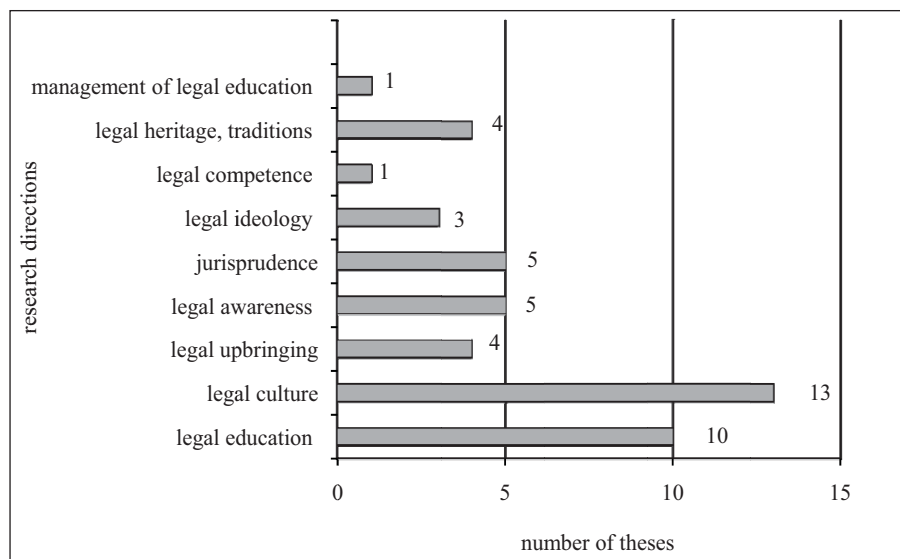


Fig. 2. Statistics of the theses defense on the subjects of legal education in the areas of research

Regarding the issues of public administration of legal education in dissertations, it can be noted that, unfortunately, Ukrainian scholars do not pay enough attention to this topic. It is possible to cite only two dissertations, which consider some aspects of the management of legal education. In particular, O. Kovalska examines the management at the level of secondary education in her work, analyzing theoretical principles, content, management technology, develops and scientifically grounds the “model of the system of management of legal education of students in a secondary educational institution, which consists of conceptual, content, and technological components, which are implemented through substantially defined content of activities at strategic, tactical, operational, reflexive levels of management, ensuring system interaction between actors and effective implementation of the management cycle in the legal education of students in secondary school” [2]. The dissertation by M. Martynov is devoted to management at the level of higher education. In his research, the scholar investigates the essence and content of the organizational and legal principles of management of legal education in Ukraine, outlines the problems and formulates proposals for the improvement of national legislation in the field of study and practices of its application [4].

Unfortunately, in the scientific field of public administration the problems of public (state) management of legal education have not been reflected. Some aspects of the legal topics are covered in the dissertations by M. Kushnir “Formation and development of organizational and legal culture in the activity of central authorities in Ukraine: methodological analysis” [3] and G. Khavarevskaya “Theoretical principles of formation of legal culture in the system of local executive bodies of Ukraine” [8]. Both works are performed on the specialty 25.00.01 “Theory and History of Public Administration”. Although they have only a fragmentary coverage of issues related to the management of law-education activities, they have outlined and launched a new direction in scientific research in the newly created scientific field “Public Administration and Management” in Ukraine.

The conducted scientometric analysis of the dissertations on the law-education subjects allowed to evaluate the scientific productivity of Ukrainian scientists by counting the number of scientific qualification papers according to the following parameters: types of dissertations, years of their defense, research directions, scientific fields and their specialties. The results of the analysis made it possible to determine the main tendencies and problems: a slight increase in the interest of law-education subjects on the side of scientists in recent times; a small number of doctoral studies on research issues; considerable attention to this subject by scientists in the legal and pedagogical sciences; the issue of management of legal education is not yet the subject of research by Ukrainian scientists.

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SYSTEMATIC ORGANIZATION OF INTERNATIONAL LEGAL DOCUMENTS ON EDUCATION AS AN EFFECTIVE MEANS FOR THE IMPLEMENTATION OF EDUCATIONAL POLICY IN UKRAINE

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The article proves the necessity of international legal acts systematization defining the legal regime in education. The criteria are proposed and the benefits of this systematization are determined.

Keywords: *system of international legal acts, educational sphere, educational policy, public administration in education.*

In the context of globalization, when significant political, social, cultural, scientific, and technological transformations of a civilizational scope are taking place, many spheres of society's life are reduced to general patterns of international legal documents adopted by international organizations, which today act as an effective regulator of international relations. Education is not an exception; in the modern world it plays a leading role as a social institution, namely: contributes to the socialization of younger generations, disseminates scientific knowledge among all strata of population, develops the culture of society, promotes scientific and technological progress, forms the elite and leaders of the country, provides knowledge of the general laws of social life, promotes a deeper understanding of social processes, changes the structure, politics, system of government, etc. [7, p. 18]. Education enables the possibilities for modernization of all spheres of public life, increases rates of economic growth and population life quality standards, guarantees national and international security of the country. Note that the educational sphere itself is undergoing significant changes, due not only to the objective requirements of time, but also to the state of education itself. For nearly a hundred years, the world has been looking for a new, more quality educational model, since the future of the state largely depends on the state of the education system, its adaptation to new socio-economic relations, and the proper legal framework. We emphasize that since independence Ukraine has sought to modernize its national education system and educational legislation in accordance with the norms of international law. For this, those international regulations that are legally binding are ratified at the state level.

It should be noted that the main international documents, which define the right of the person to education, are declarations, conventions, and recommendations. They define the rules regulating the status of educational institutions, their material and technical status, documents on education, the status of participants in the educational process, the conditions for international cooperation and the integration of national education into the international educational space. Today, a prevailing block of international legal acts in the field of education currently counts about one hundred documents, which include those that regulate exclusively educational relations and those that directly or indirectly touch, along with others, education. The existence of a large number of documents complicates both the process of developing sector policy in the state, as well as the process of this industry management. Therefore, for the proper clarification and application of the norms of educational law by the state authorities, as well as for the purpose of ensuring the accessibility of educational legal norms for society, it is necessary to systematize them, organize them, and bring them into a complete internal coherent system. Due to the systematization, the contradictions between the norms of law are overcome; the revisions to the current ones are canceled, amended, or replaced by new acts that meet the needs of public life.

Unfortunately, the problem of registering international legal acts that determine the legal regime in education, the need and advantages of their systematization, is not the subject of research of Ukrainian scientists. There are several scientific works devoted to the study of only some aspects of this subject. Thus, E. Krasnyakov examines the impact of international legal